

STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION

vs.

COLBERT BEAUCICAUT, Jr., N.A.

A.H. FILE NO. (HSR) 2005-3

**ADMINISTRATIVE DECISION**

This matter came on for hearing before an adjudication officer of the Department of Health (hereinafter "DOH") on the 14<sup>th</sup> day of April 2005.

The case is before the DOH upon a complaint filed by the Director of Nursing Services at Oakland Grove Health Care Center alleging that the Respondent has been guilty of unprofessional conduct in violation of § 23-17.9-8 of the General Laws.

Specifically, the complaints (State's exhibits 2 and 3) allege that Respondent failed to provide adequate care for his patients by refusing to toilet the patients, refusing to reposition the patients and by failing to respond to patients' call lights.

The DOH was represented by legal counsel at the hearing. The Respondent failed to appear at the hearing. The DOH presented evidence (State's exhibit 1) that the Respondent had received written notice of the date and time for hearing. In addition, the adjudication officer delayed the proceedings for an hour to make certain that the Respondent was not merely late.

Respondent not appearing, the DOH moved for an Order placing the Respondent under probation on the strength of the information contained in exhibits 2 and 3.

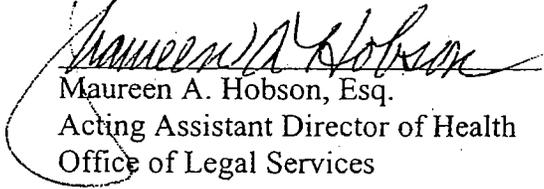
Based upon the uncontroverted evidence contained in exhibits 2 and 3, it is hereby determined that the Respondent did neglect to properly care for his patients in violation of § 23-17.9-8.

It is hereby **ORDERED:**

1. That the Nursing Assistant license issued to Respondent is hereby put on probation for a period of two (2) years commencing upon 14 April 2005.
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 two (2) years of employment as a Nursing Assistant is completed.
4. That during the period of probation, 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.
5. 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.
6. 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).

7. That should 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.
8. That should Respondent fail to comply with the terms of this Order, Respondent's Registration as a Nursing Assistant will be subject to suspension or other appropriate disciplinary action.
9. That should Respondent fail to comply with the terms of this Order, Respondent shall be subject to further disciplinary sanctions.
10. That this Order shall remain in full force and effect pending further Order by the Rhode Island Department of Health.

  
Maureen A. Hobson, Esq.  
Acting Assistant Director of Health  
Office of Legal Services

**YOU HAVE THIRTY (30) DAYS FROM THE DATE HEREOF TO APPEAL THIS DECISION IN WRITING TO THE SUPERIOR COURT OF RHODE ISLAND AT 250 BENEFIT STREET, PROVIDENCE, RI 02903.**

CERTIFICATION

I hereby certify that I have mailed a copy of the within Administrative Order to Colbert Beaucicaut, Jr., 52 Branch Avenue, Cumberland, RI 02864 on this 14<sup>th</sup> day of April 2005.

