

**IN THE MATTER OF:
GLORIA BERGERON, NA**

A.H. FILE NO. (HSR) 2004-21

FINDINGS OF FACT AND ORDER

This matter came to be heard before the Rhode Island Department of Health pursuant to an Administrative Notice dated October 7, 2004 which charged the Respondent, Gloria Bergeron, N.A., with being verbally abusive to a patient and stealing five dollars from a patient at Morgan Center, Johnston, RI The Administrative Hearing Notice stated that pursuant to R.I.G.L. § 23-17.9-8(1) (2) and (5) alleged that this conduct constituted unprofessional conduct and is grounds for discipline.

The Department of Health was represented by Gregory Madoian, Esq.

Respondent failed to appear

Exhibits considered:

1. Administrative Hearing Notice with a statement of the charges and Notice of the Opportunity to be Heard with the time, place and date of the hearing.
2. Three interview summaries submitted by Jodi Amato, RN, Director of Nurses and two statements (1) from a staff LPN and another from a staff social worker.

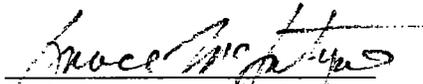
Finding of Facts and Conclusions of Law

1. That the Respondent was a licensed Nursing Assistant at Morgan Center on or about 17 May 2003 when the allegations were alleged to have occurred.
2. That on 17 May 2003 Respondent locked a patient in the kitchen of the center and searched the patient's pocket book and draws of her room.

3. That statements of Morgan Center staff and residents confirm that an incident took place on the date in question wherein the Respondent was seen in the patient's room.
4. That statements, in of themselves do not purport to witness the theft, they are suggestive of wrongdoing by the Respondent.
5. That Respondent denies either taking the money or locking the patient ion the kitchen and going through her belongings in her room.
6. That statements do place the Respondent's in the patient's room.
7. That the burden of proof is preponderance of the evidence.
8. That the state has met its burden of proof that the Respondent is guilty of being verbally abusive and stealing money from a patient under her care.
9. That such conduct is grounds for discipline in accordance with § 23-17.9-8(1) (2) and (5).

ORDER

Respondent is hereby issued a Reprimand.
Respondent is hereby placed on six (6) months probation.


Bruce W. McIntyre, Esq.
Hearing Officer

1 November 2004
Date

Certification

I hereby certify that on November 1, 2004 a copy of this order was sent to the following individuals postage prepaid:

Gregory Madoian, Esq.
Department of Health
3 Capitol Hill, Rm. 404
Providence, R.I. 02908

Gloria Bergeron, NA
PO BOX 27144
Providence, RI 02908

