

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS



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

vs.

Rebecca ~~H~~amingway LPN 10229
E

C13-048

CONSENT ORDER

Pursuant to Section 5-34-25 the General Laws of the State of Rhode Island, 2004 Reenactment, a complaint was filed with the Board of Nurse Registration and Nursing Education (hereinafter referred to as "Board") charging Rebecca Hamingway, LPN 10226 Respondent with a violation of Chapter 5-34 of the General Laws of the State of Rhode Island, 2008 Reenactment.

After consideration by the Investigating Committee of the Board, it was agreed by and between the parties:

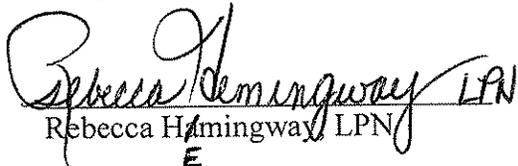
1. Respondent is a licensed practical nurse and able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. That on December 31, 2012, Respondent was employed at the Grand Islander Center.
3. That on or about December 31, 2012 Respondent used a Hoyer pad to restrain a resident without a physician's order.

The parties agree as follows:

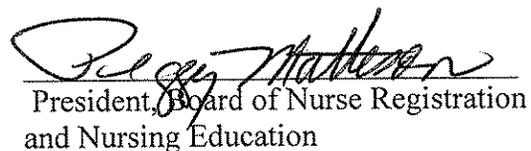
1. Respondent is a nurse licensed and doing business under and by virtue of the Laws of the State of Rhode Island, registered nurse license number, LPN 10229.
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board;

3. Respondent has read this Consent Order and understands that it is a proposal of an ~~Investigating Committee of the Board and is subject to the final approval of the Board.~~
4. This Consent Order is not binding on Respondent until final ratification by the Board.
5. 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 his 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 review adequately this Consent Order;
 - (i.) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order. The signing of this Consent Order is for settlement purposes only.
7. 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 and Respondent's license shall reflect that the status is probationary.

8. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.
9. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
10. That the Respondent's ^{practical} ~~registered~~ nurse license be placed on a (1) year period of probation subject to the terms and conditions set forth in this order.
11. That said probationary period shall commence upon the date of the execution of this Consent Order by all the parties and will abate for the duration of any period in which Respondent ceases to be employed as a nurse.
12. That, during the period of probation Respondent shall complete a CEU program on restraint use and abuse in neglect and submit completion certificates to the Board within a period of 90 days. These can be found at www.NCSBN.com
13. The Respondent shall give a copy of this Consent Order to the Respondent's employer with the understanding that the employer shall notify the Board of any breach or termination by the Respondent of this consent agreement.
14. That should Respondent comply with the laws and regulations governing the practice of nursing during the period of probation and comply with the requirements of this Consent Order, Respondent may apply to the Board for an unrestricted license to practice as a licensed practical nurse.
15. 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, the license as a registered nurse shall be subject to suspension or other appropriate disciplinary action.


Rebecca Hemingway LPN
E

5/20/13


Peggy Matterson
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 10 day of June 2013.

Date Mailed: May 7, 2013

