

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student name: Julia King

Date: 08/08/21

Das Assignment # 2

Name of the defendant: Nicole April Bar

License number of the defendant: 755412

Date action was taken against the defendant: 09/02/2016

Type of action taken against the license: Remedial Education

Use the space below to describe the events which led to action taken against the license. If multiple charges were in play, be sure and cite them, e.g. drug diversion, HIPAA violation, abandonment, forfeiture on student loans, etc.

The defendant recorded a conversation with her patient without the patient's consent. Bar then shared the conversation with two different healthcare providers that weren't involved with his care anymore. Bar admitted to doing so, and said that she thought the information would be helpful in a pending legal proceeding. However, this led to the Board of Nursing taking remedial action against Bar because she was in violation of the North Carolina Nursing Practice Act. The violations included "engaging in action that deceives/harms the public in the course of professional activities or services" and "revealing identifiable information obtained in a professional capacity, without prior consent of the client".

Use the space below to provide a description of measures you think could have prevented any action being taken against the license and/or would have prevented harm to the patient, if harm occurred.

I think the nurse being educated on/being more aware of what would be considered revealing information would have helped prevent this incident from occurring. The nurse should have known that it isn't authorized to record a conversation without the patient's consent. But furthermore, the nurse should have known better than to share that information with other healthcare providers that were no longer involved in the patient's care. This is an obvious breach of privacy/HIPAA and should have been avoided.

Use the space below to describe what action you think a prudent nurse would take as the first person to discover the event described, in other words, you are the one who discovers the patient has been harmed by the nurse or you have discovered the impairment or criminal activity cited in the disciplinary action.

If I were the nurse to discover that a coworker of mine recorded a patient without their consent, I would speak to the charge nurse so that further action could be taken. I would be worried that if I addressed it directly with the coworker that it could cause more harm than good so I think the

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best option would be to talk to someone higher up in the chain of command. Ultimately, the best scenario is that the recording is deleted/and that it is addressed before the patient's private information is shared without permission.