State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

KELLY N LEMIEUX (CO7-790)

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 KELLY N LEMIEUX (NA04190-T) (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 the 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 all pertinent times, Respondent was employed by Haven Health Center of Greenville, Greenville, Rhode Island.

3. That is, on or about 10 December 2007, the Respondent inappropriately touched and made sexual comments to a resident.

4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct pursuant to Section 23-17.9-8 and the Rules and Regulations promulgated thereunder.

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

1. Nursing Assistant license issued to the Respondent is here by suspended for a period of two (2) years commencing upon 8 August 2008.

2. 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, Respondent must meet all education requirements for licensure in effect at the time Respondent applies for licensure.

3. That the Respondent fail to comply with 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.

Ordered this 28th day of July 2008

Charles Alexandre

Charles Alexandre, Chief
Health Professions Regulation