



Three Capitol Hill
Providence, RI 02908-5097

TTY: 711
www.health.ri.gov

STATE OF RHODE ISLAND

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

**In the matter of:
LOUIS DELLAPERUTA
LICENSE NO.: RN75511
COMPLAINT NO: C23-0569**

**SUMMARY SUSPENSION OF NURSING LICENSE and HEARING NOTICE/
SPECIFICATION OF CHARGES**

I. Summary Suspension

Louis Dellaperuta ("Respondent") has been licensed as a nurse pursuant to R.I Gen. Laws § 5-34-1 *et seq.* since December 29, 2022. Complaint ID #C23-0569 (the "Complaint") recently came before the Rhode Island Department of Health, Division of Healthcare Quality and Safety, Center for Professional Boards and Licensing ("RIDOH").

This Summary Suspension is issued related to the Complaint and pursuant to R. I. Gen. Laws § 5-34-26. After careful consideration and further investigation by RIDOH, the Director has determined that evidence exists indicating Respondent's continuation in practice would constitute an immediate danger to the public. In particular, the Department has evidence of Respondent engaging in unprofessional conduct involving the inappropriate physical contact with a patient while employed at an urgent care center.

Based on the foregoing and pursuant to R. I. Gen. Laws §5-34-26, the License is hereby SUSPENDED until a final decision is issued by the Board of Nurse Registration and Nursing Education after hearing.

II. Notice of Hearing

The Board of Nurse Registration and Nursing Education will hold a hearing as to whether Respondent has violated the Nursing Practices Act (R.I. Gen. Laws §§ 5-34-1 *et seq.*) at the following location, date and time:

**Rhode Island Department of Administration
1 Capitol Hill, 4th Floor, Conference Room D, Providence, R.I.
June 27, 2023 at 1:30 PM.**

The foregoing hearing is noticed in accordance with R. I. Gen. Laws § 5-34-26, which provides that the Board of Nursing must hold a hearing within 10 days after a license is summarily suspended by the Director on whether Respondent has violated the Nursing statute.

At this hearing, the Board has the power to take action against the Respondent's license, including but not limited to revocation and suspension pursuant to R. I. Gen. Laws § 5-34-24. The below Notice/Specification of Charges more specifically outlines the Board of Nursing's authority over Respondent, as well as the allegations against Respondent.

III. Specification of Charges

A. STATEMENT OF FACTS

1. That Respondent is a registered nurse licensed to practice in Rhode Island under License No. RN75511 (the "License").
2. That on or about June 13, 2023, the Rhode Island Department of Health (RIDOH) received a complaint alleging sexual misconduct and inappropriate, unprofessional behavior towards a patient, and inappropriate, unprofessional conduct towards a colleague, by the Respondent while working at the urgent care center.
3. That on or about June 6, 2023, the Respondent began working at the aforementioned urgent care center in Rhode Island.
4. That on or about June 8, 2023, the Respondent worked in the position as a registered nurse at the urgent care center and was being precepted by registered nurse staff.
5. That on or about June 8, 2023, the Respondent stated and then repeated, a sexually suggestive comment to a medical assistant working at the urgent care center.
6. That in the evening on June 8, 2023, Respondent requested to observe the taking of vital signs of a female patient by a medical assistant. The Respondent was not assigned to care for this patient.
7. Respondent first entered the room, which is not used for physical examination or treatment, when the female patient was with the medical assistant and was describing her symptoms of a rash. The Respondent stated to the patient and medical assistant that he was in the room to observe the taking of vital signs. He then communicated directly with the patient and inquired if the rash was on her breasts, buttocks, or vagina. Respondent asked to see the rash, and in the process looked down into the front of patient's pants that were stretched outward at the waistline.
8. The patient was moved to another room for treatment. The Respondent entered this examination room and proceeded to inquire if the rash was on the patient's face, back, or genital area. The Respondent then closed the examination room

door, and, when asked where the rash ended, the patient showed the Respondent her stomach area. The Respondent left the room.

9. Subsequently, the assigned treatment provider, a staff APRN, assessed and treated the patient. The APRN communicated to the patient that the visit was almost over then left the room. The Respondent, without direction to do so, then entered the patient's room for a third encounter with the patient. The Respondent closed the door and directed the patient to allow him to observe how close the rash was to the patient's nipples, fully exposing the patient's breast. The Respondent then asked to see the patient's exposed buttocks and unclothed vulva area. The Respondent observed these areas and touched them.
10. The Respondent did not document findings or record any assessment related to the three separate occasions the Respondent interacted with the patient.
11. In the two encounters when the Respondent was alone with the patient the Respondent's preceptor was not present, nor previously informed of Respondent's activities.

B. ALLEGATIONS OF VIOLATIONS OF REGULATIONS AND STATUTES

1. The RIDOH Board of Nursing has the authority to impose discipline on this license in accordance with R.I. Gen. Laws §5-34-24 and Regulations for Licensing of Nurses and Standards for the Approval of Basic Nursing Education Programs at 216-RICR-40-05-3.
2. That actions described in the statement of facts constitute several instances of unprofessional conduct in violation of R. I. Gen. Laws § 5-34-24(6).
3. Respondent violated R. I. Gen. Laws § 5-34-24(6)(iii), willful omission to file or record nursing records required by law.
4. Respondent violated R. I. Gen. Laws § 5-34-24(6)(v) willful disregard of standards of nursing practice and failure to maintain standards established by the nursing profession. Specifically, the standards as provided in the American Nurses Association (ANA) Scope and Standards of Practice, 3rd Edition and by reference. ANA Code of Ethics for Nurses.
 - i. Respondent's behavior constitutes a violation of Standard 1- Assessment.
 - ii. Respondent's behavior constitutes violations of the following 5 ethics provisions incorporated into Standard 7- Ethics: Provisions 1.4; 1.5; 2.1; 2.3 and 2.4.
 - iii. Respondent's behavior constitutes a violation of Standard 14- Quality of Practice.
 - iv. Respondent's behavior constitutes a violation of Standard 17- Environmental Health.

C. PROCEDURE AND NOTICE OF HEARING

A hearing will be held in accordance with the provisions of the Administrative Procedures Act and 216-RICR-10-05-4, §4.13, copies of which may be found at the RIDOH website (www.health.ri.gov) or by request to RIDOH. This is a contested hearing in which you have the right to appear personally or through counsel, or both; to produce witnesses and present evidence on your behalf; and to cross-examine witnesses. You also have the right to appeal any outcome directly to the RI Superior Court.

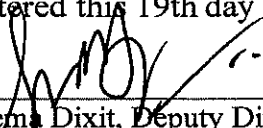
According to 216-RICR-10-05-4, §4.11, any person not initially a party to this matter who wishes to intervene or participate in this contested hearing shall file a written petition to intervene or participate with the Administrative Hearing Officer. The motion shall set forth clearly and concisely the facts from which the nature of the movant's alleged right or interest can be determined, the grounds for the proposed intervention and the position of the movant in this proceeding. Intervenors shall be persons who have a demonstrated injury in fact which will result from a challenged action or application and whose interests are not adequately represented by the other parties in this hearing. Any person permitted to intervene shall be a full party. Every petition to intervene shall be treated in the alternative as a petition to participate fully.

The date of this hearing will be June 27, 2023 at 1:30 p.m. at the Rhode Island Department of Administration -1 Capitol Hill, 4th Floor Conference Room, Providence R.I. (across from the State Capitol building). If you or your counsel fail to appear at this hearing, the hearing will proceed on any evidence and testimony presented.

At this hearing the Board will make a determination as to whether Respondent has violated the law and may take action including, but is not limited to, suspension or revocation of license pursuant to R.I. Gen. Laws §§ 5-34-1 et seq.

For questions on this matter please contact Lynda D' Alessio Board Manager for the Board of Nurse Registration and Nursing Education at Lynda.DAlessio@health.ri.gov or (401) 222-1741.

Entered this 19th day of June 2023


Seema Dixit, Deputy Director of Health
On behalf of:

Utpala Bandy, M.D., M.P.H.,
Interim Director of Health
Rhode Island Department of
Health 3 Capitol Hill, Room 401
Providence, RI 02908-5097

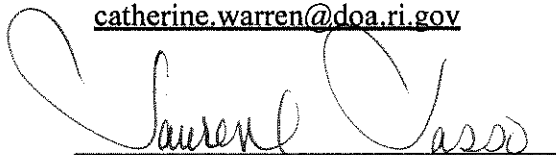
CERTIFICATION OF SERVICE

I hereby certify that on this 19th day, in the month of June 2023 I have mailed this Summary Suspension by **first class regular mail, by certified mail, and by email** to Louis Dellaperuta at the below addresses.

39 Sachem Drive
Apt. 103
Cranston, RI 02920
LDELLAPERUTA@GMAIL.COM

I further hereby certify that I have mailed a true and accurate copy of this Summary Suspension, by email on this 19th day of June 2023 to:

Catherine Warren
RI Department of Administration
Division of Legal Services
One Capitol Hill, Providence, RI 02908
catherine.warren@doa.ri.gov



Lauren Casso