State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

Maria Fernandes

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 complaint charging Maria Fernandes, 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 all pertinent times, Respondent was employed as a Nursing Assistant.

3. On or about 2 August 2004, Respondent entered into an Order with the Department wherein Respondent's nursing assistant license was placed on a one (1) year period of probationary status for unprofessional conduct in that on or about 30 July 2003, Respondent had been charged with a felony for embezzlement over one hundred dollars ($100). That on or about 14 June 2004, Respondent was found not to be in compliance with said Order. That Respondent is not in compliance with said Order in that the required reports have not been submitted.

4. That pursuant to paragraph 5 of the Order, Respondent was responsible for having their supervising Registered Nurse forward performance evaluation(s) to the Department of Health. The performance evaluation(s) from each health facility employer must recommend continued employment and satisfactory performance.

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

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

1. Nursing Assistant license issued to the Respondent is hereby suspended for a period of

not less than one (1) year commencing upon the 9 August 2005.

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 should 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 21 day of July 2005

Charles Alexandre

Charles Alexandre, Chief
Health Professions Regulation