



IN THE MATTER OF: KEILY E. ALMONTE GARCIA
License Numbers NA 57114
Case No. C23-0878

CONSENT ORDER FOR ACTIVE PROBATION

Pursuant to R.I. Gen. Laws § 23-17.9-1 *et seq.* and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (“RIDOH”), has investigated this complaint regarding allegations of unprofessional conduct in violation of R.I. Gen. Laws § 23-17.9-1 *et seq.* against KEILY E. ALMONTE GARCIA, NA 57114 (“Respondent”), and 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

1. Respondent is a Nursing Assistant licensed to practice in Rhode Island under Nursing Assistant License NA 57114.
2. That on or about September 8 and 9, 2023, Respondent was employed as a nursing assistant at a nursing facility and was responsible for caring for patients on the overnight shift.
3. On September 9, 2023, when morning shift nursing assistants reported to work at the nursing facility, they found nine residents in bed saturated in urine, and two residents in bed saturated in urine and feces, as a direct result of Respondent’s failure to attend to their overnight toileting needs.
4. The conduct described in paragraph three of this Consent Order constitutes conduct subject to disciplinary proceedings pursuant to R. I. Gen. Laws §23-17.9-1 *et seq.* and the Rules and Regulations promulgated thereunder.

**ACCORDINGLY, AND BASED ON THE FOREGOING,
RIDOH AND THE RESPONDENT HEREBY AGREE AS FOLLOWS:**

1. Respondent understands the purpose of this Consent Order is solely to resolve the Complaint and RIDOH and Respondent hereby agree to the following disposition of this Complaint:

2. That Respondent hereby acknowledges and waives:

The right to have an administrative hearing on this matter;

The right to represent herself or be represented by an attorney of her own choosing at said hearing;

The right to present testimony, evidence, and witnesses on her behalf;

The right to cross-examine witnesses presented by RIDOH;

The right to further procedural steps except for those specifically contained herein;

The right to take an appeal from the terms of this Consent Order; and

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.

3. This Consent Order will become effective upon signature of the Respondent and ratification of this Consent Order by RIDOH.

4. Respondent's Nursing Assistant license NA 57114 shall be subject to a two-year period of active probation and Respondent's license shall reflect the status "Active Probation" commencing upon the signature of Respondent and ratification of this Consent Order by RIDOH.

5. Respondent must demonstrate two years of employment as a nursing assistant at a hospital or nursing facility with direct supervision. Respondent may not work as a nursing assistant in a private home or anywhere else without direct supervision.

6. If at any time Respondent is not employed as a nursing assistant, the active probation period will be extended until the required two-year period of employment as a Nursing Assistant is completed.

7. After Respondent completes two years of employment as a nursing assistant with the status of Active Probation, Respondent may apply to RIDOH for her license status to be changed to "Active" status.
8. 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 of her license.
9. Respondent must provide RIDOH with the name and address of the hospital or nursing facility where she is employed. If Respondent changes jobs, Respondent must provide RIDPH with hospital or nursing facility where she is employed within two weeks of starting employment.
10. Respondent must provide all hospitals and/or nursing facilities where she is employed as a nursing assistant with a copy of this Consent Order and a Job Performance Progress Report from provided to her by RIDOH.
11. Respondent agrees to ensure that Respondent's employer provides Job Performance Progress Reports to RIDOH. The due dates of Respondent's quarterly reports are as follows:
 - 1st Quarter Report (January –March) due by April 15th each year
 - 2nd Quarter Report (April-June) due by July 15th each year
 - 3rd Quarter Report (July-September) due by October 15th each year
 - 4th Quarter Report (October-December) due by January 15th each year
12. Respondent understands that if she fails to cause her employer to timely submit Respondent's Job Performance Progress Report to RIDOH, that is, within four (4) weeks of the date it is due to RIDOH, RIDOH shall be entitled to presume that she is not employed as a nursing assistant and may change Respondent's license status to "Inactive."

Respondent has read this Consent Order and understands that this Consent Order shall become binding once signed by the Respondent and ratified by RIDOH and shall become a permanent part of Respondent's record maintained by RIDOH, and that this Consent Order is a public record.

Signed this 06 day of 29, 2024.

Keily E Almonte G.
KEILY E. ALMONTE GARCIA

Ratified by the RI Department of Health, Chief of Professional Boards and Licensing, on the
5th day of July 2024.

Jennifer Sternick Jennifer Sternick for Bruce Todesco
Bruce Todesco
Chief of Professional Boards and Licensing