

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH  
OFFICE OF HEALTH PROFESSIONS REGULATION**

**vs.**

**Ashley Toste, NA**

**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 Ashley Toste, NA (hereinafter "Respondent") with a violation of Section 23-17.9-8 of the General Laws.

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 Nursing Assistant licensed to practice in the State of Rhode Island.
2. That at all pertinent times Respondent was employed by Silver Creek Manor, Bristol, Rhode Island.
3. That on or about 13 April 2003, Respondent was rough and verbally abusive to residents while providing care.
4. The conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 23-17.9-8, and Rules and Regulations promulgated thereunder.

Based on the foregoing, the Rhode Island Department of Health hereby enters the following:

1. Nursing Assistant license issued to the Respondent is hereby put on probation for a period of one (1) year commencing upon 12 May 2004.
2. 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.
3. Respondent will notify the Department of any lapse in employment and the probation will be extended until one (1) year of employment as a Nursing Assistant is completed.
4. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.
5. Respondent will require supervision. This stipulation will be documented and reported to the Department by the supervising Registered Nurse.
6. Respondent will notify the Department of any lapse in employment and the probation will be extended until one (1) year of employment as a Nursing Assistant is completed.
7. That during the time of probation, the Respondent's employer(s) shall submit quarterly reports to the Board relating to the Respondent's conduct and performance; that it shall be the responsibility of the Respondent to have the employer(s) submit said reports.
8. 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.

9. That during the period of probation, Respondent will be prohibited from working in a community-based setting (i.e., an assisted living facility, a home nursing care provider agency, or any setting in which Respondent will be providing care without supervision).
10. That shall Respondent comply with the laws and regulations governing the practice of Nursing Assistant and comply with the requirements of this Order, Respondent may apply to the Department for relief from probation.
11. That should Respondent fail to comply with the terms of this Order, Respondent shall be subject to further disciplinary action.
12. That this Order shall remain in full force and effect pending further Order by Rhode Island Department of Health.

Approved on this 28th day of April 2004

Charles Alexandre  
Charles Alexandre, MSN, RN, Acting Chief  
Health Professions Regulation