

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

**RN 02-141**

**DEPARTMENT OF HEALTH  
HEALTH SERVICES REGULATION  
BOARD OF NURSE REGISTRATION  
AND NURSING EDUCATION**

**vs.**

**DIANNE L. FONTAINE, RN (RN31378)**

**CONSENT ORDER**

This matter is before the Board of Nurse Registration and Nursing Education (hereinafter "Board") upon request submitted by Dianne L. Fontaine, RN Respondent, that her registered nurse license, having been surrendered, be reinstated. That on 8 September 2003 the Board issued an Order wherein Respondent's registered nurse license was suspended indefinitely for unprofessional conduct in that on various dates from 13 November 2002 through 20 November 2002 Respondent did divert controlled substances from the Pyxis machine for her own use.

After consideration by the Investigating Committee of the Board, it was agreed by an between the parties:

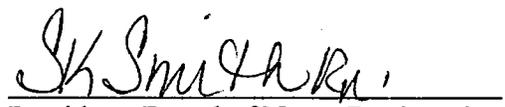
1. Respondent is a registered nurse and able to conduct business under and by virtue of the laws of the State of Rhode Island
2. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
3. Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to final ratification by the Board. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Board.
4. Respondent hereby acknowledges and waives:

- a) The right to appear personally or by counsel or both before the Board;
  - b) The right to produce witnesses and evidence in her behalf at a hearing;
  - c) The right to cross-examine witnesses;
  - d) The right to have subpoenas issued by the Board;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) Any and all rights of appeal of this Consent Order;
  - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;
  - h) Any objection to the fact that it will be necessary for the board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;
  - i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the Hearing Committee presiding over this matter should it later be brought to an administrative proceeding;
  - j) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Board.
5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board and Respondent's license shall reflect that the status is probationary.
6. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.

7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
8. That the Respondent's license to practice as a registered nurse is reinstated and that Respondent shall serve at least a three (3) year period of probation subject to the terms and conditions set forth in this order.
9. That said probationary period shall commence upon the date of the execution of this Consent Order by all the parties and will abate for the duration of any period in which Respondent ceases to be employed as a nurse. Upon employment as a registered nurse Respondent shall notify the Board as to the name and address of the employer and the date employment commenced.
10. That, during the period of probation, Respondent shall submit to the Board evaluations from the employer at three (3) month intervals relating to Respondent's conduct and performance; that it shall be the responsibility of Respondent to have the employer submit said reports.
11. That during the period of probation Respondent shall notify the Board forthwith of any changes in employment, including the name and address of the new employer(s) and the reason for said change.
12. Respondent shall continue counseling and/or treatment for drug and/or alcohol abuse with a healthcare professional specializing in substance abuse approved by the Board, and shall continue such counseling and/or treatment programs as the healthcare professional rendering the care deems appropriate including but not limited to, attendance at Al-Anon meetings, nursing assistance and nurse support groups as needed.

13. Respondent waives confidentiality of treatment and will direct the healthcare professional rendering treatment to release any progress reports to the Board including, but not limited to, quarterly progress reports and random urine and drug screening reports for the duration of the Respondent's treatment program.
14. This Consent Order will be transmitted forthwith to the healthcare professional which is hereby directed by the Respondent to notify the Board of any breach or termination by the Respondent of his treatment.
15. That should Respondent comply with the laws and regulations governing the practice of nursing during the period of probation and comply with the requirements of this Consent Order, Respondent may apply to the Board for an unrestricted license to practice as a registered nurse.
16. That should Respondent fail to comply with the laws and regulations governing the practice of nursing and/or fail to comply with the terms of this Order, the license as a registered nurse shall be subject to suspension or other appropriate disciplinary action.

  
Dianne L. Fontaine, RN

  
President, Board of Nurse Registration  
and Nursing Education

Ratified as an order of the Board of Nurse Registration and Nursing Education at a meeting held on this 3 day of October 2005.