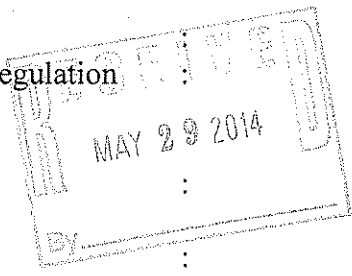


nursing

State of Rhode Island and Providence Plantations

Department of Health
Office of Health Professions Regulation



Vs.

Complaint No.: C13-0163
NA No: NA01369

LINDA O'BRIEN

CONSENT ORDER

Pursuant to R.I.G.L. 23-17.9-8 and the Rules and Regulations promulgated there under, the Rhode Island Department of Health (hereinafter the "Department"), and the Advisory Board for Nursing Assistants (hereinafter the "Board"), has investigated a complaint charging LINDA O'BRIEN, NA01369 (hereinafter the "Respondent") with a violation of RIGL 23-17.9-8.

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

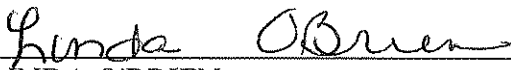
1. Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island under Nursing Assistant License Number, NA01369.
2. At all times relevant hereto, Respondent was employed by Village House Convalescent Home, Newport, RI.
3. That on or about November 24, 2013, Respondent stole a resident's Bank of America credit card for use at Stop & Shop for unauthorized purchases totaling \$107.73. Newport Police report reflects misdemeanor charges for Larceny < \$1,500 and Fraudulent Use of Credit Card. Respondent admitted such activity.
4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct pursuant to Section 23-17.9-8 and the Rules and Regulations promulgated there under.
5. That the Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
6. That the Respondent has read this Consent Order and understands this Consent Order shall become binding once signed by the Respondent and the Department.


7. That the Respondent understands the purpose of this Consent Order is solely to resolve the complaint of unprofessional conduct alleged against the Respondent.
8. That the Respondent hereby acknowledges and waives:
 - a. The right to have an Administrative Hearing on this matter;
 - b. The right to represent himself/herself 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 this complaint:

1. That Respondent is hereby issued the sanction of a Revocation for five (5) years, to commence on the date this Order is signed by the Department.
2. At the time Respondent seeks reinstatement of the Nursing Assistant license, Respondent shall submit documentation to the Board evidencing that Respondent is capable and competent to engage in the practice as a Nursing Assistant.
3. Respondent must first meet all education requirements for licensure in effect if and when Respondent reapplies for licensure.
4. That this Order shall become part of a public record of this proceeding.


LINDA O'BRIEN
NA01369


Donna L. Costantino, MBA
Chief of Health Professionals Regulation

Date: 4-24-2014

Date: 6/2/14