

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

RE: **KEVIN PAUL GWOZDZ
RN40176
C20-0907, C20-0794, C20-1484**

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 Kevin Paul Gwozdz ("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 his authorized signature on this Consent Order constitutes an admission that he has violated any law or regulation. Respondent signs this Consent Order for settlement purpose only.

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FINDINGS OF FACT:

1. Kevin Paul Gwozdz (hereinafter "Respondent") is licensed as a registered nurse pursuant to R.I. General Laws § 5-34-11 and holds license number RN40176.
2. This matter was opened upon the Board's receipt of complaints against Respondent's license, nos. C20-0907, C20-0794, and C20-1484.
3. On or about June 10, 2020, the RI Department of Health received a complaint indicating that Respondent, suffered a relapse from his sobriety and is exhibiting signs of self-destructive behavior.
4. On or about June 26, 2020, another complaint was received about the Respondent's unacceptable workplace behavior, texting inappropriate comments to staff members and management. Respondent was verbally harassing staff members and management through voicemail, swearing while apparently slurring his words.
5. On or about October 13, 2020, a third complaint was received by the Rhode Island of Health, about the Respondent's unacceptable behavior on July 1, 2020 at Roger Williams Medical Center emergency room. He was violent, tried to choke a nurse and had to be restrained. The next day he returned to the emergency room for alcohol intoxication and had to be medicated and restrained due to violent behavior.
6. On or about October 20, 2020, the Respondent placed several calls to the Rhode Island Department of Health Licensing Department and to the Director of Nursing. Respondent was swearing, threatening the licensing staff, slurring his words while rambling about his nursing license.

CONCLUSIONS OF LAW:

The allegations set forth in paragraphs 1 through 6 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.*, providing grounds for disciplinary action against Respondent's license.

Whereas Respondent wishes and agrees to voluntarily enter into a Consent Order to surrender his license without making admissions and without prejudice to his ability to defend any action brought based on the above allegations, and whereas the Board finds the within

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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* his registered nurse license indefinitely, but for at least nine (9) months effective October 28, 2020 and pending further order of the Board.
2. Respondent shall immediately cease and desist from practicing and/or holding himself 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 his ability to defend against any criminal charge.
4. Respondent shall not be eligible to seek reinstatement of his license for a period of nine (9) months, starting from the October 28, 2020 effective date. In the event Respondent seeks reinstatement of his Rhode Island registered nurse license after nine (9) months from the effective date of this Order, Respondent shall:
 - a. Appear before the Board to discuss his readiness to reenter practice as a licensed registered nurse.
 - b. Provide the Board with evidence that he 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 Respondent's registered nurse license is reinstated by the Board, the Board reserves the right to place restrictions and/or limitations upon his 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.

Kevin Gwozdz

Kevin Gwozdz, RN40176

Signed this 27 day of OCTOBER, 2020

RHODE ISLAND BOARD OF NURSE REGISTRATION AND NURSING EDUCATION

By: Margaret A. Clifton MS, RN-BC, CLWC
~~President~~, Board of Nurse Registration and Nursing Education

Signed this 1 day of November, 2020

~~Director~~