

Covenant School of Nursing
Disciplinary Action Summary Assignment
Instructional Module 2

Student Name: Cesareo Melendez

Date: 04-02-2025

DAS Assignment # 1

Name of the defendant: Julie Ann Valchar

License number of the defendant: 57128

Date(s) and BON decision(s) taken against the license: 09/08/2020

Type of action(s) imposed to retain or regain licensure, if applicable (ex.: warning with stipulations, etc.) Based on the information provided in the document, The Texas Board of Nursing Eligibility and Disciplinary Committee provided the Julie Ann Valchar an opportunity to show compliance with all requirements of the Nursing Practice Act, Chapter 301 of the Texas Occupations Code, so that Julie Ann Valchar would be able to retain the license to continue practicing nursing in the State of Texas. However, Julie Ann Valchar failed to appear for the open meeting held in Austin, Tx as was required by 22 Tex Admin. Code Ch. 213, and therefore had her license REVOKED.

On or around April 29, 2019, while still employed as a registered nurse Julie Ann Valchar had displayed signs of impairment (swerving on route to work, slurred speech, unsteady gait, forgetfulness, and emotional outbursts) due to substance abuse while in an active nursing role. Julie Ann Valchar admitted to a director that she would need assistance in discontinuing alcohol drinking. There were two charges filed, the first being the mentioned above in lacking fitness to practice as a nurse due to impairment that could have affected her ability to make accurate, rational, and appropriate assessments/judgements/and decisions that would affect the care she provided her patients. Thus, putting patients at risk for malpractice and in potential danger. The second charge was in relation to the above charge in that it delved further into Julie Ann Valchar's abuse of alcohol as the second charge stated she submitted to a Breath Alcohol Test that displayed Blood Alcohol Content levels of 0.125% and 0.124%. This second charge along with the first further enforced the danger Julie Ann Valchar placed her patients in by not being in a correct state of mind to be able to rationally and accurately provide the highest level of nursing care.

From what I read and understood from the document, Julie Ann Valchar was given an opportunity after the charges were brought up to be able to keep her license active, it was not very clear in what ways she was allowed to achieve this. However, I reviewed Chapter 301 of the Texas Occupations Code mentioned above and in SEC. 301.453(b) and I read that the board may require the person to submit to care, counseling, or treatment by a health provider that is designated by the board, as a condition for the renewal of a license.

Furthermore, the board may require the person to participate in a program of education or counseling and could also have the person abstain from the consumption of alcohol or the use of drugs and submit to random periodic screening for alcohol or drug use. In the legal document that details the charges against Julie Ann Valchar, it does state that she failed to appear at her hearing and thus a default judgement was made. From this information I believe the board attempted to allow Julie Ann Valchar opportunities to maintain or reinstate her license, but she failed to or outright chose to ignore the opportunities presented to her.

The actions I believe that could have been taken for Julie to be able to keep her license are mostly based on if she sincerely wanted help in achieving sobriety or if she was only upset that she was caught in her intemperate usage of alcohol. Alcohol is easy to abuse due to how readily it is available. However, it is our personal choice to seek help if we are unable to control urges or the need for alcohol, especially when it can affect our employment and furthermore the safety of our patients. I believe if Julie sincerely wanted help in her abuse of alcohol more of an effort was needed on her part and for her to have had the courage to seek help before her abuse of alcohol affected her role as a nurse. Substance abuse is a difficult topic but as nurses we are required to be in the best state of mind so we can care for our patients and not expose them to unsafe practices or situations.

Thankfully, based on the information provided in the legal document, no known patient was harmed directly by Julie Ann Valchar's actions even though her choices did expose patients under her care to a dangerous situation, Julie needed an earlier intervention so that she could have potentially been able to obtain the help she required while at the same time keeping her license active.

Universal Competencies violated: SAFETY AND SECURITY (BOTH PHYSICAL AND EMOTIONAL), COMMUNICATION, CRITICAL THINKING, HUMAN CARING, PROFESSIONAL ROLE.

Safety and Security (Physical and Emotional) were violated due to nurse being in an altered state of mind that could have affected the professional interactions with patients, as well as the altered state the nurse was in did not promote trust and respect for the patient/nurse relationship.

Communication was violated as the altered mental state of the nurse affected her ability to effectively teach patients about medication safety and/or procedures. The altered state of mind further affected her ability to identify her patient's needs, their personal and cultural values but also cause the nurse to be unable to communicate effectively in ways that promoted patient focused care that followed agency/hospital protocols.

Critical Thinking was violated due to again the altered state of mind the nurse was in affecting her ability to make safe decisions for her patients (whether to give a certain medication, correct use of hospital equipment, hygiene), making correct decisions based on the information obtained from patient assessments, being able to evaluate and possibly make adjustments to interventions provided. Overall being under the influence of a substance, in this case alcohol, affected the nurse's ability to be able to do one of the most important aspects of nursing, that is being able to use critical thinking to care for patients.

Human Caring violation occurred as while being under the influence of alcohol Julie Ann Valchar failed to treat her patients with respect and dignity as being in an altered mental state could have affected her ability to listen to her patients' needs and exhibit empathy. This lack of respect and caring would have affected the patient's involvement in their personal plan of care as their needs would not have been fully listened to or considered.

Finally Professional Role was violated as being under the influence of any substance is going to affect a nurse's appearance as mentioned above (slurred speech, unsteady gait, emotional outburst). These are not ways a nurse should appear to her patients who rely on her for healing and care. Furthermore, the altered mental state affects interactions with coworkers and patient's family. This all causes an unsafe environment for all involved and affects the professionalism of not just the nurse involved but all healthcare workers.

If I had been the nurse to discover Julie Ann Valchar's violation(s) I would have immediately reported to the charge nurse, head nurse, physicians, and security personnel to be able to prevent her from seeing any patients and thus protecting patient safety. Security would be necessary as people under the influence could potentially become aggressive and to avoid any unwanted altercations security would be able to assist in detainment of Julie. I would go to any patients that Julie could have already visited and ensure that no medications or interventions were administered, if any were I would immediately notify attending physicians. Once patient safety and care were established and maintained, I would join charge/head nurses or members nursing lead team and offer any testimony and to also uncover Julie's reasoning for presenting to her duties while intoxicated. I would gladly offer any pertinent information that the State Board requires in their investigation, but furthermore I would also offer Julie any advice or information on being able to obtain treatment for her alcohol abuse.

Nurses are subject to multiple stressors in their day-to-day activities and roles, with those roles nurses must remember the responsibility they have to their patient's care. This all starts with a nurse's self-care, if a nurse is unable to care for themselves correctly it will affect the care they provide for their patients. A nurse's job begins with being in the best state possible for themselves and ultimately for their patients.