

STATE OF RHODE ISLAND

**DEPARTMENT OF HEALTH
DIVISION OF CUSTOMER SERVICES
CENTER FOR PROFESSIONAL BOARDS AND LICENSING**

IN THE MATTER OF: ELIZABETH M. PAYNE
LICENSEE NO.: NA57083
COMPLAINT ID #: C23-0298

RECEIVED
JUN 23 2023
CENTER FOR
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CONSENT ORDER

Pursuant to R.I. Gen Laws §23-17.9-1 *et seq.* and the Rules and Regulations promulgated thereunder, 216-RICR-40-05-22, the Rhode Island Department of Health ("RIDOH") has investigated Complaint No. C23-0298 (the "Complaint") charging Elizabeth M. Payne, Nursing Assistant license number NA57083, ("Respondent") with violations of R.I. Gen Laws §23-17.9-1 *et seq.*

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

FINDINGS OF FACT AND CONCLUSIONS OF LAW

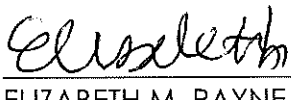
1. That Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island under Nursing Assistant License Number NA57083.
2. That at all times relevant hereto, Respondent was employed St. Elizabeth Home, 1 St. Elizabeth Way, East Greenwich, RI 02818.
3. On or about March 28, 2023, while providing care to a patient, the Respondent held the patient's head down with her hand, swore at the patient, and made threatening statements to the patient.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct pursuant to R.I. Gen Laws §23-17.9-1 *et seq.* and the Rules and Regulations promulgated there under.
5. That Respondent admits to the jurisdiction of RIDOH and hereby agrees to remain under the jurisdiction of RIDOH.
6. That Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by Respondent and RIDOH.
7. That Respondent understands the purpose of this Consent Order is solely to resolve the Complaint.
8. 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 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; and
- g) Any objection that this Consent Order will be reported to the National Practitioner Data Bank as well as posted on RIDOH's public website.

ACCORDINGLY, AND BASED ON THE FOREGOING

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

- 9. Respondent is hereby issued the sanction of a Reprimand, starting the day this Consent Order is last executed.
- 10. Respondent acknowledges that this Consent Order is an agreement between Respondent and RIDOH.
- 11. This Consent Order shall become a permanent part of Respondent's record maintained by RIDOH and a part of a public record of this proceeding.


ELIZABETH M. PAYNE
LICENSEE.: NA57083


BRUCE TODISCO, CHIEF
Center for Professional Boards and Licensing

Date Signed:

6/18/23

Date Signed:

7-3-23