STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
OFFICE OF HEALTH PROFESSIONS REGULATION

vs.

JUDY SMELTZ, NA (CO6-073)

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 Judy Smeltz (NA28990) (herein 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 St. Clare Home, 309 Sprig Street, Newport, Rhode Island.
3. That on or about 27 September 2005, Respondent kicked a resident's ankles several times to make her leg square with the table.
4. That the conduct described in paragraph three (3) above constitutes unprofessional conduct as defined in Section 23-17.9-8, and Rules and Regulations promulgated thereunder.

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

1. That this Order shall become part of the public record of this proceeding.

2. That Respondent is issued the sanction of a Reprimand.

Entered as an Order of the Department of Health at a meeting held on 9 January 2007.

Ordered this 11th day of January 2007

Charles Alexandre

Charles Alexandre, Chief
Health Professions Regulation