
State of Rhode Island and Providence Plantations Department of Health
Nursing Assistant Advisory Board



IN THE MATTER OF:
CHEIKH NDIAYE
License Number NA51092
Case No. 171512

CONSENT ORDER

Pursuant to R.I. Gen. Laws § 23-17.9-1 *et seq.* and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (hereinafter "RIDOH"), and the Nursing Assistant Advisory Board (hereinafter "Board") have investigated a complaint charging CHEIKH NDIAYE, NA51092 (hereinafter "Respondent"), with conduct subject to disciplinary proceedings pursuant to R.I. Gen. Laws § 23-17.9-8. After review and consideration by RIDOH and the Board with respect to the Respondent's conduct, the following are and shall constitute

FINDINGS OF FACT

1. Respondent is a Nursing Assistant licensed to practice in Rhode Island under Nursing Assistant License NA51092.
 2. At all times relevant hereto, Respondent was employed by Evergreen House Healthcare.
 3. On or about September 24, 2017, Respondent was witnessed making derogatory statements to a patient in his care. Respondent admits to the incident reported.
 4. That the conduct described in paragraph three of this Consent Order constitutes conduct subject to disciplinary proceedings pursuant to R. I. Gen. Laws §23-17.9-8 and the Rules and Regulations promulgated thereunder.
 5. That the Respondent admits to the jurisdiction of RIDOH.
 6. Respondent has read this Consent Order and understands that this Consent Order shall become binding once signed by the Respondent and RIDOH.
 7. That Respondent hereby acknowledges and waives:
 - a. The right to an administrative hearing on this matter;
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- b. The right to represent himself or be represented by an attorney of Respondent's own choosing at said hearing;
- c. The right to produce testimony, witnesses, and evidence on Respondent's behalf; at a hearing; and
- d. Any and all rights of appeal.

ACCORDINGLY, AND BASED ON THE FOREGOING

RIDOH and the Respondent hereby agree to the following disposition of this complaint:

- 1. Respondent is hereby issued the sanction of a Reprimand on her Nursing Assistant license, NA51092.
- 2. If Respondent is currently employed, he must notify the Board, in writing, of the identity of his current employer. Respondent is required to participate in in-service trainings on patients' rights, abuse, cultural sensitivity, and managing difficult behaviors, through his identified employer within ninety (90) days of the ratification of this Consent Order and provide the Board with proof of such completion.
- 3. If Respondent is not currently employed, he must notify the Board, in writing, within five (5) days of the date that he secures employment, and must also provide the identity of his employer. Respondent is required to participate in in-service trainings on patients' rights, abuse, cultural sensitivity, and managing difficult behaviors, through his identified employer within (90) days of his original employment date, and provide the Board with proof of such completion.
- 4. This Consent Order shall become a public record.

Signed this 17 day of May, 2018.

Cheikh T. Ndiaye
CHEIKH NDIAYE

*Currently working at Brockdale
Smithfield*

Ratified by the RI Department of Health, Chief of Professional Boards and Licensing, on the 23rd day of May 2018.

Ellen R. Balasco
ELLEN R. BALASCO, ESQUIRE
Chief of Professional Boards and Licensing