

# Ohio nurse charged with involuntary manslaughter for patient who went missing

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On January 16, Amber Henderson, RN, a nurse who worked at Avenue Warrensville Care and Rehabilitation Center in Warrensville Heights, Ohio, was charged in connection with the death of an elderly patient who went missing from the center. Henderson, 31, was arraigned by video at the Bedford Municipal Court on charges of involuntary manslaughter, a third-degree felony, and two first-degree misdemeanors, including tampering with records and gross patient neglect.

Henderson is being charged with involuntary manslaughter in the death of 84-year-old patient Alvera Meuti. Meuti was last seen by staff at 8:40 p.m. on December 23, 2024 during medication administration. Henderson was assigned to take over care of Meuti at 9:00 p.m. that night. However, when she went to check on Meuti around 9:30 p.m., she noticed the patient was not in the room. The nurse assumed the patient was visiting with her brother and did not report her missing until the following day at 6:30 a.m. A “code purple” was issued and minutes later she was located unresponsive, lying on her back, in an outside patio. Nurses attempted to revive her with life-saving measures but were unsuccessful and she was pronounced dead after being transported to South Pointe Hospital.

During the police investigation and interview of Henderson it was determined that she was a new nurse, and had only recently graduated from nursing school and obtained her state nursing license. When asked by law enforcement what kind of training she received and its length, Henderson responded that she had only received 30 days of training on day shifts and two weeks on night shifts. Orientation programs for new nurses generally range from six to 12 weeks. Henderson received only eight weeks of orientation,

which could have contributed to the patient’s death.

One of the primary issues new nurses face once they are allowed to work independently is managing a heavy workload and time management. This type of pressure can lead to a task-oriented approach, leaving no room for critical thinking, a recipe for disaster. According to researchers at the University of California, San Francisco, “nurses’ vigilance at the bedside is essential to their ability to ensure patient safety,” therefore, increasing a nurse’s assignment with more patients and tasks will eventually compromise a nurse’s ability to provide safe care. In addition to nurse-to-patient ratios and increased workload, the quality of on-the-job training may also play a role in patient outcomes.

There are still many unanswered questions:

- How many patients was Amber caring for that night and what was the staffing-to-patient ratio?
- Did Alvera Meuti require a full-time “sitter” to ensure she did not leave?
- What safeguards such as video monitoring or bed alarms could Avenue Warrensville have employed to protect Meuti and other patients from eloping?

According to a November 2024 report by ProPublica’s Nursing Home Inspect which obtains data from the U.S. Centers for Medicare and Medicaid Services (CMS), Avenue Warrensville was given a two-star rating out of five for staffing levels, which is deemed a below average rating by the CMS. As of November 2024, the percentage of nursing staff who stopped working at the Avenue Warrensville Care and Rehabilitation Center over a 12-month period was 56.6 percent. That number is significantly higher than the national average of 48.8 percent, or even Ohio’s 52.1 percent average.

In addition, Avenue Warrensville has received four federal fines in the last three years, the largest in the

amount of \$25,847, in April 2024. The inspectors from CMS determined that Avenue Warrensville failed to ensure that the center was free from accident hazards and failed to provide adequate supervision to prevent accidents.

This is not the first time the state of Ohio has scapegoated nurses for the terrible conditions in nursing homes that are generally the result of cost-cutting measures by owners to rake in more profits. A prime example was the scapegoating of nurse Aminata Fofana, who was sentenced on February 27, 2023, in a Delaware County, Ohio courtroom after pleading guilty to charges of involuntary manslaughter in the death of a patient from asphyxiation on May 20, 2021. According to an investigation conducted by the Ohio Department of Health and the CMS, at around 6:30 a.m. on May 20, 2021, Fofana, who was completing her night shift, went into the patient's room to check on him. She removed his soiled tracheostomy mask to clean it, however forgot to reattach the tubing, leading to the patient's death.

In recent years, Ohio state prosecutors have adopted a policy of indicting nurses to shift the blame from the owners who create the unsafe conditions and financially benefit from them. In 2019, State Attorney General Dave Yost aggressively sought to prosecute 106 nursing home staff, bringing charges of varying severity against them while holding the nursing home owners responsible for nothing.

This criminalization and scapegoating of nurses only drives more healthcare workers and nurses out of the field, contributing to the mass exodus which has been underway for years now, and only makes conditions more dangerous for patients. It is a slanderous attempt to cover up the root cause of the healthcare crisis in the United States, the capitalist system and ruling class that see the elderly not as people, but as a drain on society, no longer churning out profits for the corporate oligarchy.

Five years after the start of the COVID-19 pandemic in January 2020, Donald Trump has returned to the White House. Over the course of his first presidency he initiated a war on science and public health through the murderous policy of "herd immunity," a strategy of deliberate mass infection and death. Trump and his administration are picking up where they left off, and escalating an all-out war on science, public health and

the entire working class. In just the past week his administration has shut down a number of public health websites, and the CDC has suspended publication of all scientific reports, including on the spread of H5N1 bird flu, contraception guidelines, factsheets about HIV, the Morbidity and Mortality Weekly Report (MMWR) and reports on COVID-19 wastewater levels.

The censorship will only escalate once Trump's public health appointees are confirmed by Congress, one of the most dangerous being the notorious pseudoscience and anti-vaccine purveyor Robert F. Kennedy Jr. All of this is taking place amid the 10th wave of the ongoing COVID-19 pandemic, as well as a major surge of seasonal flu, respiratory syncytial virus (RSV) and norovirus.

A struggle must be waged by the international working class, the only social force that can end the barbaric capitalist system that is turning to authoritarian forms of rule. Nurses, healthcare workers and the entire working class must unite against the capitalist system and the corporate oligarchy that is now in direct control of the US government. This will require a break from the Democratic Party, as well as the pseudo-left and trade union bureaucracies who have helped the Democrats pave the way for a second Trump administration.

Healthcare workers must build rank-and-file committees under the leadership of the International Workers Alliance of Rank-and-File Committees (IWA-RFC), and coordinate their struggles with other workers across the US and internationally. A fight will be required by the entire working class to remove the profit motive from healthcare to save human lives.



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