

# Covenant School of Nursing

## Disciplinary Action Summary Assignment

### Instructional Module 2

Student Name: Gomez, Synthia

Date: 08/22/2024

DAS Assignment # 1

#### NOTICE OF DISCIPLINARY ACTION – 01/2019

Name of the defendant: Darling, Aaron Matthew

License number of the defendant: 830676

Date action was taken against the license: 09/19/2018

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

- *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. Aaron Matthew Darling had only this one occurrence with a case taken to Texas BON. The nurse violated his facility's HIPAA policy. Around August 30, 2015, Aaron was looking to access information on a patient in the ICU that was not in his care at his hospital of employment. While he is accountable for his actions, Mr. Darling states he "may not have followed Seton Medical Facility's policy" in accordance to inappropriately attempting to access the hospital's system, but he was coming from a place of concern.

It is noted in the RN's case that he, Aaron Matthew Darling, was involved in a vehicular accident with the respected patient in whom he was concerned about their well-being. Mr. Darling is aware that there were other manners in which he could have inquired information on the patient. Though he did admit that his behavior was personal and contradictory in his professional role, the RN states he never viewed the patient in question's confidential records.

The respondent, Mr. Darling, was ordered to pay a monetary fine, take remedial education courses, which was a Board-approved course in "Texas nursing jurisprudence and ethics", "Sharpening Critical Thinking Skills", "Patient Privacy" courses and an online "Understanding Board Orders" course. The RN successfully completed the stipulated requirements and ordered 3-year disciplinary deferral.

- *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 believe the nurse did not have any ill intent with the attempted medical record access, but he should not have gone against his better judgment. If he was to think it through in that matter. I could think it was a spur of the moment act, as he voiced his concern for the patient, but in his professional role, he had to use his critical thinking skills to understand that was unacceptable to do. To prevent any action to have occurred, he should have known to not attempt to access the records. Mr. Darling should have had the knowledge that electronic

medical records record every movement in the medical professional's history. He should have reported his incident to his charge nurse or management team.

- *Identify ALL universal competencies were violated and explain how.*

**Critical Thinking** was lacking or not provided by the RN when he attempted to enter a patient who was not in his care's medical record. Every action done by a licensed professional need to be thoroughly thought through. Mr. Darling's decision making was altered by his curiosity.

**Human Caring** was violated when the nurse wrongfully accessed a patient's record. The RN violated the respected patient's provision of privacy.

**Professional Role** was violated when management of resources was inefficiently used, again in reference to accesses above said record.

**Communication** was lacking when Aaron Matthew Darling did not ensure communication consistent with facilities protocols. He could have gone to his proceeding peers and reported his wrongdoing.

- *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 first to find out about this, I would report the act to the charge nurse and any other personnel needed. It is critical that we respect the privacy and safety of our patients. It is out of reach for a nurse, or any healthcare professional to access any medical information about a patient that is not in your immediate care. Fortunately, no patient was harmed in this action, but it is clear to me, and I'm sure the nurse in the case that there are repercussions even for actions that do not result in patient harm. It is crucial for nurses, and upcoming nurses to understand that licensed professionals have an upstanding role to adhere to.