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

**IN THE MATTER OF
KATIE BURNES,
RN52898**

CASE NO. C16-1606

CONSENT ORDER FOR VOLUNTARY SURRENDER

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 Katie Burnes ("Respondent"), a registered nurse (RN) 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.

Wishing to resolve this matter without an administrative hearing, Respondent admits to the jurisdiction of the Board and agrees to waive further procedural steps and any right to appeal this Consent Order. Respondent further agrees that the Board may make the Findings of Fact and Conclusions of Law set forth below. Respondent neither admits nor denies the Findings of Fact or the Conclusions of Law set forth below, and also neither admits nor denies that her authorized signature on this Consent Order constitutes an admission that she has violated any law or regulation. Respondent signs this Consent Order for settlement purpose only.

FINDINGS OF FACT:

1. Respondent holds a license to practice as a registered nurse, no. RN52898.
2. This matter was opened upon the Board's receipt of a complaint against Respondent's license, case no. C16-1606.

3. It is alleged that, on or about November 22, 2016 and December 4, 2016, Respondent fraudulently obtained and filled prescriptions for oxycodone.

CONCLUSIONS OF LAW:

4. The allegations set forth in paragraphs 1 through 3 above, if proved, would demonstrate that Respondent engaged in acts constituting violations of the Nurse Practice Act, Rhode Island Gen. Laws § 5-34-1 *et seq.*, Rhode Island Gen. Laws § 5-34-24(3) (“unfit or incompetent by reason of negligence or habits”), Rhode Island Gen. Laws § 5-34-24(4) (“habitually intemperate or is addicted to the use of habit-forming drugs”), and Rhode Island Gen. Laws § 5-34-24(6) (unprofessional conduct), providing grounds for disciplinary action against Respondent’s license.

Whereas Respondent wishes and agrees to voluntarily enter into a Consent Order to surrender her license without making admissions and without prejudice to her ability to defend any action brought based on the above allegations, and whereas the Board finds the within disposition adequately protective of the public health, safety, and welfare, and for good cause shown,

IT IS THEREFORE ORDERED:

1. Respondent is hereby granted leave to voluntarily surrender her registered nurse license, pending the disposition of the criminal charge against her, satisfaction of any criminal sentencing terms imposed upon her, and further order of the Board.
2. Respondent shall immediately cease and desist from practicing and/or holding herself out as a licensed registered nurse in the State of Rhode Island, pending further order of the Board.
3. Nothing contained herein shall be deemed an admission of liability on the part of Respondent, nor prejudice her ability to defend against the criminal charge.
4. In the event that Respondent seeks reinstatement of her Rhode Island registered nurse license in the future, Respondent shall:
 - a. Furnish the Board with documentation of the final disposition of the criminal charges against her and successful completion of all criminal sentencing terms (if any).
 - b. Appear before the Board to discuss her readiness to reenter practice as a licensed registered nurse.

- c. Provide the Board with evidence of her rehabilitation and that she is capable of discharging the functions of a registered nurse in a manner consistent with the public's health, safety and welfare.
5. The Board reserves the right to determine whether to reinstate Respondent's registered nurse license. In the event that Respondent's registered nurse license is reinstated by the Board, the Board reserves the right to place restrictions and/or limitations upon her license.
6. This Consent Order for Voluntary Surrender is not effective unless it is accepted by both parties and it is ratified by the Board. If accepted by both parties and signed and ratified by the Board, this Consent Order for Voluntary Surrender shall become a permanent and public part of Respondent's record maintained by the Board.

I have read and understand this Consent Order for Voluntary Surrender, and I agree to abide by its terms. I 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.

Katie Burnes
Katie E. Burnes, RN52898
Signed this 2 day of February, 2017

RHODE ISLAND BOARD OF NURSE REGISTRATION AND NURSING EDUCATION

By: Jennifer Burns
President, Board of Nurse Registration and Nursing Education
Signed this 13th day of February, 2017