

STATE OF RHODE ISLAND

**DEPARTMENT OF HEALTH
DIVISION OF HEALTHCARE QUALITY AND SAFETY
CENTER FOR PROFESSIONAL BOARDS AND LICENSING
BOARD OF NURSING REGISTRATION AND NURSING EDUCATION**

**IN THE MATTER OF: MARGUERITE JOLICOEUR
LICENSEE NO.: LPN08370
COMPLAINT ID #: C23-1217**

CONSENT ORDER

Pursuant to § 5-34-25 of the Rhode Island General Laws and §§ 40-05-3.14 and 10-05-4 of volume 216 of the Rhode Island Code of Regulations, a complaint (the "Complaint") was filed with the Board of Nurse Registration and Nursing Education (the "Board"), charging Marguerite Jolicouer (the "Respondent"), a licensed practical nurse (license LPN08370), with a violation of Chapter 5-34 of the General Laws of the State of Rhode Island.

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. That Respondent is a licensed practical nurse licensed to practice in the State of Rhode Island under License Number LPN08370.
2. That on or about December 6, 2023, the Respondent was employed at a long-term care facility located in Rhode Island.
3. That on or about December 6, 2023, the Rhode Island Department of Health (RIDOH) received a complaint alleging the Respondent involuntarily restrained a resident in their room.
4. That on May 13, 2024, the Respondent appeared before an Investigative Committee (IC) of the Board and admitted to holding a towel against the door, not allowing the patient to leave the room for fear that they would wander. The Respondent further stated that the resident was not visible during this event. The IC determined that the Respondent was guilty of unprofessional conduct by their actions of improperly imprisoning a resident and by not following policy and procedure of the facility for safe patient handling and restraints.
5. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as defined in Rhode Island Gen. Laws § 5-34-24(6)(v).

6. That Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board.
7. That Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by Respondent and the Board.
8. That Respondent understands the purpose of this Consent Order is solely to resolve the Complaint.
9. That Respondent hereby acknowledges and waives:
 - a. The right to have an administrative hearing on this matter;
 - b. The right to represent oneself 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 Board;
 - 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; and
 - g. Any objection that this Consent Order will (i) be reported to the National Practitioner Data Bank, (ii) become a permanent part of Respondent's record maintained by RIDOH and a part of the public record of this proceeding, or (iii) be posted on RIDOH's public website.

ACCORDINGLY AND BASED ON THE FOREGOING

The Board and Respondent hereby agree to the following disposition of this Complaint:

10. Respondent is hereby issued the sanction of a Suspension starting the day this Consent Order is last executed (the "Effective Date").
11. Commencing with the Effective Date, Respondent's practical nurse license will be subject to three (3) month period of Suspension followed by a three (3) month period of Probation, term to begin upon ratification of this Order by the Board.
12. Respondent shall complete continuing education on the topic of alternative safe patient handling, from a source acceptable to the Board. These are in addition to the ten continuing education hours required for renewal of the Respondent's license.
13. When Respondent completes the period of Suspension of this Consent Order, Respondent may apply to RIDOH for reinstatement of a license to practice as a licensed practical nurse.
14. Respondent acknowledges that:
 - a. This Consent Order is an agreement between the Board and Respondent; and
 - b. Any violation of, or failure to adhere to, the terms of this Consent Order shall constitute unprofessional conduct and subject Respondent to further disciplinary action at the discretion of RIDOH, including but not limited to Revocation.

MARGUERITE JOLICOEUR
LICENSEE NO.: LPN08370

Date Signed: Marguerite Jolicoeur

Tracey L. Ginatt 9 SEPT 24
Tracey Ginatt
President, Board of Nursing

Date Signed: 9/13/24 TG