



Texas Nurse Found "Not Guilty" for Reporting a Dangerous Doctor

A small victory for patient safety has come in west Texas, where a jury took less than an hour to acquit Anne Mitchell, a nurse who had been indicted on felony charges for reporting a doctor to the state medical board whom she thought was endangering patients with poor care.

The charge against Ms. Mitchell was "misuse of official information," because she had used confidential patient records in her report to the medical board. The sheriff who investigated the case and spurred the indictment was a friend and business partner of the doctor.

Ms. Mitchell told allies at the Texas Nurses Association after the verdict:

"I was just doing my job, but no one should have to go through this. I would say to every nurse, if you witness bad care, you have a duty to your patient to report it, no matter the personal ramifications. This whole ordeal was really about patient care."

The president of the American Nurses Association, Rebecca M. Patton, issued a statement underscoring the outrage of nurses over the fact that the case was ever prosecuted criminally.

Ms. Patton said:

"ANA is relieved and satisfied that Anne Mitchell (RN) was vindicated and found not guilty on these outrageous criminal charges – today's verdict is a resounding win on behalf of patient safety in the U.S. Nurses play a critical, duty-bound role in acting as patient safety watch guards in our nation's health care system. The message the jury sent is clear: the freedom for nurses to report a physician's unsafe medical practices is non-negotiable.

"However, ANA remains shocked and deeply disappointed that this sort of blatant retaliation was allowed to take place and reach the trial stage – a different outcome could have endangered patient safety across the U.S., having a potential 'chilling effect' that would make nurses think twice before reporting shoddy medical practice. Nurse whistle blowers should never be fired and criminally charged for reporting questionable medical care."

Other safety leaders in the U.S. medical industry, like the Joint Commission, which accredits hospitals like the one that fired Ms. Mitchell, were conspicuously silent about the case before the acquittal. Now maybe they will speak up on the essential role nurses play and the need to make sure intimidation and retaliation cannot follow safety reports.