

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
D E P A R T M E N T O F H E A L T H



Safe and Healthy Lives in Safe and Healthy Communities

DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION

IN THE MATTER OF:
TAMMIE ARIAS, N.A.

A.H. FILE NO. (HSR)2001-4

FINDINGS OF FACT AND ORDER

This matter came to be heard before the Division of Health Services Regulation of the Rhode Island Department of Health pursuant to an Administrative Hearing Notice dated January 11, 2001 which charged the Respondent, Tammie Arias, N.A., with physical abuse of a patient. The specific charge alleged that the Respondent grabbed a resident of a health center in the crotch while working in that center and was verbally abusive to a resident while working at another health center. The disciplinary procedures for the Board of Registration of Nursing Assistants are set forth in R.I.G.L. Section 23-17.9-8(1)&(5).

The Board of Registration of Nursing Assistants was represented by Gregory A. Madoian. The Respondent, Tammie Arias, N.A., failed to appear for the hearing following service of process by regular and certified mail. This matter was scheduled to be heard originally on February 8, 2001 but it was rescheduled following a request by Attorney Timothy J. Dobb to withdraw his representation of the Respondent. His request was granted by a hearing officer on February 8, 2001, according to a notice sent to the Respondent the following day. The Department presented two witnesses and four exhibits which were entered into the record.

Finding of Facts and Conclusions of Law

1. The Respondent was a licensed Nursing Assistant on the dates in which the patient abuse was alleged.
2. The Respondent had grabbed a male resident of a health care center in the groin in order to demonstrate to a co-worker how to handle residents who attempt to try to touch a nursing assistant's breasts or buttocks. Further, the Respondent had verbally abused a resident in another health facility while she attempt to have the resident remove her soiled pants.
3. Testimony from a nurse indicated that she observed the Respondent attempting to coerce the roommate of one of the abused residents into signing a statement that would have indicated that the Respondent did not do what was alleged.
4. The Respondent was given adequate notice of the charges and the time, date and place of the administrative hearing. She failed to appear following this notice.
5. The Department has demonstrated by a preponderance of the credible evidence that the Respondent is guilty of the charges.

Order

The Respondent's license to practice as a Certified Nursing Assistant is hereby revoked.


Bruce W. McIntyre, Esq.
Hearing Officer


Date

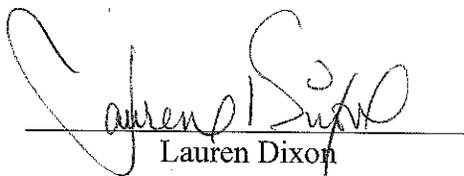
Certification

I hereby certify that on March 6, 2001 a copy of this order was sent to the following individuals postage prepaid:

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