

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Ashlynn Cunningham

Date: 08/15/2021

DAS Assignment # 3 (1-4)

Name of the defendant: Maria V. Acosta

License number of the defendant: 698069

Date action was taken against the license: 11/12/2018

Type of action taken against the license: Remedial Education with Fine

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.

HIPAA violation: Maria V. Acosta was, at the time, a Registered Nurse at Texas Children's Hospital in Houston, Texas. Acosta took a photo of an infant's genitals to send to her husband, without parental consent. This violated patient confidentiality. Acosta admitted to staff at the hospital that she took the picture. This action "exposed the patient unnecessarily to a risk of harm from disclosure of her confidential medical information without written authorization or consent."

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.

If Acosta would have not violated the patient's privacy, there would be no case to discuss. Unfortunately, she took advantage of an infant who had no one around to advocate for her. I cannot imagine what reason Acosta may have had to justify such an action, and frankly I do not think the punishment she received was enough. Without knowing the intricacies of "justification" maybe I am unqualified to comment, however I see no good reason why Acosta should get away with such an action, especially knowing she did it without parental consent.

Use the space below to describe what action you think a prudent nurse would take as the first to 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.

I personally have zero tolerance for people who abuse their positions of power, so I would have had a hard time containing myself. I first and foremost would have ensured she never set foot near that patient ever again, and I would do my best to see that she should have no contact with any patients ever again. I would make sure the parents knew what happened and would take every action possible to carry out some form of justice. Medical or not, there is no reason that Acosta's husband should have received photos of any patient, let alone such a delicate area of an infant patient. To me, this case sounds like it should have ended in jail time.