

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Samantha Reeves

Date: 10/24/2020

DAS Assignment # 4

Name of the defendant: Elizabeth Flores

License number of the defendant: RN 790621 & LVN 215113

Date action was taken against the license: 06/12/2018

Type of action taken against the license: Reprimand with Stipulations and Fine

On February 10th of 2015 while Elizabeth was employed as a registered nurse, she violated the privacy of a patient's medical record number by posting a photo of his history and physical on her personal Facebook page. She put the patient at unnecessary risk of harm from assessing and or disclosing his confidential medical information without his written authorization in the violation of HIPAA. Respondent stated that she at the time did not think it was a HIPAA violation because it did not have any personal information such as name, date of birth or Social Security number. She said she made the biggest mistake of her life and educated herself in HIPAA laws and is now educating others on HIPAA laws. She was given a warning with stipulations and a fine of \$250,000.

Since she was in violation of HIPAA and therefore 22 Tex. Admin. Code 217.11 (1)(A), (1)(B) & (1)(E) & 22 Tex. Admin. Code 217.12 (1)(A), (1)(B), (1)(C) & (4), I think the correct measures were taken on her license. However, she could have prevented any action being taken against her license and any harm of the patient if she would have never posted anything involving patient on her personal Facebook page. Even if she didn't understand that that was a violation of HIPAA, she should have refrained from posting just because it's the patient's information and not her own. Remedial education on patient privacy and HIPAA laws along with a fine of \$250,000 should definitely make her never post anything about a patient on her social media platforms again.

If I was the first person to discover the events described, I would have gone and talked to her right away and told her that this is a violation of the patients HIPAA. Then told her that she should remove the post and delete any pictures she has of that involved patient. I would have also gone to my supervisor to let them know that the person in subject had posted a picture of a patient's electronic medical record on her personal Facebook page. I would do all this in hope that her license wouldn't be revoked but given a slight warning. I can understand how easy it is to hear and see what happened to a patient and want to tell others the story. However, there's a difference of telling a story that doesn't give a patients identity away and a way that does violate a patients HIPAA . I like to think of it as if I was the patient, I probably wouldn't want my personal information posted or talked about among her friends on her social media platform.