

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

**DEPARTMENT OF HEALTH
HEALTH SERVICES REGULATION
BOARD OF NURSE REGISTRATION
AND NURSING EDUCATION**

vs.

A.H. No. NP11-025

MICHELE D. BRANAGAN, CNPP37094

CONSENT ORDER

Pursuant to Section 5-34-25 the General Laws of the State of Rhode Island, 2008 Reenactment, a complaint, number NP11-025 was filed with the Board of Nurse Registration and Nursing Education (hereinafter referred to as "Board") charging Michele D. Branagan, Respondent with a violation of Chapter 5-34 of the General Laws of the State of Rhode Island.

After consideration by the Committee of the Board, the following constitutes the Findings of Fact with respect to the professional performance of the Respondent:

Respondent is a Nurse Practitioner with prescriptive privileges licensed to practice nursing in the State of Rhode Island.

That over a period of time in 2011 Respondent prescribed narcotics for family members and friends.

That the Respondent pled *Nolo Contendere* to one count of False

Representation to Obtain Controlled Substances in Providence Superior

Court on May 30, 2012 and received a 5 year deferred sentence.

The parties agree as follows:

Respondent is a nurse licensed and doing business under and by virtue of the Laws of the State of Rhode Island, registered nurse, number, CNPP37094;

Respondent admits to the jurisdiction of the Board and hereby agrees to remain under the jurisdiction of the Board;

(c) Respondent has read the Consent Order and understands that it is a proposal of an Investigating Committee of the Board and is subject to the final approval of the Board.

This Consent Order is not binding on Respondent until final ratification by the Board. (a)

Respondent hereby acknowledges and waives:

The right to appear personally or by counsel or both before the Board;

The right to produce witnesses and evidence on her behalf at a hearing;

The right to cross-examine witnesses;

The right to have subpoenas issued by the Board;

The right to further procedural steps except for those specifically contained herein;

Any and all rights of appeal of this Consent Order;

Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

Any objection to the fact that it will be necessary for the board to become acquainted with all evidence pertaining to this matter in order to adequately review this Consent Order;

Any objection to the fact that potential bias against the respondent may occur as a result of the presentation of this Consent Order. The signing of this Consent Order is for settlement purposes only.

1. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and accepted by the Board.

2. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.

Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.

Respondent agrees to a two year period of probation.

As a condition of Probation the Respondent agrees to the following special conditions:

- a. Respondent agrees to voluntarily surrender her Controlled Substance Registration and not prescribe medication for the duration of the probationary period.
- b. Respondent agrees to work in a position in which she is continuously supervised. Respondent agrees to notify the Board before she changes employment during the period of probation.
- c. Respondent will provide proof of successful completion of a continuing education course in "*Writing a Wrong: Ethics and Professionalism in Nursing Today*" which can be found on line at learningext.com within 90 days of the ratification of this Order.

That should Respondent violate the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.

That the probation of Respondent's nurse practitioner license with prescriptive privileges shall remain in full force and effect pending further order of the Board.

Michele Branagan CNPP
Michele Branagan, CNPP

Deey Matteson, PhD, RN
President, Board of Nurse Registration
and Nursing Education

Ratified as an order of the Board of Nurse Registration and Nursing Education at a
meeting held on this 13 day of March 2013.