

**State of Rhode Island
and Providence Plantations**

Department of Health
Office of Health Professions

vs.

Alem Gebre NA05331

CONSENT ORDER

Pursuant to Section 23-17.9-8 of the General Laws of the State of Rhode Island, 1987, as amended, and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (hereinafter "Department"), after review and consultation with the Advisory Board for Nursing Assistants, has investigated a complaint charging Alem Gebre, NA (hereinafter "Respondent"), with a violation of Section 23-17.9-8 of the General Laws.

After consideration by the Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island.
2. That at all pertinent times, Respondent was employed by Rosewood Health Center, Providence, RI
3. That on or about 25 February 2002, Respondent verbally abused and neglected a resident of Rosewood Health Center in that Respondent shouted at a resident and said no when the same resident asked for a blanket.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 23-17.9-8 and the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a Nursing Assistant and able to conduct business under and by virtue

of the laws of the State of Rhode Island. Respondent's mailing address is 22 Ayrault Street, Providence, RI 02906.

2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this Consent Order and understands that it is a proposal of the Department and is subject to the final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Department;
 - 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 Department;
 - e) The right to further procedural steps except 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 Department for consideration and review;
 - h) Any objection to the fact that it will be necessary for the Department 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 potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Department.

5. This Consent Order shall become part of the public record of this proceeding once it is accepted by both parties. Respondent's license shall reflect the status "Active Probation.
6. For the purpose of avoiding protracted hearing Respondent enters into this Consent Order without admitting or denying these allegations forming the basis thereof.
7. Respondent will be subject to a one (1) year period of probation commencing upon the date the Consent Order is signed by both parties.
8. That the probationary period will be in effect upon employment of the Respondent as a Nursing Assistant in a licensed health care facility, and will abate for any period when the Respondent is not employed as a Nursing Assistant.
9. Respondent will notify the Department of any lapse in employment and the probation will be extended until two (2) years of employment as a Nursing Assistant is completed.
10. Respondent will require direct supervision and document attendance at inservice training to include the topics of 1) Patient Abuse 2) Patient rights and 3) Anger Management. This inservice will be documented and reported to the Department by a supervising Registered Nurse.
11. That, during the period of probation, that the Respondent's employer shall submit quarterly reports to the Board relating to the Respondent's conduct and performance; that it shall be the responsibility of Respondent to have the employer(s) submit said reports.
12. That during the period of probation, should Respondent change employment, Respondent shall notify the Board forthwith of said changes including the name and

address of the new employer(s), date Respondent commences said employment and the reason for the change in employment.

13. That should Respondent comply with the laws and regulations governing the practice of Nursing Assistant and comply with the requirements of this Consent Order Respondent may apply to the Department for an unrestricted license to practice as a Nursing Assistant.
14. That should Respondent fail to comply with the terms of this Agreement, Respondent Registration as a Nursing Assistant will be subject to suspension or other appropriate disciplinary action.

Signed this Alem Gebre day of 6/18/02

Alem Gebre, NA

Approved on this 19TH day of JUNE 2002

Nikki Deary
Nikki Deary, Chief, Health Professions