

State of Rhode Island and Providence Plantations

Department of Health  
Center for Professional Boards and Commissions

vs.

Complaint No.: C16-1413  
Licensee No.: NA44994

Rachael Morgan

### CONSENT ORDER

Pursuant to RIGL 23-17.9 and the Rules and Regulations promulgated there under, the Rhode Island Department of Health ("RIDOH") and the Nursing Assistant Advisory Board, have investigated an allegation of unprofessional conduct in violation Rhode Island General Laws § 23-17.9-1 et seq. against Rachael Morgan, NA44994 ("Respondent").

After review and consideration by RIDOH and the Nursing Assistant Advisory Board, the following are and shall constitute

### FINDINGS OF FACT

1. Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island under Nursing Assistant License Number, NA44994.
2. At all times relevant hereto, Respondent was employed by Riverview Healthcare, Coventry, RI.
3. That on or about November 2, 2016, Respondent was given direction to use the EZ-Stand to assist a resident transfer out of bed. The Respondent chose not to use it and the resident sustained an injury.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct pursuant to § 23-17.9-1 et seq. and the Rules and Regulations promulgated there under.
5. That the Respondent admits to the jurisdiction of RIDOH and hereby agrees to remain under the jurisdiction of RIDOH.

6. That the Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by the Respondent and RIDOH.
7. That the Respondent understands the purpose of this Consent Order is solely to resolve the complaint of unprofessional conduct alleged against the Respondent.
8. That the Respondent hereby acknowledges and waives:
  - a) The right to have an Administrative Hearing on this matter;
  - b) The right to represent himself/herself or be represented by an Attorney of Respondent's own choosing at said hearing;
  - c) The right to present testimony, evidence, and witnesses on Respondent's behalf;
  - d) The right to cross-examine witnesses presented by RIDOH;
  - e) The right to further procedural steps except for those specifically contained herein;
  - f) The right to take an appeal from the terms of this Consent Order.

ACCORDINGLY, AND BASED ON THE FOREGOING

The Rhode Island Department of Health and the Respondent hereby agree to the following disposition of this complaint:

1. That Respondent is hereby issued the sanction of a Reprimand.
2. That Respondent shall take one (1) course on Patient Safety.
3. That this Order shall become part of a public record of this proceeding.



Rachael Morgan  
NA44994



Ellen R. Balasco, Esq.  
Chief of Health Professions Regulation

Date:

1-31-18

Date:

1/31/18