



## **Findings and Decisions following Fitness to Practise Committee Inquiry Nurses Act, 1985**

**Name:** Ms. Joan Mary McNamara, P.I.N. 11736

**Finding of the Fitness to Practise Committee:** Professional Misconduct

Allegations proven against Ms. McNamara

That you being a registered nurse when you were a nurse employed in the Occupational Health Department at X hospital on or about the 20<sup>th</sup> April, 2005, you administered a vaccine, namely Diftavax to Ms. X:

- Which had not been prescribed for her.
- In breach of instructions given to you in October, 2003, that all medications administered by nurses must be prescribed in advance by a doctor in X Hospital.
- In breach of your agreement with and undertaking to the authorities in X Hospital in 2003.

That you being a registered nurse when you were a nurse employed in the Occupational Health Department at X hospital on or about 30<sup>th</sup> May, 2005, you administered a vaccine namely Typhim Vi to Ms. X:

- Which had not been prescribed for her;
- In breach of instructions given to you in October, 2003, that all medications administered by nurses must be prescribed in advance by a doctor in X Hospital
- in breach of your agreement with and undertaking to the authorities in X Hospital in 2003.

On or about the 11th July, 2005, in the course of a meeting with the Director of Nursing, at X Hospital and others, you stated that:

- There were prescriptions and completed vaccination questionnaires in the Occupational Health Department in respect of the vaccines administered by you.
- that the custom and practise in the Occupational Health Department was for you to administer vaccines without any prior prescription in respect of which the Occupational Health Physician would subsequently sign a prescription when you

knew these statements or one or more of them were untrue or you did not believe it or them to be true.

- On or about the 25<sup>th</sup> July, 2005, you informed Ms. Y, Directorate Nurse Manager, at X Hospital, that you had secured backdated prescriptions from a medical consultant friend to cover the administrations of vaccines by you which were under investigation.

**Board Sanction:** Pursuant to Section 41 (1) of the Nurses Act, 1985, Ms. Mc Namara was **censured** in relation to her professional misconduct and pursuant to Section 40 (1) of the Act, conditions were attached to the retention of her name in the Register of Nurses. The decision to attach **conditions** to the retention of Ms. McNamara's name in the Register was confirmed by the High Court on 28th July, 2008.