



NURSE'S LICENSE SUSPENDED WOMAN ACCUSED IN DEATH AT ST. MARY'S MIGHT PLEAD TODAY

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Nurse Julie Thao worked from 8 a.m. to midnight, slept at the hospital and then started work again at 7 a.m. the day her medication error led to the death of a patient, new records show.

She won't be able to work such long hours for at least two years under action Thursday by state officials, who suspended her nursing license until April.

Thao, who also faces a criminal charge in the death of 16-year-old Jasmine Gant at St. Mary's Hospital, is expected today to enter a guilty or no contest plea.

The long hours she worked before the fatal error at about noon July 5, revealed in documents explaining the licensing action by the state Department of Regulation and Licensing, bring needed attention to the problem of nurse fatigue and errors, experts say.

Many hospitals don't limit -- or only minimally limit -- hours nurses can work. St. Mary's allows up to 16 hours in a row.

National limitations have been developed for doctors in training, known as residents, along with workers in other fields, such as pilots and truck drivers.

"When you're tired, you take short cuts," said Ann Rogers, a nursing professor at the University of Pennsylvania in Philadelphia. "Our bodies are not designed to work those kinds of hours."

A study by Rogers in 2004 found that nurses who work more than 12 hours at a time are three times more likely to make mistakes than those who don't.

Such findings led the Institute of Medicine, which advises Congress, to recommend that states should prohibit nurses from working more than 12 hours in a 24-hour period or more than 60 hours a week. Wisconsin and most states don't have such rules.

St. Mary's spokesman Steve Sparks said the hospital limits nurses to two consecutive eight-hour shifts -- what Thao worked the day before Gant's death. He said overtime is voluntary.

Working double shifts, then getting little sleep before going back to work, "isn't unheard of," said Gina Dennik-Champion, executive director of the Wisconsin Nurses Association. "In some places it can be very commonplace."

Judy Warmuth, vice president for work force development at the Wisconsin Hospital Association, said hospitals "work on the assumption that nurses are the best decision makers about what their optimum is for work."

Limiting hours for nurses "is a conversation worth having," Warmuth said. "This will probably

bring it to the fore."

Thao mistakenly gave Gant, who was about to give birth, an epidural anesthetic intravenously, a state investigation previously found.

Epidurals, which numb the lower body during childbirth, are supposed to be injected near the spine. Gant was supposed to receive penicillin through the IV for an infection. She died shortly after the incident; her baby boy survived.

According to the state investigation, Thao improperly removed the epidural bag from a locker, didn't scan the bag's bar code and ignored a warning label on the bag.

Regulators issued six citations to St. Mary's alleging violations of state and federal rules. They cleared the hospital from penalties after it updated policies and re-educated nurses.

On Thursday, the regulation and licensing department suspended Thao's nursing license for nine months, retroactive to July 6. The department also limited her license for two years, saying she can't work more than 12 hours in a 24-hour period or more than 60 hours a week.

Thao must also take classes on preventing medication errors and make presentations about what she learns.

Only rarely has the state limited the hours a nurse can work, said Michael Berndt, an attorney with the department.

The state has revoked nurses' licenses for up to five years in cases involving drug impairment or intentional misconduct, Berndt said.

The relatively short length of Thao's penalty was influenced by her having worked for 13 years at St. Mary's with positive performance reviews, said Larry Martin, spokesman for the department.

"This was a very good nurse who made a very bad mistake," he said.

Thao is scheduled to enter a guilty or no-contest plea today, according to the court calendar of Dane County Circuit Judge Daniel Moeser. She could also be sentenced.

Thao, 42, is currently charged with neglect of a patient causing great bodily harm, a felony.

Nursing and hospital officials have decried the charge, calling it unprecedented and saying it could make it difficult to recruit and retain nurses, already in short supply. Nurses have rallied in Thao's support.