

State of Rhode Island  
and Providence Plantations

Department of Health  
Division of Health Professions Regulation

vs.

**ANGELA RODRIGUEZ NURSING ASSISTANT APPLICANT FOR LICENSURE**

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 Angela Rodriguez, applicant, with a violation of Chapter 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 applicant seeking to become licensed to practice in the State of Rhode Island.
2. That Respondent has successfully completed the Nursing Assistant training and Competency Evaluation program.
3. That on April 11, 1996 she was convicted of felonies related to controlled substances and sentenced to a full sentence of seven (7) years, six (6) years of probation due to expire on 3/20/2003.
4. As of 12/17/2001 she has completed counseling and reported to probation as directed.
5. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as that term is defined in Section 23-17.9-8 and the Rules and Regulations promulgated

thereunder.

The parties agree as follows:

1. Respondent is an applicant for licensure as a Nursing Assistant. Respondent's mailing address is apt 140, 90 Girard Avenue, Newport RI 02840.
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.

1. This Consent Order shall become part of the public record of this proceeding once it is accepted by both parties and respondent's license shall reflect the status "active probation".
2. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
3. Respondent will be licensed and subject to a period of probation commencing upon the date the Consent Order is signed by both parties.
4. That during the period of probation respondent shall continue counseling and/or treatment programs as his counselor deems appropriate or provide evidence of completion. Respondent waives confidentiality of her treatment and counseling and will direct her health care professional rendering her treatment to release any reports to the Board, including but not limited to, counseling reports, urine and drug screening programs. Respondent will provide counselor with a copy of this Order.
5. That the probationary period will be in effect upon employment of the Respondent as a nursing assistant in a licensed health care facility, and under direct supervision, that is not in home health, and will continue until the Respondent has satisfied all conditions of her court-imposed probation and the probation expires and provided the Department with reports as in #4 above.
6. Respondent will notify the Department of Health of any change in employment.
7. That should Respondent comply with the laws and regulations governing the practice of nursing assistance and comply with the requirements of this Consent Order she may apply to the Department for relief from probation.
8. That should Respondent fail to comply with the terms of this Agreement, her Registration as a

Nursing Assistant will be subject to suspension or other appropriate disciplinary action.

Signed this 30TH day of MARCH

Angela Rodriguez

Angela Rodriguez

Approved on this 4TH day of APRIL, 2002

Nikki Deary

Nikki Deary, Chief, Health Professions