State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

Lorrie Carter

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 Lorrie Carter, 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 Wildflowers Healthcare, Greenville, Rhode Island.
3. That on or about March 2003, Respondent had boundary issues with a ninety-three (93) year old, male resident.
4. The conduct described in paragraph three (3) herein constitutes unprofessional conduct in Section 23-17.9-8(5), 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 32

Old Danielson Pike, Foster, Rhode Island 02825.

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. Respondent's license shall reflect the status "Active Probation".

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 placed on probation for a period of at least one (1) year commencing upon the date the Consent Order is signed by both parties.
8. Respondent will notify the Department of any lapse in employment and the probation will be extended until one (1) year of employment as a Nursing Assistant is completed.
9. That, during, the period of probation, the Respondent's must submit evidence of completion of twelve (12) hours of in-service programs covering interpersonal skills.
10. That, during, the time of probation, the Respondent's employer shall submit quarterly reports to the Board relating to the Respondent's conduct and performance; that it shall be the responsibility of Respondent to have the employer(s) submit said reports.
11. That during the period of probation, should Respondent change employment, Respondent shall notify the Board forthwith of said changes forthwith of said changes including the name and address of the new employer(s), date Respondent commences said employment and the reason for the change in employment.
12. That during the period of probation, Respondent will be prohibited from working in a community based setting (i.e., an assisted living facility, a home nursing care provider agency, or any setting in which Respondent will be providing care without supervision).
13. That should Respondent comply with the laws and regulations governing the practice of Nursing Assistant and comply with the requirements of this Consent Order, Respondent may apply to the Department for relief from probation.
14. That should Respondent fail to comply with the terms of this Consent Order,

Respondent's Registration as a Nursing Assistant will be subject to suspension or other appropriate disciplinary action.

Signed this 12th day of April 2004

Lorrie L. Carter

Lorrie Carter

Approved on this 14th day of April 2004

Charles Alexandre

Charles Alexandre, MSN, RN, Acting Chief
Health Services Regulation