

STATE OF RHODE ISLAND DEPARTMENT OF HEALTH  
OFFICE OF HEALTH PROFESSIONAL REGULATION

BOARD OF NURSE REGISTRATION AND NURSING EDUCATION

RE: MARIA SILVA  
APRN00284  
C21-0184

CONSENT ORDER

Pursuant to Rhode Island Gen. Laws § 5-34-25 of the Rhode Island General Laws and the regulations promulgated thereunder, a complaint (the "Complaint") was filed with the Board of Nurse Registration and Nursing Education (the "Board"), charging Maria Silva (the "Respondent"), a licensed advance practice registered nurse (APRN license #00284), with a violation of Chapter 5-34 of the General Laws of the State of Rhode Island.

After review and consideration by an Investigating Committee of the Board with respect to the allegations of unprofessional conduct of Respondent, the Board has made the following

**FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. Respondent is licensed to practice as an advance practice registered nurse in the State of Rhode Island under license APRN00284.
2. Respondent has been employed as an APRN at Neuro Health for approximately 6 years.
3. On or about February 3, 2021, The Rhode Island Department of Health received a complaint alleging Respondent prescribed a controlled substance to a relative; and that there was no coordination of care discussion with the treating practitioner regarding this prescription.
4. Respondent admits that on or about Saturday February 6, 2021, Respondent prescribed a prescription Ativan for her relative, aunt.
5. Respondent admits that she was not in a practitioner-patient relationship.
6. Respondent failed to conduct an assessment prior to prescribing Ativan medication.
7. Respondent has prescriptive authority; however, Respondent failed to access the prescription drug monitoring program (PDMP) software prior to prescribing Ativan medication.

8. Respondent failed to enter written nursing records of the occurrence between Respondent and relative.
9. Respondent prescribed 30 Ativan pills for consumption by relative.
10. Respondent failed to contact relative's treating psychiatrist for a coordination of care discussion or notification of treatment to treating psychiatrist.
11. The findings of fact described in paragraphs one (1) through ten (10) herein constitutes unprofessional conduct as defined in Rhode Island Gen. Laws § 5-34-24(6) which includes (6)(v) willful disregard of standards of nursing practice and failure to maintain standards established by the nursing profession; and Rules and Regulations for the Licensing of Nurses and Standards for the approval of Basic Nursing Education Programs.

#### **AGREEMENT:**

The Board and Respondent (together, the "Parties") hereby agree as follows:


1. Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
2. Respondent has read this Consent Order and understands that the contents herein are not binding on Respondent until final ratification by the Board.
3. Respondent hereby acknowledges and waives:
  - a. The right to appear personally or by counsel before the Board;
  - b. The right to produce witnesses and evidence in her 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 right 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.

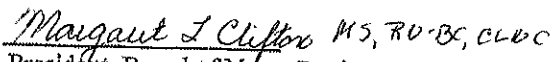
4. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board.
5. Respondent's acceptance of this Consent Order constitutes an admission by Respondent that the Board's factual findings and legal conclusions, as contained herein, are accurate and correct.
6. Respondent voluntarily agrees to accept the sanction of a Reprimand against her license as a registered nurse.
7. That should Respondent fail to comply with the laws and regulations governing the practice of nursing and/or fail to comply with the terms of the Consent Order, her license as a registered nurse may be subject to other appropriate disciplinary action.

**DISPOSITION OF THE COMPLAINT:**

Accordingly, and based on the foregoing, the Parties hereby agree to the following disposition of the Complaint:

1. That Respondent is hereby issued the sanction of a Reprimand.
2. That this Consent Order shall become part of a public record of this proceeding.

  
Maria Silva,  
APRN00284

  
Margaret J. Clifton MS, RN-BC, CLNC  
President, Board of Nurse Registration  
and Nursing Education

Date: 7-28-21

Date: 8-3-2021

Ratified as an order of the Board of Nurse Registration and Nursing Education at a meeting held on this 3rd day of August, 2021.