

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

91 7108 2133 3938 6623 1491

DEPARTMENT OF HEALTH
BOARD OF NURSING

IN THE MATTER OF:
Kimberly D. Faneuf, LPN
License Number LPN08322
Board Case Number C13-615

SUMMARY SUSPENSION OF LICENSED PRACTICAL NURSE

The Board of Nursing (hereinafter "the Board") has received information concerning the professional activities of Kimberly D. Faneuf (hereinafter "Respondent"), who is a licensed practical nurse in Rhode Island. After initial investigation, and in light of the nature of the concern about the Respondent, the Director of the Department of Health (hereinafter "Department"), pursuant to R.I. Gen. Laws §§ 5-34-24(2), (3) and (6)(v) and 42-35-14(d), makes the following:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Respondent is a licensed practical nurse in the State of Rhode Island.
2. Cranston Police arrested Respondent on August 1, 2013, on charges of felony assault after an investigation involving Respondent's physical abuse of a disabled nine year old male patient, Patient A, *alias*.
3. Patient A's parents reported to Cranston Police that Patient A suffers from multiple medical conditions that do not allow him to move or speak. On July 29, 2013, his parents left him in the care of Respondent, an agency licensed practical

nurse, so that they could go out to dinner. Unbeknownst to Respondent, the parents had installed and kept operational a hidden video camera in their son's bedroom that was accessible by mobile telephone.

4. According to Cranston Police, while the parents were at dinner, they observed through a mobile phone that Respondent allegedly grabbed Patient A's left arm, aggressively shook and twisted it, grabbed him by the head and side, sat him upright then let go so that he slammed onto his back, repeated this action two more times, grabbed his head and turned it to the right, and grabbed a cloth and covered his mouth while wiping his face in an allegedly abusive manner. Respondent then shoved Patient A's head back into his normal resting position. A video recording of these events was stored on the parents' home computer.
5. According to Cranston Police, Patient A's parents immediately returned home to confront Respondent with what they had seen through the webcam, and she left without explaining or denying her actions.
6. Patient A's parents transported him to Hasbro Children's Hospital. An emergency-department physician determined the mechanism of injury to Patient A was an alleged assault, which "reasonably does explain the type and degree of injury."
7. The physician observed that the patient had a one-centimeter bump on his head (right of midline), a bruise of unknown age to his left wrist, a circumscribed red

area (subconjunctival hemorrhage) around his left eye, and possible recent bleeding around his mouth. Physical examination did not reveal any significant injury, according to the doctor.

8. One of Respondent's employers told her that she had witnessed the video of the events of July 29, 2013, and Respondent admitted to her that she "was too rough with him that night." She did not deny the allegations but said she was unaware of how the patient's reported injuries had occurred. Both agencies that employed Respondent as a licensed practical nurse terminated her employment after each spoke with her about the events of July 29, 2013.
9. Based on the foregoing, Respondent is in civil violation of Rhode Island General Laws §§ 5-34-24(2), (3) and (6)(v).

ORDER

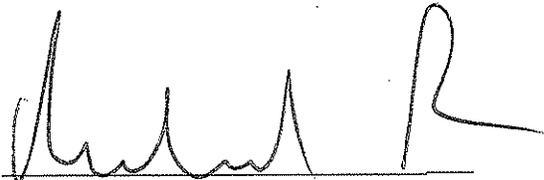
After considering the above findings, it has been determined that the continuation of the practice as a licensed practical nurse by the Respondent would constitute an immediate danger to the public, and the public health, safety, and welfare imperatively requires emergency action. It is accordingly ordered that:

1. The Respondent is hereby suspended as a licensed practical nurse until further Order of the Department of Health, Board of Nursing pursuant to Rhode Island

General Laws §§ 5-34-26 and 42-35-14(c), based on her violation of §§ 5-34-24(2), (3) and (6)(v).

2. Respondent is entitled to an administrative hearing on this suspension pursuant to Rhode Island General Laws §5-34-26 on August 9, 2013, at 1 p.m. in Room 401 at Three Capitol Hill, Providence, Rhode Island, if she contacts the Board of Nursing, 222-1008, on or before 3:00 p.m. on August 8, 2013. If Respondent fails to request the hearing by 3:00 p.m. on August 8, 2013, she will be deemed to have waived her right to an immediate hearing.

Ordered this 5th day of August, 2013.



Michael Fine, M.D.
Director
Rhode Island Department of Health

CERTIFICATION

I hereby certify that a copy of this SUMMARY SUSPENSION was personally served on this ____ day of August, 2013, to Kimberly D. Faneuf, LPN, whose address is 74 Bryant Street, Cumberland, RI.