

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



IN THE MATTER OF:
MOUSSA GAYE
License Number NA39811
Case Nos. 170197

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 (RIDOH), and the Nursing Assistant Advisory Board have investigated a complaint charging MOUSSA GAYE, NA39811 (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 Nursing Assistant Advisory 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 NA39811.
2. At all times relevant hereto, Respondent was employed by the Rhode Island Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Eleanor Slater Hospital, Zambarano Unit.
3. That on or about January 28, 2017, Respondent answered a telephone call on his personal cell phone while a patient in his care was in a bathtub filled with water.
4. That the conduct described in paragraphs 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;
- b. The right to appear personally or by counsel or both before the Board;
- c. The right to represent himself or be represented by an attorney of Respondent's own choosing at said hearing;
- d. The right to produce testimony, witnesses, and evidence on Respondent's behalf; at a hearing;
- e. The right to further procedural steps except for those specifically contained herein; and
- f. Any and all rights of appeal of this Consent Order.

ACCORDINGLY AND BASED ON THE FOREGOING

RIDOH and the Responder hereby agree to the following disposition of these complaints:

1. Respondent is hereby issued the sanction of a Public Reprimand.
2. Respondent shall complete three hours of continuing education in patient's rights and three hours of continuing education patient safety, and shall submit proof that he has completed the continuing education requirements within 30 days of the date that this Consent Order is ratified by RIDOH.
3. This Consent Order shall become a public record.

Signed this 6 day of 13, 2018.



MOUSSA GAYE

Ratified by the RI Department of Health, Chief of Professional Boards and Licensing, on the

26th day of June 2018.



ELLEN R. BALASCO
Chief of Professional Boards and Licensing