

Covenant School of Nursing

Disciplinary Action Summary Assignment

Instructional Module 2

Student Name: Jessica K Cortinas

Date: April 14, 2023

DAS Assignment # 4

Name of the defendant: Alana Marie Daniel a/k/a Alana Miller

License number of the defendant: 879050

Date action was taken against the license: 04/18/2014, 01/02/2017, 09/27/2017

Type of action taken against the license: Granted permission to sit for NCLEX by declaratory order, Suspension, Suspension Stayed, and Probation for a minimum of 3 years and until completion of additional requirements of order, Suspended and Enforced with additional requirements

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.

In April of 2014, Ms. Daniel was granted permission to sit for the NCLEX by declaratory order. She answered yes to the question asking her if she was addicted to or treated for the use of alcohol or any other drugs. She stated this was due to divorce and Adderall from a classmate. She tested positive for marijuana after submitting a urine drug screen. She was attending AA regularly and working on her issues with drugs and alcohol. With the findings it was ordered she is unable to practice as a graduate or vocational nurse upon completion of the program. She also is required to apply and participate in TPAPN after her licensure to be eligible to practice as a licensed nurse. Later, May 2014 and June 2016, she had not met the agreed order for TPAPN. Upon urine drug testing at this time, metabolites of alcohol were found. Due to the findings of fact, it was determined by the board the nurse presented serious risks to public health and safety as a result of impaired nursing care due to her continued use of controlled substances or chemical dependency. For the second order, the nurse's license was suspended with suspension stayed, as well as, placed on probation for a minimum of 3 years and until the nurse met all requirements of the order. Then, from May 2017 through June of 2017, the nurse failed to be free of alcohol upon another urine drug screen. Again, the nurse's actions were deemed unsafe for practice. The order was upgraded against the license of the nurse to suspension enforced until the nurse fulfilled the requirements of the new order in addition to the previous orders in October 2017. In October of 2018 she failed to fulfill part of the order enforced the previous year specifically of the education courses required. Lastly, January 2019, the nurse pled guilty to driving while intoxicated with a child present under the age of 15. This is noted as a felony offense committed by the nurse May 4, 2018. Following this legal action and incarceration, the nurse voluntarily surrendered her license accepted by the TBON.

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 feel the nurse may have benefited from mental health counseling while attempting to manage her inability to concentrate while going through her divorce. Perhaps if she would have considered the compromise of her

integrity due to sharing medication with her classmate and failing to uphold the responsibility she was given to follow the orders previously given to her she may have avoided having to surrender her license and being incarcerated by bad decision making. Opting to communicate what might help her surpass the limitations of her drug and alcohol abuse and unsafe practices.

Identify which universal competencies were violated and explain how.

Safety and Security – nurse under the influence of drugs/alcohol will inhibit the ability to keep herself and the patient safe in treatment or observation under her care

Critical Thinking – the actions of the nurse could not practice by her licensure legally, ethically, or by institutional standards due to her use of drugs/alcohol

Professional Role Performance – the nurse could not interact professionally with peers, faculty, and members of the health care team due to her dependency

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.

As the prudent nurse, I would consult with the charge nurse to discuss the safety of the unit and patients if alcohol or drug abuse is suspected. I would consult with the nurse as well to see if there is anything I can do to help her manage her patients and encourage treatment and communication of her personal issues to help build her back up to a healthy state of mind for practice. I would encourage nurse to seek and accept treatment.