

State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

Maria L. DaLuz (C09-699)

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 Maria L. DaLuz (NA01772) (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 all pertinent times, Respondent was employed by Warren Skilled Nursing and Rehabilitation, Warren, RI.
3. That is, on or about November 2, 2009, Respondent refused to assist resident who required and requested toileting care assistance and was verbally abusive to resident.
4. That is, on or about November 5, 2009, Respondent failed to follow another resident's care plan by inappropriately feeding resident thin liquids, when resident required thickened liquids. Respondent's inappropriate behavior was observed. When questioned, Respondent acknowledged she was aware of resident's care plan requirements.

5. That the conduct described in paragraphs three (3) and four (4) 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 enters the following:

1. That this Order shall become part of the public record of this proceeding.
2. That Respondent must work in a supervised environment and is prohibited from working the 11 p.m. to 7 a.m. shift.
3. That Respondent is prohibited from home care.
4. That should Respondent fail to comply with the terms of this Order, Respondent shall be subject to further disciplinary sanctions.
5. That Respondent is issued the sanction of a Reprimand.

Ordered this 15th day of January 2010



Pamela L. McCue, RN, MS

Director, Nurse Registration & Nursing Education