

**STATE OF RHODE ISLAND
AND PROVIDENCE PLANTATIONS**

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

vs.

DONNA BENISCH, RN (RN25396)

CONSENT ORDER

Pursuant to Section 5-34-24 and 5-34.2-4 of the General Laws of the State of Rhode Island, 1999 Reenactment, and the Rules and Regulations promulgated thereunder, the Rhode Island Board of Nurse Registration and Nursing Education (hereinafter "Board"), has investigated a complaint charging Donna Benisch, RN, Respondent, with a violation of Chapter 5-34 and 5-34.2 of the General Laws of the State of Rhode Island, 2004 Reenactment.

After consideration by the Investigating Committee of the Board, the following constitutes the findings of fact with respect to the professional performance of the Respondent:

1. Respondent is a Registered Nurse licensed to practice nursing in the State of Rhode Island.
2. That at all pertinent times Respondent was employed by Interim Health Care, Providence, Rhode Island.
3. That on various dates in 2006 and 2007, Respondent willfully made and filed false reports and records in the practice of nursing.

4. That the conduct described in paragraph three (3) herein constitutes unprofessional conduct as defined in Section 5-34-24 and the Rules and Regulations promulgated thereunder.

The parties agree as follows:

1. Respondent is a Registered Nurse and able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Board.
3. Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to final ratification by the Board. This Consent Order and the contents thereof are not binding on Respondent until final ratification by the Board.
4. Respondent hereby acknowledges and waives:
 - a) The right to appear personally or by counsel or both before the Board;
 - b) The right to produce witnesses and evidence in her behalf at a hearing;
 - c) The right to cross-examine witnesses;
 - d) The right to have subpoenas issued by the Board;
 - e) The right to further procedural steps except for those specifically contained herein;
 - f) Any and all rights of appeal of this Consent Order.
 - g) Any objection to the fact that this Consent Order will be presented to the Board for consideration and review;

- h) 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;
 - i) Any objection to the fact that the Board reviewing this Consent Order may be the same as the hearing committee presiding over this matter should it later be brought to an administrative hearing.
 - j) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order to the Board.
5. 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.
 6. Acceptance by the Respondent and approval by the Board of this Consent Order constitutes an admission of the facts contained herein.
 7. Respondent voluntarily agrees to accept the sanction of a Reprimand.
 8. That Respondent shall, on or before February 1, 2008, present evidence of enrollment and satisfactory completion, of duly approved continuing education courses in the "Ethics of Nursing Practice" and "Accurate Nursing Documentation". Said courses must be approved by the Board prior to Respondent registering and in enrolling in same.
 9. That should Respondent fail to comply with the laws and regulations governing the practice of nursing and/or fail to comply with the terms of this Order, her license as a registered nurse shall be subject to suspension or other appropriate disciplinary action.

Donna Benisch RN
Donna Benisch, RN

Sharon Smith 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 10th day of December 2007.