

State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professionals Regulation

vs.

DIANE KWOLEK (CO5-176)

ORDER

Pursuant to Section 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 Diane Kwolek, NA (NA08070) (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 at all pertinent times, Respondent was employed by two (2) private homecare clients.
3. That on or about 15 June 2006, Respondent pled nolo contendere to a felony charge of Obtaining Money Under False Pretenses over \$500 from an elderly victim and surrendered her Nursing Assistant certification for a period of not less than five (5) years.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 23-17.9-8(3) and the Rules and Regulations promulgated thereunder and, as such, is grounds to revoke your license.

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

1. The Respondent's Nursing Assistant certification shall be surrendered for a minimum of five (5) years.
2. At the time Respondent seeks reinstatement of the Nursing Assistant certification, Respondent shall submit documentation to the Board evidencing that Respondent is capable and competent to engage in the practice of Nursing Assistance. In addition, Respondent must meet all education, training and examination requirements for licensure in effect at the time Respondent applies for licensure.
3. That should Respondent violate the terms of this Order, Respondent shall be subject to further disciplinary sanctions.
4. That this Order shall remain in full force and effect pending further Order by the Rhode Island Department of Health.

Approved on this 5th day of October 2006



Charles Alexandre, Chief

Health Professions Regulation