

Covenant School of Nursing
Disciplinary Action Summary Assignment
Instructional Module 2

Student Name: Lauren Dane Date: 09/07/23

DAS Assignment # 3 (1-4)

Name of the defendant: Elizabeth Ann Frost

License number of the defendant: 912778

Date action was taken against the license: 05/17/2018

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

Frost was working as an ED nurse at St David's Medical Center in Austin, TX in August of 2017. She made the decision to "prank" her sleeping patient by spraying them with a topical cold anesthetic spray without the patient's permission. The patient had just been discharged from the ED and this was her attempt to wake them up to leave. During this incident, another individual recorded the entire thing on their personal smart phone without the patient's permission, which is a HIPAA violation, and Frost did have to complete 4 required courses over HIPAA. She was also required to complete a course in Texas Nursing Jurisprudence and Ethics, and a course called "Sharpening Critical Thinking Skills". She also had to pay a fine of \$250.

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.

It's a nurse's job to understand HIPAA and to comply with this law in every aspect of their nursing practice. I believe if this nurse truly understood the implications behind her actions (pranking a patient) and violating their right to privacy by recording the "prank", then this could've easily been prevented.

Identify which universal competencies were violated and explain how.

This nurse violated many universal competencies. First and foremost, she violated emotional and physical safety and security by recording the patient without their permission, therefore violating HIPAA, and by spraying them with medication to wake them up for discharge. This does not promote trust and respect between the nurse and the patient, and this also violated all of the 7 rights of medication administration. Second, she violated critical thinking by having poor decision-making skills. She likely knew that this was very wrong, and she proceeded to do it anyway. Another universal competency that this nurse violated was human

caring and she did this by not treating her patient with dignity and respect – this one speaks for itself. Lastly, I believe this nurse violated the professional role universal competency. She was unprofessional in her interaction with her patient, and she also wasted supplies on a prank.

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 a prudent nurse, I would report this incident to my supervisor, but I would also report this incident to Health and Human Services, as it was a HIPAA violation. I would likely write up a Datix on this nurse, and likely report this nurse to the Texas Board of Nursing. Even if she did say it was just supposed to be a prank, it was not funny and it is very upsetting. What happened to this patient was humiliating, it was violating and I'm quite sure it caused them emotional and physical stress.