



ADVISORY OPINION # 61

Disclosure of Private Reprimands to Employers

FORMULATED: November 2013

REVISED:

REVIEWED:

QUESTION: If a licensed nurse has received a private reprimand from this Board or another Board charged with regulating the profession of nursing in another jurisdiction, is the nurse subject to discipline if the nurse affirmatively states on an employment application that s/he has not been subject to any discipline by a licensing board or fails to disclose the existence of a private reprimand?

The South Carolina Board of Nursing has adopted the following statement as guidance for nurses regarding disclosure of private reprimands on employment applications.

Yes, a nurse who provides false information on an employment application may be subject to discipline. Under S.C. Code §40-33-110(A), a private reprimand is disciplinary action. Under S.C. Code §40-33-110(9), it is grounds for discipline if a licensed nurse falsifies any organization's records, including personnel records, for the purpose of reflecting incorrect or incomplete information.

It is imperative for each nurse to carefully review the specific language of any question posed regarding the existence of a disciplinary history. If the question posed seeks only the disclosure of any **public** disciplinary action, then a nurse is not required to disclose a private reprimand. If the question posed seeks the disclosure of **any** prior disciplinary action, then the nurse should disclose a private reprimand.