Department of Health
Three Capitol Hill
Providence, RI 02908-5097
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State of Rhode Island
and Providence Plantations

Department of Health
Office of Health Professions Regulation

vs.

Melanie Jean Boylan (C13-194)

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 Melanie Jean Boylan NA34976 (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 South County Quality Care, Narragansett, RI.

3. That is, on or about September 7, 2012, Respondent violated the agency's policies by making unauthorized, unapproved, unscheduled visits to two home care clients, one whom was deceased. Respondent admitted such activity and stated she was seeking private duty employment.

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.

The parties agree as follows:

(a) Respondent is a Nursing Assistant licensed and doing business under and by virtue of the Laws of the State of Rhode Island, Nursing Assistant license number, NA34976.

(b) Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department;

(c) Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to the final approval of the Department. This Consent Order is not binding on Respondent until signed by the Department.

(d) Respondent hereby acknowledges and waives:

(1) The right to appear personally or by counsel or both before the Department;

(2) The right to produce witnesses and evidence on Respondent's behalf at a hearing;

(3) The right to cross-examine witnesses;

(4) The right to have subpoenas issued by the Department;

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

(6) Any and all rights of appeal of this Consent Order;

(7) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;

(8) 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 review adequately this Consent Order;

(9) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order. The signing of this Consent Order is for settlement purposes only.

Based on the foregoing, the Rhode Island Department of Health hereby enter 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 home care.
3. That should Respondent fail to comply with the terms of this Order, Respondent shall be subject to further disciplinary sanctions.
4. That Respondent is issued the sanction of a Reprimand.

Melanie Jean Boylan

MELANIE JEAN BOYLAN
NA34976

Date: 1-8-14

Donna L. Costantino, MBA
Chief of Health Professionals Regulation

Date: 1/9/14