

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION  
BOARD OF NURSE REGISTRATION  
AND NURSING EDUCATION**

**vs.**

**MARIE AUGUSTIN, LPN (LPN09575)**

**CONSENT ORDER**

Pursuant to Section 5-34-24 and 5-34.2-4 of the General Laws of the State of Rhode Island, 1999 Reenactment, and the Rules and Regulations promulgated thereunder, the Rhode Island Board of Nurse Registration and Nursing Education (hereinafter "Board"), has investigated a complaint charging Marie Augustin, LPN, Respondent, with a violation of Chapter 5-34 and 5-34.2 of the General Laws of the State of Rhode Island, 1999 Reenactment.

After consideration by the Investigating Committee of the Board, the following constitutes the findings of fact with respect to the professional performance of the Respondent:

1. Respondent is a Practical Nurse licensed to practice nursing in the State of Rhode Island.
2. That at all pertinent times Respondent was employed at Elmhurst Extended Care, Providence, Rhode Island Hospital,
3. That on or about August 14, 2005, Respondent failed to report a positive finding for occult blood in the vomitus of patient A to the physician, and that Respondent failed to perform any further assessment of said patient.

4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as defined in Section 5-34-24 and the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a Licensed Practical Nurse and able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Board.
3. Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to final ratification by the Board. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Board.
4. Respondent hereby acknowledges and waives:
  - a) The right to appear personally or by counsel or both before the Board;
  - b) The right to produce witnesses and evidence in her behalf at a hearing;
  - c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Board;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order.
  - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

- h) Any objection to the fact that it will be necessary for the Board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
  - i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the hearing committee presiding over this matter should it later be brought to an administrative hearing.
  - j) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Board.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board.
  6. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.
  7. Respondent voluntarily agrees to accept the sanction of a Reprimand.
  8. That Respondent shall, on or before February 1, 2007, present evidence of enrollment and satisfactory completion, that is a grade of C or above, in no less than twenty (20) hours of academic classroom or clinical study in nursing assessment at an approved school of nursing or a duly approved continuing education course. Said course must be approved by the Board prior to Respondent registering and in enrolling in same.
  9. That should Respondent fail to comply with the laws and regulations governing the practice of nursing and/or fail to comply with the terms of this Order, her license as a practical nurse shall be subject to suspension or other appropriate disciplinary action.

x Marie Augustin  
Marie Augustin, LPN

SK Smith  
President, Board of Nurse Registration  
and Nursing Education

Ratified as an order of the Board of Nurse Registration and Nursing Education at a meeting held  
on this 18 day of September, ~~2005~~ 2006.

SK Smith  
President, Board of Nurse Registration  
and Nursing Education