

**STATE OF RHODE ISLAND  
AND PROVIDENCE PLANTATIONS**

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

**vs.**

**ROBERT NELEN, RN 31511**

**CONSENT ORDER**

Pursuant to Section 5-34-25 the General Laws of the State of Rhode Island, 2004 Reenactment, a complaint was filed with the Board of Nurse Registration and Nursing Education (hereinafter referred to as "Board") charging Robert Nelen, RN, Respondent with a violation of Chapter 5-34 of the General Laws of the State of Rhode Island, 2004 Reenactment.

After consideration by the Investigating Committee of the Board, it was agreed by and 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. That Respondent voluntarily surrendered his license on or about July 2, 2003 and after treatment for substance abuse the Board reinstated his license on probation on or about March 13, 2006.
4. That Respondent admitted to the Board a violation of his probation terms by presenting to work after ingesting alcohol and then diverting Ativan while on duty at a local nursing home.

5. That Respondent voluntarily surrendered his license on or about October 12, 2006.
6. Respondent has demonstrated to the Board that he has been active in substance abuse treatment and counseling and said treatment providers recommend the reinstatement of his registered nurse license.
7. That 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.
8. 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 his 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.
9. 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.
10. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.
11. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.
12. That the Respondent shall serve at least a three (3) year period of probation subject to the terms and conditions set forth in this order.
13. 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.
14. That, during the period of probation, Respondent shall provide a copy of this Consent Order to all current and future employers. Respondent shall ensure that 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.

