

MAR 31 2003

State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

Donna Ferreira

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 Donna Ferreira, 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 Metacom Manor, Bristol, Rhode Island.
3. That on or about 6 July 2000, Respondent conducted herself unprofessionally in that she was verbally abusive by using profanity to two (2) Alzheimer's patients in two (2) separate incidents.
4. The conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 23-17.9-8, and Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a Nursing Assistant and is able to conduct business under and by the virtue of the laws of the State of Rhode Island. Respondent's mailing address is 288 Market Street, Warren, Rhode Island 02885.
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 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.
5. This Consent Order shall become part of the public record of this proceeding once it is

accepted by both parties.

6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein by the Respondent.
7. Nursing Assistant license issued to the Respondent is hereby revoked for a period of at least five (5) years commencing upon the date the Consent Order is signed by both parties.
8. At the time Respondent seeks reinstatement of the Nursing Assistant license, Respondent shall submit documentation to the Board evidencing that Respondent is capable and competent to engage in the practice of Nursing Assistant. In addition, the Respondent must meet all education, training and examination requirements for licensure in effect at the time Respondent applies for licensure.
9. That should Respondent fail to comply with the terms of this Consent Order, Respondent's Registration as a Nursing Assistant will be subject to further disciplinary sanctions.

Signed this 20th day of March

Donna Ferreira
Donna Ferreira

Approved on this 31st day of March 2003

Donald C. Williams
Donald C. Williams
Associate Director, Health Services Regulation