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JAN 12 2015

State of Rhode Island and Providence Plantations
Department of Health
Legal Services

Department of Health :
Office of Health Professions Regulation :

VS. :

Complaint Nos.: C12-074
C14-0229

ALAN J. BARROSO
NHA No: NHA00990

CONSENT ORDER

Pursuant to R.I.G.L. § 5-45-1, et seq. and the Rules and Regulations promulgated there under, the Rhode Island Department of Health (hereinafter the "Department"), and the Board of Examiners for Nursing Home Administrators (hereinafter the "Board"), have investigated two complaints charging ALAN J BARROSO, NHA00990 (hereinafter the "Respondent") with violations of § 5-45-12.

After review and consideration by the Department and the Board with respect to the allegations of unprofessional conduct of the Respondent, the following are and shall constitute

FINDINGS OF FACT

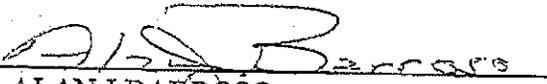
1. Respondent is a Nursing Home Administrator licensed to practice in the State of Rhode Island under Nursing Home Administrator License Number, NHA00990.
2. In 2011 and 2012, Respondent was employed by Hebert Nursing Home, Smithfield, RI.
 - a. On or about January 9, 2012, a Federal Survey was conducted and the facility was alleged to not be in substantial compliance with the Medicare and/or Medicaid program participation requirements. The survey alleged deficiencies which constituted a substandard quality of care.
 - b. The alleged deficiencies were subsequently corrected and the facility was determined to be in substantial compliance with participation requirements.
3. In 2014, Respondent was employed by Bannister House Inc., Providence, RI.

- a. On or about February 6, 2014, the Department conducted a Federal and State Licensure Survey at this facility which alleged that this facility was not in substantial compliance with participation requirements, specifically with housekeeping and maintenance services.
- b. The facility has since been determined to be in substantial compliance with participation requirements.
4. In addition, Respondent allegedly failed to complete required continuing education credits and improperly reported compliance with such requirements on the Department's 2012 renewal application.
5. Respondent Nursing Home Administrator license expired in the ordinary course on June 30, 2014 and Respondent does not wish to renew it.
6. The events and conduct described in paragraphs 2, 3 and 4 herein have been alleged to constitute unprofessional conduct pursuant to § 5-45-12 and the Rules and Regulations promulgated there under.
7. The Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
8. The Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by the Respondent and the Department.
9. The Respondent understands the purpose of this Consent Order is solely to resolve the complaints of unprofessional conduct alleged against the Respondent and his voluntary non-renewal of his Nursing Home Administrator License.
10. The Respondent hereby acknowledges and waives:
 - a. The right to have an Administrative Hearing on this matter;
 - b. The right to represent himself 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 the Department;
 - 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.

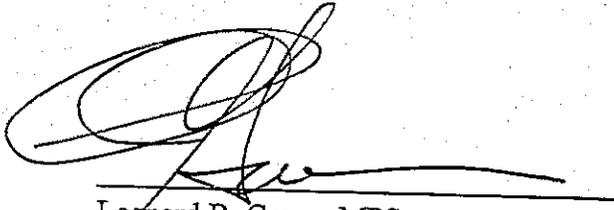
ACCORDINGLY AND BASED ON THE FOREGOING

The Rhode Island Department of Health and the Respondent hereby agree to the following disposition of these complaints:

1. Respondent's Nursing Home Administrator license has voluntarily not been renewed and will not be renewed for a two year period.
2. That this Order shall become part of the public record of this proceeding.


ALAN J BARROSO
NHA00990

Date: 12/31/14



Leonard B. Green, MPS
Interim Director of Health
Deputy Director of Health
Rhode Island Department of Health
Cannon Building
Three Capitol Hill Providence, RI 02903
Phone: (401) 222-7841
Fax: (401) 222-4393

Date: 3/30/15