

Covenant School of Nursing
Disciplinary Action Summary Assignment
Instructional Module 2

Student Name: Brianna Amaya Date: 3/8/23 DAS Assignment # 1 (1-4)

Name of the defendant: Juan Angel Avalos License number of the defendant: 734370

Date action was taken against the license: April 13, 2021

Type of action taken against the license:

His license was suspended until he completed a board approved treatment program, along with proof of completion of the program. He will also have monthly urine screenings that include “drug and alcohol related requirements.” Mr. Avalos must have 12 consecutive months of sobriety. Relapse could have consequences of revocation of license or at least an extension of suspension. He will also have three years of probation. He will not be able to practice nursing outside of Texas and will also have to be supervised while working. Mr. Avalos must follow all stipulations stated by the BNE in order to have his license reinstated.

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.

Mr. Avalos did not comply with the previous orders that he had agreed to adhere to. He had to test negative on a UA screening every month for drug and alcohol related requirements. His second charge was him consuming alcohol while working (on call or on duty) as a nurse at a hospital. Putting patients at risk for harm or injury.

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.

Although no harm to a patient occurred, there was a huge probability that something could have happened while the nurse was caring for his patients. The nurse had history as a juvenile so they had to take action to ensure the nurse was reliable while on duty. I think they should have had him supervised for the first year as a RN so he wouldn't have violated his requirements that was set forth by the Board of Nursing.

Identify which universal competencies were violated and explain how.

One universal competency he could have violated was safety and security. There was a possibility of him giving the wrong meds to the wrong patient because he was not able to coherently think because of the alcohol intake. He violated the respect and trust the patient had for him as a nurse because Mr. Avalos put him (the patient) at risk for harm that could have been lethal given the circumstance. Nurses who are completely sober that have a large patient load sometimes mess up per human error but then adding intoxication on top of that is putting the patients at an even greater risk. The nurse's documentation could have been incorrect or even absent altogether. His critical thinking skills are clouded because of the alcohol consumption, he could have missed a critical assessment that had a possibility of death for any one of his patients. His professional role

such as appearance, he could have looked disheveled. He also could have been slurring his words and not making much sense to his patients which is concerning for the patient and disturbing.

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 notify my charge nurse and also my nurse manager, I would then send an email (incident report) to HR. I would make sure I follow protocol to ensure that no one is harmed or that no other patient is harmed due to the other nurses' poor choices while at work. If a patient was harmed while the nurse was caring for them, I would check on the patient. I would want to speak with the patient and their family to determine what occurred for the patient to be harmed. I would then look at the patients chart to see if there was anything that the nurse had documented that warranted an immediate closer look/ assessment. I would notify the physician and ask what orders if any they would want to ensure the patient is safe and not in immediate danger. After following protocol, I would then write a statement stating everything that I did and putting what protocol I had followed. If a death had occurred due to the nurses' decisions, I would do everything stated previously but also obtain a lawyer for my own safety and career.