

STATE OF RHODE ISLAND	:
AND PROVIDENCE PLANTATIONS	:
DEPARTMENT OF HEALTH	:
DIVISION OF PROFESSIONAL	:
REGULATION and BOARD OF	:
NURSING EDUCATION	:
	:
vs.	:
	:
Mary Harris NA	:

CONSENT ORDER

Pursuant to R23-17.9, of the General Laws of the State of Rhode Island, 1956, as Amended, a sworn complaint was filed with the Department of Health, Division of Professional Regulation (hereinafter referred to as " Department" ) charging Mary Harris, NA, Respondent, with violation of Chapter 23-17 of the General Laws of the State of Rhode Island, 1956, as Amended.

After consideration by the Department and review and consultation with the Nursing Assistant Advisory Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

1. Respondent is a registered nursing assistant licensed to practice nurse assisting in the State of Rhode Island.

2. That all pertinent times herein Respondent was employed by Kent County Memorial Hospital.

3. That on or about [redacted] Respondent, for her own purposes, morphine, from Kent County Memorial

Hospital.

4. That diversion of a controlled substance for one's own purposes constitutes unprofessional conduct as defined in R23-17.

5. That Respondent is presently enrolled in a treatment and/or counselling program

The parties agree as follows:

1. Respondent is a registered nursing assistant licensed and doing business under and by virtue of the laws of the State of Rhode Island. Respondent's mailing address is 16<sup>5</sup> Early Street, Providence, RI 02907.

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 not binding on Respondent until signed by the Respondent and 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;

Department;

e) The right to further procedural steps except for those specifically contained herein;

f) Any and all rights of appeal of the Consent Order;

5. This Consent Order shall become part of the public records of this proceeding once it is accepted by all parties. It shall be published as the Department, in its discretion, deems appropriate.

6. Failure to comply with this Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.

7. Respondent shall enter into and continue to adhere to the conditions of a contract with the Peer Assistance Program of the Rhode Island Employee Assistance Program, Inc., (hereinafer referred to as "Peer Assistance Program").

8. Respondent shall continue counseling and/or treatment for drug abuse and continue such counseling and/or treatment programs as her counselor deems appropriate.

9. Respondent waives confidentiality of her treatment and counseling and will direct the Peer Assistance Program and/or other health care professional rendering her treatment and/or counseling to release reports to the Department.

10. This Order will be transmitted forthwith to the Peer Assistance Program, which is hereby directed by the Respondent to notify the Department of any breach or termination by the Respondent or any other health care professional rendering

treatment and/or counseling to Respondent shall keep the Department apprised of the progress of Respondent on a biannual basis.

11. Respondent voluntarily agrees to a suspension of her privilege to practice nurse assisting in the State of Rhode Island for a period of at least twenty-four (24) months commencing 14 October 1994 and will return her nursing assistant registration card to the Division of Professional Regulation.

12. That upon the expiration of the period of suspension, Respondent may petition the Department for review of the status of her license to practice as a nursing assistant in this state.

Signed this 29<sup>th</sup> day of June 1995.

Laura Mills  
Witness

Mary Harris  
Mary Harris, NA

Signed this 6<sup>th</sup> day of JULY 1995

Russell Spaight  
Russell Spaight, Administrator, Division of Professional Regulation