

STATE OF RHODE ISLAND DEPARTMENT OF HEALTH
BOARD OF NURSE REGISTRATION AND NURSING EDUCATION

IN THE MATTER OF :
ATHENA FIDAS, :
C21-1411 :
RN44526 :

CONSENT ORDER FOR VOLUNTARY SURRENDER OF LICENSE

Pursuant to Section 14.1 of the Rules and Regulations Pertaining to the Practices and Procedures Before the Rhode Island Department of Health, the Board of Nurse Registration and Nursing Education ("Board") and Athena Fidas, a registered nurse (RN44526) who is licensed by the Board, agree to dispose of the above-captioned matter by entering into this Consent Order. Respondent and the Board further agree that this Consent Order is enforceable as an Order of the Board.

Respondent admits that the Department has jurisdiction over this matter and agrees to waive further procedural steps and any right to appeal this Consent Order. Respondent further agrees that the Department may make the Findings of Fact and Conclusions of Law set forth below. Respondent further admits and acknowledges that the Findings of Fact and the Conclusions of Law set forth below are accurate and correct.

FINDINGS OF FACT:

1. Athena Fidas (hereinafter "Respondent") holds a license (RN44526) to practice as a registered nurse in Rhode Island.
2. On or about October 7, 2021, the Center for Professional Licensing, Board of Nursing received a complaint. The complaint alleges that Respondent has a falsified covid vaccine identification card.

3. On or about October 1, 2021, Respondent was working as a Nurse Care Manager at Rhode Island Primary Care Physicians Group, corporate office located at 1150 New London Ave., Cranston Rhode Island.
4. On or about August 30, 2021, Respondent provided Rhode Island Primary Care Physicians Group, Director of Nursing, with her vaccination card.
5. On or about October 1, 2021, Respondent was working per diem at Kent Hospital, located at 455 Toll Gate Road, Warwick, RI 02886 in the Intensive Care Unit.
6. On or About October 21, 2021, Respondent admitted to obtaining a falsified covid vaccine identified card and was terminated from Kent Hospital.
7. On or about October 22, 2021, Respondent was terminated from her Nurse Care Manager position with Rhode Island Primary Care Physician Group.
8. On January 10, 2022, The Board determined that Respondent's continued unrestricted licensure in Rhode Island presents a danger to the health and safety of the public.

CONCLUSIONS OF LAW:

9. The conduct described in paragraph 6 above constitutes violations of Rhode Island Gen. Laws § 5-34-24(6)(v) ("willful disregard of standards of nursing practice and failure to maintain standards established by the nursing profession").
10. The potential danger to the health, safety and welfare of the public presented by Respondent's continued licensure in Rhode Island is grounds for the suspension and/or revocation of her registered nurse license, pursuant to Rhode Island Gen. Laws § 5-34-24(6)(v).

Whereas Respondent wishes to avoid an administrative hearing on the suspension and/or revocation of her license, and whereas Respondent agrees to voluntarily enter into a Consent Order for the Surrender of her license, and whereas the Department finds the within disposition adequately protective of the public health, safety, and welfare, and for good cause shown,

IT IS THEREFORE AGREED AND ORDERED:

1. Respondent voluntarily agrees to the surrender of her Rhode Island license as a registered nurse until such time as she gets vaccinated, the vaccination mandate is lifted or she qualifies for a medical exemption to the mandate, whichever comes first. The period during which Respondent's registered nurse license is suspended shall henceforth be referred to as "the surrender period."
2. Respondent shall immediately cease and desist from practicing and/or holding herself out as having an active license in the State of Rhode Island.
3. This Consent Order shall be effective upon its execution by both Respondent and the Department.
4. This Consent Order shall constitute a final disposition of the above-referenced complaint and shall obviate the necessity for an administrative hearing.
5. If Respondent fails to comply with any of the stipulations of this Consent Order, the Director of the Department of Health shall have discretion to revoke or to otherwise impose further disciplinary action against Respondent's license for such non-compliance. If the Director does so, Respondent shall be given notice and shall have the right to request an administrative hearing.
6. The voluntary surrender of Respondent's license must be reported to NURSISYS (a national data bank of disciplinary action against nurses).
7. This document will be maintained by the Department as a public document and shall be subject to public inspection and dissemination.
8. In the event that Respondent should seek reinstatement of her Rhode Island registered nurse license in the future, she must comply with the following conditions of reinstatement:
 - (1) Respondent shall submit a written request to the Board which includes:
 - (2) Respondent must personally appear before the Board to provide an oral presentation in support of her request for the reinstatement of her license.
 - (3) Respondent shall bear the burden of proving that she possesses sufficient knowledge, judgment, skills, abilities, and character qualifications (including

but not limited to specific reference to the Nursing Code of Ethics character qualifications) to practice as a registered nurse.

(4) Respondent shall submit evidence of compliance with all applicable licensing laws and executive orders issued by the State of Rhode Island.

9. This Consent Order is not effective unless it is accepted and signed by both parties.

10. Respondent hereby forever waives a formal adjudicatory hearing before the Department on the matters referenced herein. By waiving her right to a formal adjudicatory hearing under Rhode Island Gen. Laws § 42-35-15(c), § 5-34-25 and the Rules and Regulations Pertaining to Practices and Procedures Before the Department of Health, Respondent waives (gives up):

- (1) The right to appear personally or by counsel or both before the Department;
- (2) The right to produce witnesses and evidence in her behalf at a hearing;
- (3) The right to cross-examine witnesses;
- (4) The right to have subpoenas issued by the Board;
- (5) The right to further procedural steps except for those specifically contained herein;
- (6) Any objection to the fact that this Agreement may be presented to the Board for its consideration and review.

I have read and understand this Consent Order for Voluntary Surrender, and I agree to abide by its terms. I further understand that this Consent Order for Voluntary Surrender is not binding on me until it is accepted and ratified by the Board. I hereby give my consent to the Board to enter this Consent Order for Voluntary Surrender.

Athena Fidas
Athena Fidas, RN44526

Signed this 25 day of May, 2022

RHODE ISLAND BOARD OF NURSE REGISTRATION AND NURSING EDUCATION

By: M. Alessio
President, Board of Nurse Registration and Nursing Education

Director Signed this 15 day of August, 2022