

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

BOARD OF NURSING

**In Re: Robert Allore, RN
RN Lic. # 044347-21**

Docket No.: 2022-NUR-040

**ORDER OF EMERGENCY
SUSPENSION - 10/19/22**

I. CASE SUMMARY/PROCEDURAL HISTORY:

On 10/11/22, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Nursing (“Board”), received an email from New Hampshire Adult Protective Services alleging that Robert Allore (“Licensee”) had groped and kissed a female patient. Additionally, OPLC Enforcement received a follow-up complaint from Rockingham VNA on 10/13/22, alleging the Licensee had 1) failed to maintain professional boundaries with a female patient; 2) requested or offered sexual favors or used language or engaged in behaviors suggestive of same; and 3) engaged in sexual conduct with a female patient while providing her home health services. Upon receipt of the email and complaint, OPLC Enforcement conducted an expedited investigation. On 10/19/22, the Board voted to suspend the Licensee’s license on an emergency basis pursuant RSA 541-A:30(III), RSA 310-A:1-m, RSA 326-B:37(IV), N.H. Code Admin. R., Title Nur 402.03(a) (“Rules”), and/or N.H. Code Admin. R., Title Plc 206.07 (“Plc”). This Order of Emergency Suspension follows.

II. LEGAL STANDARD:

“In cases involving imminent danger to public health, safety, or welfare, the board may order the immediate suspension of a license pending an adjudicative proceeding.” RSA 326-B:37, IV. The Board

has further interpreted that to mean: “[w]hen the board receives information indicating that a licensee has engaged misconduct that poses an immediate danger to public health, safety, or welfare, the board shall, pursuant to RSA 326-B:37, IV, immediately suspend such person’s license ...” Rule 402.03(a).

II. EVIDENCE PRESENTED AND FINDINGS OF FACT:

A. Evidence Presented

The Board was presented with and/or considered the following evidence: 1) Confidential Memorandum from Michael Porter, Investigations Bureau Chief, OPLC Enforcement. The Board also relied on its medical expertise and knowledge of the field of nursing. A review of the credible evidence presented, and the reasonable inferences taken therefrom, allows the Board to make the following findings of fact.

B. Findings of Fact

The Licensee is actively licensed in New Hampshire as a Registered Nurse (“RN”) with license number 044347-21. Before 10/12/22, the Licensee worked as a registered nurse in home health care for Rockingham VNA. On 10/11/22, OPLC Enforcement received an email from New Hampshire Adult Protective Services alleging that the Licensee had groped and kissed a female patient while providing the patient with home health care services. The email said the conduct occurred on or about 09/08/22. Soon thereafter, OPLC Enforcement received a 10/13/22 complaint from Rockingham VNA alleging the Licensee, while in its employ, had 1) failed to maintain professional boundaries with a female patient; 2) requested or offered sexual favors or used language or engaged in behaviors suggestive of same with a female patient; and 3) engaged in sexual conduct with a female patient while providing her home health services.

On 10/12/22, OPLC Enforcement began investigating the matter by speaking with Ann Slayton, Director of Home Care for Rockingham VNA. Director Slayton explained that the Licensee had been

terminated from employment at Rockingham VNA and the Licensee's alleged conduct had been referred to law enforcement for a criminal investigation. OPLC Enforcement also spoke with law enforcement on 10/18/22. Law enforcement stated the criminal investigation into the allegations involving the Licensee is ongoing and they are actively pursuing the matter. OPLC Enforcement also learned from the police detective assigned to the case that he had information that the Licensee was attempting to secure employment at a rehabilitation center in New Hampshire using his RN license. On 10/18/22, OPLC Enforcement attempted to contact the Licensee to see whether he would enter into a Preliminary Agreement Not to Practice but was unable to locate a telephone number for the Licensee.

IV. DISCUSSION AND CONCLUSIONS OF LAW:

The Board finds there is a reasonable basis to suspend the Licensee's RN New Hampshire license on an emergency basis. The central facts are straightforward—Licensee is alleged to have groped and kissed a female patient and law enforcement is conducting a criminal investigation and intends to pursue the matter. The Licensee's alleged conduct places potential patients of the Licensee and the public at risk such that the Licensee poses an imminent threat to the public health, safety, or welfare. The Licensee's conduct, on its face, therefore warrants immediate emergency suspension of his license pursuant to RSA 541-A:30(III) and RSA 326-B:37(IV), pending a follow-up emergency suspension hearing. Pursuant to the requirements of Rule 402.03(a), such conduct also appears, on its face, that it may be misconduct as defined at RSA 326-B:37, II(e), (h), (k), (m), and/or (q)(2).

IV. ORDERS:

Pursuant to RSA 541-A:30(III) and 326-B:37(IV), the Board hereby orders the immediate emergency suspension of Robert Allore's license as an RN, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall issue forthwith.

DATED: 10/19/2022

____/s/ Nikolas Frye, Esq. _____
Hearings Examiner
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