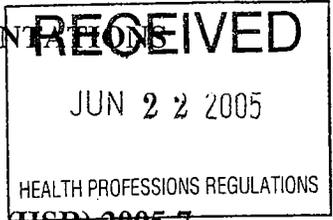


STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS



DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION

VS.

SCOTT A. SIMPSON, N.A.

:
:
:
:
:
:

A.H. FILE NO. (HSR) 2005-7

ORDER

This matter came on to be heard on the 28th day of April, 2005 upon an Administrative Hearing Notice issued to the Respondent on March 9, 2005 alleging unprofessional conduct, i.e., inappropriate contact with a patient.

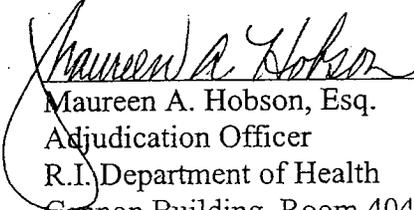
The Department of Health was represented by Gregory A. Madoian, Esquire. The Respondent did not appear even though he received formal written notice by regular and certified mail.

Based upon the exhibits presented and the argument heard, the following Findings of Fact have been determined.

1. That a form page survey report conducted by the Division of Facilities Regulation and completed by Sandra Clark, MA, RN, Complaint Coordinator with the Department of Health, concluded that this Respondent did in fact inappropriately fondle the breast of a female patient on or about May 2, 2004 while employed with the Charlesgate Senior Living Center, 1670 North Main Street, Providence, RI.
2. Said exhibit was not controverted by the Respondent and the Hearing Officer finds the report credible and controlling herein.

3. Wherefore, the Hearing Officer finds the Respondent guilty of unprofessional conduct and, as a result, rules his license as a Certified Nursing Assistant shall be suspended for a one (1) year time period.
4. Following the one (1) year suspension the Respondent may apply to the Department of Health for the return of his license to practice as a Nursing Assistant.

Dated: 6/22/05


Maureen A. Hobson, Esq.
Adjudication Officer
R.I. Department of Health
Cannon Building, Room 404
Three Capitol Hill
Providence, RI 02908-5097
Tel. (401) 222-2137
Fax (401) 222-1250

IF YOU ARE AGGRIEVED BY THIS FINAL AGENCY ORDER, YOU MAY APPEAL THIS FINAL ORDER TO THE RHODE ISLAND SUPERIOR COURT WITHIN THIRTY (30) DAYS FROM THE DATE OF MAILING THIS NOTICE OF FINAL DECISION PURSUANT TO THE PROVISIONS FOR JUDICIAL REVIEW ESTABLISHED BY THE RHODE ISLAND ADMINISTRATIVE PROCEDURES ACT, SPECIFICALLY, R.I. GENERAL LAWS § 42-35-15.

CERTIFICATION

I hereby certify that I have mailed a copy of the within ORDER, postage prepaid, to Scott A. Simpson, 2 Plumberton Street, Providence, RI 02908 on this 22nd day of June 2005.

