

noticed of hearing, a hearing was held. Additionally, Section 12.9 of the Hearing Regulation provides that a judgment may be entered based on pleadings and/or evidence submitted at hearing by a non-defaulting party. The Board was represented by counsel.

The Board has jurisdiction over this matter pursuant to R.I. Gen. Laws § 5-34-1 *et seq.*, *Rules and Regulations for the Licensing of Nurses and Standards for the Approval of Basic Nursing Education Programs*, and the Hearing Regulation.

Dorothy Burleson, Director of Nursing at Friendly Home ("Home"), testified on behalf of the Board. She testified that she has been the Director of Nursing at the Home for five (5) years and it a 126 bed skilled nursing facility. She testified that the Respondent was employed by the Home and there were problems with her relating to not administrating medication, not signing out, not doing treatment, and discrepancies in narcotics. She testified that the Home engaged in progressive discipline against the Respondent and she was terminated on September 20, 2012. See Department's Exhibit Four (4) (sealed). She testified that she told the Respondent that the Home would notify the Department about the Respondent because of the risks due to drug diversion and the Home submitted an investigatory packet to the Department. See Department's Exhibit Five (5). She testified as to the statements in the packet including two (2) statements from colleagues stating that the Respondent asked them to cover up narcotic discrepancies and a statement indicating that that the Respondent had signed that she had given an alert resident two (2) Percocet when that resident never takes two (2) but only

by first class mail. The Notices were returned to the Department by the United States Post Office as undeliverable. See Department's Exhibits One (1) and Two (2). The November-15, 2012 letter was also returned to the Department as indicated on the date stamp of the original letter forwarded to the Respondent. The date stamp indicates the original November 15, 2012 letter was received by the Department on November 21, 2012. Lori Keough, Director of Nursing, testified that the address used for all notices and correspondence was the Respondent's address on record. See below.

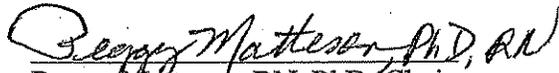
takes one (1). See Department's Exhibit Five (5) (the Home's packet sent to Department).

Lori Keough, Director of Nursing for the Board, testified on behalf of the Board. She testified that the address used in the notices forwarded to the Respondent was the address on record with the Department. She testified that the recommendation is to indefinitely suspend the Respondent's License.

After hearing, the Board unanimously made the following order:

The Respondent's License shall be suspended indefinitely.

By Order of the Board,


Peggy Matteson, RN, PhD, Chair

Entered this 18th day of December, 2012.

NOTICE OF APPELLATE RIGHTS

PURSUANT TO R.I. GEN. LAWS § 5-34-28, APPEALS OF DECISIONS ARE GOVERNED BY THE ADMINISTRATIVE PROCEDURES ACT, R.I. GEN. LAWS § 42-35-1 *et seq.* THIS DECISION CONSTITUTES A FINAL ORDER OF THE DEPARTMENT OF HEALTH PURSUANT TO R.I. GEN. LAWS § 42-35-12. PURSUANT TO R.I. GEN. LAWS § 42-35-15, THIS DECISION MAY BE APPEALED TO THE SUPERIOR COURT SITTING IN AND FOR THE COUNTY OF PROVIDENCE WITHIN THIRTY (30) DAYS OF THE MAILING DATE OF THIS DECISION. SUCH APPEAL, IF TAKEN, MUST BE COMPLETED BY FILING A PETITION FOR REVIEW IN SUPERIOR COURT. THE FILING OF THE COMPLAINT DOES NOT ITSELF STAY ENFORCEMENT OF THIS ORDER. THE AGENCY MAY GRANT, OR THE REVIEWING COURT MAY ORDER, A STAY UPON THE APPROPRIATE TERMS.

CERTIFICATION

I hereby certify on this *20th* day of December, 2012 that a copy of the within Order and Notice of Appellate Rights was sent by first class mail, postage prepaid and registered mail, return receipt requested to Ms. Jessica Petrin, 102 School Street, PO Box 82, Forestdale, RI 02824 and by hand-delivery to Jennifer Sternick, Esquire, Department of Health, Three Capitol Hill, Providence, RI 02908.

Quinn Patton

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
 Department of Administration
 DIVISION OF LEGAL SERVICES
 One Capitol Hill
 Providence, RI 02908 - 5890

CARRIED WAIVE



7011 0470 0002 0485 3006

Ms. Jessica Petrin
 102 School Street
 P.O. Box 82
 Forestdale, RI 02824

CONFIDENTIAL

AN UNPOSTED MAILING FROM YOUR POST OFFICE

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3 and 4a & b
- Print your name and address on the reverse of this form so that we can return this card to you
- Attach this form to the front of the mailpiece, or on the back if space does not permit
- Write "Return Receipt Requested" on the mailpiece below the article number
- The Return Receipt fee will provide you the signature of the person delivered to and the date of delivery

also wish to receive the following services (for an extra fee)

- Addressee's Address
- Restricted Delivery
- Consult postmaster for fee

3 Article Addressed to:

Ms. Jessica Petrin
 102 School Street
 P.O. Box 82
 Forestdale, RI 02824

4a Article Number:

7011 0470 0002 0485 3006

4b Service: Registered Insured

Certified COD

Express Mail Return Receipt for Merchandise

7 Date of Delivery:

8 Addressee's Address (Only if requested and fee is paid)

5 Signature (Addressee)

6 Signature (Agent)

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service

PS Form 3811 November 1990 SJS:GPO 1991-287-088

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One Capitol Hill
Providence, RI 02908 - 5890

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