



**RHODE ISLAND DEPARTMENT OF HEALTH
DIVISION OF HEALTHCARE QUALITY AND SAFETY
CENTER FOR PROFESSIONAL BOARDS AND LICENSING**

**IN THE MATTER OF: MISCAULI BUENO
LICENSEE NO.: NA 49119
COMPLAINT ID #: C24-0245**

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. C24-0245 (the "Complaint") charging **MISCAULI BUENO**, nursing assistant license number NA 49119 ("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 NA 49119.
2. That on or about March 1, 2024, Respondent was employed as a nursing assistant by a staffing agency and was working at a nursing facility.
3. That on or about March 1, 2024, a nurse working at the nursing facility found Respondent sitting at a table in the dining/common area, in the dark, with her head on the table, sound asleep, shortly after Respondent had arrived for her scheduled shift. The nurse tried to wake the Respondent by calling her name and hitting the table next to her head, and eventually had to shake the Respondent to wake her up.
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 (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

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

9. Respondent is hereby issued the sanction of a Reprimand, effective the day this Consent Order is last executed.
10. Respondent acknowledges that this Consent Order is an agreement between Respondent and RIDOH.

Miscauli Bueno
MISCAULI BUENO
LICENSEE NO.: NA 49119

Date Signed:

10/29/24

Jenny A Barry
Center for Professional Boards and Licensing

Date Signed:

11-8-24