

STATE OF RHODE ISLAND :
AND PROVIDENCE PLANTATIONS :

DEPARTMENT OF HEALTH :
OFFICE OF HEALTH PROFESSIONS :
AND THE NURSING ASSISTANT:
ADVISORY BOARD:

vs. :

JULIE ROTHERMEL NA05490:

CONSENT ORDER

Pursuant to Section 23-17.9-8 General Laws of the State of Rhode Island, 1987, as Amended, and the Rules and Regulations promulgated thereunder, The Rhode Island Department of Health (hereinafter "Department") with the review and approval of the Nursing Assistant Advisory Board has investigated a complaint charging Julie Rothermel NA, 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 Nursing Assistant licensed to practice nursing assisting in the State of Rhode Island.
2. That at all pertinent times herein Respondent was employed as a "medication technician" at North Side Manor in North Providence, Rhode Island.
3. That during July 2001 Respondent charted/documented administration of medications to a resident of North Side Manor, but did fail to administer the medications.

Pursuant to Section 23-17.9-8, this conduct constitutes unprofessional conduct in the State of Rhode Island and, as such, is grounds to revoke her license.

The parties agree as follows:

1. Respondent is a Nursing Assistant and able to conduct business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is apt 50 7 Brook Street, North Providence RI 02911
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 ratification 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 in her behalf 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 for 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 all parties.
 6. Acceptance by the Respondent and approval by the Department of this Consent Order does not constitute an admission of the facts contained herein ,by the Respondent.
 7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
 8. Respondent agrees to a voluntary surrender of her Nursing Assistant license for a period of at least five (5) years.
 9. At the time Respondent seeks reinstatement of the Nursing Assistant license, she shall be subject to the regulations in effect at the time of re-application and shall present evidence acceptable to the Board that she is competent and capable of engaging in the practice of nursing assisting.
 10. That the voluntary surrender of Respondent's license to practice nursing assisting shall remain in full force and effect pending further order of the Department.

Signed this _____ day of Dec 15, 2001

Julie Rothermel

Julie Rothermel

Signed this 18TH day of DECEMBER, 2001

Nikki Deary

Nikki Deary, Chief, Health Professions Regulation