

Nursing License: False Statement Can Be Grounds For Suspension.

The state board of nursing suspended a nurse's license pending successful completion of substance-abuse treatment.

The nurse appealed her suspension to the Court of Civil Appeals of Alabama.

The court ruled that a mere arrest for DUI does not prove that a nurse has a substance abuse problem. The nurse pleaded guilty to reckless driving and the DUI charge was dropped. Reckless driving is not grounds to revoke a nursing license as it does not involve an unsafe act in the provision of health care.

However, the nurse neglected to mention the incident on her nursing license renewal. If it was intentional concealment, not an oversight or misunderstanding, the court said the board could go back and discipline her for that alone. Thornton v. Alabama Board of Nursing, __ So. 2d __, 2007 WL 1519052 (Ala. App., May 25, 2007).