

Nurses and health care workers come to the defense of former Tennessee nurse RaDonda Vaught

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The WSWWS is organizing the working class to defend RaDonda Vaught and all health care workers against victimization for the crisis of the for-profit health care system.

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There has been a tremendous outpouring of support from nurses and other health care workers for former Vanderbilt nurse RaDonda Vaught, who was convicted for a medical error which led to the death of her patient. As of this writing, an online petition on Change.org calling for clemency for Vaught has been signed by more than 152,000 people. She is due for sentencing on May 13, 2022.

The petition reads:

RaDonda Vaught is a previous Registered Nurse who worked at Vanderbilt Medical Center. She made a medication error, eventually leading to the death of the patient. Vanderbilt failed to report this incident to the Tennessee Department of Health and the Center for Medicare & Medicaid Services. CMS was anonymously informed of this error, and recently RaDonda Vaught was found guilty of negligence of an impaired adult and criminally negligent homicide. She can face up to 6 years in prison.

RaDonda was honest with her mistake and took the necessary steps of reporting the incident. She, unfortunately, is the only one being held accountable for this mistake. Many have attested to her character, compassion, professionalism, and skills during her nursing career. She is not a threat to society and does not deserve to be criminally charged for a mistake. The patient's family states the patient [Charlene Murphey] would not want RaDonda to be prosecuted for this mistake.

RaDonda Vaught has made it clear that she takes accountability for her medication error. She has expressed her remorse to the patient and her family.

Granting clemency for her mistake is absolutely what she deserves as she is the only person in this situation who has been up front and honest. She did not handle this situation out of greed and fear of scrutiny like the hospital she worked for.

She needs the community's support! She needs fellow nurses' support! We have power in numbers.

On March 25, 38-year-old Vaught was convicted of the lesser charge of criminally negligent homicide and abuse of an impaired adult. The jury found her not guilty of reckless homicide, yet she still faces years of jail time as a felon. Not only has her nursing career abruptly and permanently ended, but she and her family also face untold consequences and hardships. As many nurses have said, the profession of caring for patients is not a job but a calling.

By her own unwavering account, she inadvertently gave 75-year-old Charlene Murphey vecuronium bromide, a potent paralytic agent, instead of Versed, a sedative, on December 26, 2017. Murphey had been admitted on Christmas Eve at Vanderbilt University Medical Center (VUMC) for a brain bleed and had made a quick recovery after two days. Before her discharge, her doctors had ordered a PET CT scan. The sedative was intended to treat Murphey's anxiety as she had claustrophobia. The imaging she was to undergo to look for cancer required her to remain still in an enclosed tube for several minutes.

As a result of the medication error, Murphey could not breathe and suffered an irreversible brain injury. Several hours later, her family decided to remove all life support. Repeatedly, Vaught has taken responsibility for this tragic death, stating that she will forever carry the heavy burden upon her shoulders.

After the verdict, she told the *Tennessean*, "We have not forgotten about Miss Murphey and her family. Not at all. Not at all. This is about creating a safer environment so that things like this don't happen again."

Prosecutors in the case, led by District Attorney Glenn Funk, whose conflict of interests includes being on the faculty at

Vanderbilt University Law School, had attempted from the beginning to place the entire blame for the case on Vaught. They completely ignored VUMC's failure to protect patients and the subsequent coverup that was only brought to light when an anonymous tip to the Centers for Medicaid & Medicare Services (CMS) in October 2018 led to a surprise inspection of the facility.

In their strategy, the prosecutors spared no punches in defaming her. Nashville Assistant District Attorney General Debbie Housel went so far as remarking, "RaDonda Vaught recklessly ignored everything she learned in school when she administered vecuronium, a drug sometimes used in executing prisoners." The immediate association was that Vaught executed Murphey. Housel then emotionally provoked the jury by adding, "Vecuronium is only given when someone is intubated because it paralyzes the body. A person can't breathe, can't move, can't shout for help."

After a scathing CMS review and the embarrassing public exposure in November 2018, VUMC and the district attorney's office pursued criminal charges against Vaught. She was arraigned in February 2019 charged with two counts of reckless homicide and abuse of an impaired adult. However, due to the COVID pandemic, the trial was delayed.

None of these issues, including the systemic problems uncovered by the CMS, were ever raised at the trial. Nor was the tragic death of Miss Murphey placed into any context by the prosecution. Medical errors have remained unfortunate but expected. In 2020, more than 46,000 deaths listed complications associated with medical and surgical care, including medication errors. However, more and more health care workers have become convinced that owning their mistakes will inevitably lead to their punishment.

Bruce Lambert, a patient safety expert and director of the Center for Communication and Health at Northwestern University told CBS News, "Best estimates are 7,000 to 10,000 fatal medication errors a year. Are we going to lock them up? Who is going to replace them? If you think RaDonda Vaught is criminally negligent, you just don't know how health care works."

Indeed, the attempt by the prosecution to assert that their case against Vaught did not imply they were opposed to nurses and health care workers is totally false. Her criminal trial and conviction have set new precedents that all health care workers are now on notice. The almost universal response by health care workers defending Vaught and demanding clemency is because they feel in every fiber of their body that the attack on Vaught is an attack on them and their profession by the profit-driven health care systems and the legal system that defends it.

Nancy K, an Arizona nurse, wrote on Facebook in response to the verdict, "This hospital has shown its true colors. If you think they [VUMC] are the only ones that would do this, you're delusional. I can't tell you how many times I've heard how the hospital would always stand behind their nurses in my

long career. Otherwise, who would ever agree to work for them? Not only did they not stand behind her, but they also threw her to the wolves. Nurses have as long a memory as they have a sense of dedication. Vanderbilt is forever off my list of potential employers!"

Susan P commented, "I believe the focus needs to be on the system that cultivated the mistake and how they get away with it. ... While we are all responsible for our actions, we also live in systems that influence those decisions. ... However, we no longer have a sense of community and common good unless a corporation can find a way to profit off it."

Richard W from New York, with 40 years of experience in nursing, spoke on the broader issues facing health care workers. "The general public has no idea just how bad nursing has become. It's even worse if you work at a Veterans hospital. ... Nurses are overworked in severely understaffed units. There are policies and procedures in place, but management knows that if the staff followed those policies and procedures, nothing would be able to be accomplished, and they, therefore, encourage shortcuts."

After explaining how overworked nurses are threatened to take more shifts and skip their breaks, he added, "It is time to hold these hospital administrators accountable for the dangerous conditions they cause by pinching pennies. Shorting units and overworking staff."

Even the American Nurses Association and Tennessee Nurses Association have acknowledged the conviction's dangerous precedence. "We are deeply distressed by this verdict and the harmful ramifications of criminalizing the honest reporting of mistakes," they wrote. However, they stopped short of demanding opening an investigation into VUMC's cover-up, overturning the conviction and reinstating her nursing license. This only underscores the impotence of the unions, which have long collaborated in the cost-cutting campaigns of the for-profit health care companies.

RaDonda Vaught's defense is paramount. The spontaneous movement by nurses and health care workers in support of her cause is a healthy and progressive response to the deepening crisis in health care which the pandemic has exposed in its most malignant form. The campaign to defend her should be the starting point for a powerful counter-offensive of health care and all workers against the subordination of human life to corporate profit.

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