

STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH :
HEALTH PROFESSIONS REGULATION :

vs. :

ARMINDA R. COSTA, N.A. :

CONSENT ORDER

Pursuant to R.I.G.L. (2001 Reenactment) Section 23-17.9-8 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 Arminda R. Costa, N.A. (hereinafter "Respondent") with a violation of Chapter 23-17.9-8 of the General Laws of the State of Rhode Island, 1987, as Amended.

After consideration by the "Department", the following constitutes the Findings of Fact with respect to the professional performance of the "Respondent".

1. "Respondent" is a licensed Nursing Assistant in the State of Rhode Island.
2. That on or about February 2003, "Respondent" is alleged to have obtained her license as a Nursing Assistant by misrepresentation.
3. That the conduct described in paragraph two (2) herein, if proven, constitutes unprofessional conduct in Section 23-17.9-8 and the Rules and Regulations promulgated thereunder and, as such, is grounds to revoke your license.

The parties agree as follows:

1. "Respondent" is a Nursing Assistant and is 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 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 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 "Department" to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;

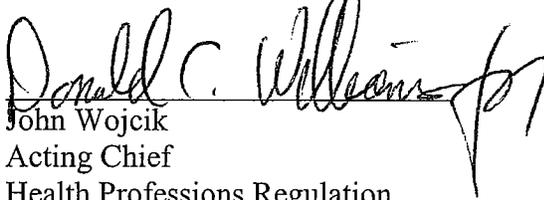
- (i) Any objection to the fact that potential bias against the "Respondent" may occur as a result of the presentation of this Consent Order to the "Department".
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties.
 6. "Respondent" neither admits nor denies the allegations forming the basis for this Consent Order, but enters into the agreement to avoid protracted litigation.
 7. "Respondent" agrees to a voluntary surrender of her Nursing Assistant certification for an indefinite period.
 8. That in order to obtain licensure as a Nursing Assistant "Respondent" must retake, and successfully complete, the Nursing Assistant Training Program and must successfully pass the written and clinical portions of the licensure examination as required by the Rules and Regulations in effect at the time "Respondent" applies for licensure.
 9. That should "Respondent" meet the requirements for licensure as set forth in paragraph eight (8) herein and comply with the other requirements for licensure set forth in the Rules and Regulations in effect at the time she applies for licensure as a Nursing Assistant, the "Department" will issue "Respondent" a license subject to her serving a period of probation. The terms and conditions of said probation will be determined at such time as "Respondent" is eligible for licensure as a Nursing Assistant.

10. That the voluntary surrender of "Respondent's" license to practice as a Nursing Assistant shall remain in full force and effect pending further order of the Board.

Signed this 24 day of OCTOBER 2003.


Arminda R. Costa, N.A.

Approved on this 28th day of October 2003.


John Wojcik
Acting Chief
Health Professions Regulation