

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Nicholas Castilleja

Date: 01/27/2023

DAS Assignment # ____2____ (1-4)

Name of the defendant: Hayley Kolb Zinski

License number of the defendant: 776565

Date action was taken against the license: 7/23/2020

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

Use the space below to describe the events which led to the action(s) 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 nurse inappropriately accessed her own child's medical records six times, without authorization and without medical necessity. The nurse also inappropriately accessed two patient's medical records six times, while also accessing her co-workers' medical records, without authorization and without medical necessity. These instances all violated HIPAA. She was aware that she violated hospital policy when she accessed her child's medical records. She did so to review documentation that was submitted by other nurses regarding her child. She also stated that she violated HIPAA to access a patient's medical record due to incorrect dates of birth on a patient. She did not recall accessing one of the patient's records. Also, when asked about the employee's records, she stated it was for scheduling.

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.

The nurse should have followed the hospital policy in regards to accessing patients files, especially when it comes down to personal benefit regarding her child. If the dates for the date of birth were incorrectly input, she should have notified the hospital and followed proper procedure on incorrectly documented data, instead of taking action and looking through charts that did not pertain to her patient. Also, regarding the instance where she could not recall accessing, she potentially could have left her computer logged in and walked away, allowing someone to access records under her name. As a nurse, it is her responsibility to ensure that all patient's records are kept private by logging off when away from the computer to prevent other employees from accessing her patient's information or making changes under her name. She should not have performed any of these actions without asking for authorization and without a need to do so.

Identify which universal competencies were violated and explain how.

The nurse violated the Safety and Security competency by violating HIPAA when accessing medical records without authorization and without medical necessity. She also did not provide privacy in the instance where she

potentially allowed someone to access medical records under her name. These actions do not promote trust and respect between medical professionals and the patients that they care for. She also violated the Human caring competency regarding provision of privacy. Their medical information was obtained, without consent and without following hospital policy.

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 would have brought the instances up to another charge nurse or supervisor, stating that the charge nurse on duty is accessing records without authorization. I would also bring up the potential issue of incorrectly documented dates of birth for patients, so that we can accurately identify and schedule patients, without having to look in their charts for information.