

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

BOARD OF NURSING

**In Re: Ruth Guin, RN
RN Lic. # 068597-21**

Docket No.: 2022-NUR-041

**ORDER OF
EMERGENCY
SUSPENSION - 10/27/22**

I. CASE SUMMARY/PROCEDURAL HISTORY:

The Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”), acting on behalf of the Board of Nursing (“Board”), has received multiple allegations that between approximately August of 2022 through October of 2022 that nursing staff at Pleasant View Nursing Home in Concord, New Hampshire, while under the supervision of Ruth Guin (“Licensee”) have neglected some of its resident patients. Upon receipt of the allegations, OPLC Enforcement conducted an expedited investigation. On 10/27/22, 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 Notice of Emergency License Suspension Hearing follows. 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) testimony from Michael Porter, Investigation Bureau Chief for 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 068597-21 and has worked as a supervising nurse for Pleasant View Nursing Home in Concord, New Hampshire ("Nursing Home") since at least August of 2022. As of 10/27/22, she still serves in that capacity for the Nursing Home, overseeing nursing staff that provide medical care for the Nursing Home residents. OPLC Enforcement has received three reports relating to the care of residents at the Nursing Home. The first alleges that on or about 08/24/22 Concord Fire Department transported a resident of the Nursing Home to Concord Hospital with necrotic feet being described as rotted to the bone. The second report alleges that on or about 09/06/22 the Concord Fire Department transported a resident of the Nursing Home to Concord Hospital with a colony of maggots in between his or her toes. Although an LNA of the Nursing Home claimed the patient's bandages on her feet had been recently changed, a member of the Concord Fire Department described the maggots as large enough that they had to have been there for a while. The third report alleges that on or about 10/11/22 the Concord Fire Department transported a resident of the Nursing Home to Concord Hospital who was found in urine soaked clothing in a room the

wreaked of urine. The resident was described as having dressings adhered to their foot and slippers and in critical condition.

OPLC Enforcement conducted an expedited investigation by requesting the Concord Fire Departments run sheets, which it obtained on 10/26/22. The run sheets confirm the allegations in the reports. Additionally, the patient found on 10/11/22 in the Nursing Home by emergency responders had a high fever, had weeping sores on his left leg, and was without nursing staff assistance. Attorney Porter also noted that other New Hampshire state agencies are investigating the matter.

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 supervises the nursing staff at the Nursing Home who are responsible for the care of the residents. One or more residents of the Nursing Home have been found in conditions, which on their face, appear to indicate these individuals have been neglected and/or received improper care and treatment by the Nursing Home staff supervised by the Licensee. These facts indicate that the Licensee is negligent and/or careless in her work such that she poses an imminent threat to the public health, safety, or welfare and the Nursing Home's residents. The Licensee's conduct, on its face, therefore, warrants immediate emergency suspension of her 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), and/or (q)(2).

IV. ORDERS:

Pursuant to RSA 541-A:30(III), RSA 310-A:1-m, and 326-B:37(IV), the Board hereby orders the immediate emergency suspension of Ruth Guin'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 follow forthwith.

DATED: 10/28/2022

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