

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

BOARD OF NURSING

**In Re: Deysi Primero
LNA Lic. # 069480-24**

**ORDER OF EMERGENCY
SUSPENSION – 11/15/2024**

Docket No.: 24-NUR-045

I. CASE SUMMARY/PROCEDURAL HISTORY:

On 11/15/2024, the Office of Professional Licensure and Certification, Division of Enforcement (“OPLC Enforcement”) filed a “Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310:12, IV and N.H. Code Admin. R. Title Plc 206.07” (“Petition”) pertaining to Deysi Primero, LNA (“Licensee”). On 11/15/2024, the Presiding Officer and the Board reviewed the Petition at an emergency meeting and suspended the Licensee’s license on an emergency basis pursuant to RSA 310:12, IV and N.H. Code Admin. R., Title Plc 206.07 (“Plc”) (“Rules”). This Order of Emergency Suspension follows.

II. LEGAL STANDARD:

“In cases involving imminent danger to public health, safety, or welfare, a board may order immediate suspension of a license or certification pending an adjudicative proceeding before the board to determine if the suspension should remain in place pending final adjudication of the matter.” RSA 310:12, IV. The Office of Professional Licensure and Certification has further interpreted that to mean that the Board “...

shall issue an order that immediately suspends the respondent's license based on: (1) [a] determination that there is a reasonable basis to believe that public health, safety, or welfare requires emergency action..." Rule 206.07(a)(1).

III. EVIDENCE PRESENTED AND FINDINGS OF FACT:

A. Evidence Presented

The Board was presented with and/or considered the following evidence: the 11/14/2024 Verified Petition for Emergency Temporary Suspension of Licensure Pursuant to RSA 310:12, IV and N.H. Code Admin. R. Title Plc 206.07 pertaining to the Licensee, which was filed by Michael Porter, OPLC Investigations Bureau Chief, OPLC Enforcement. A review of the evidence presented, and the reasonable inferences taken there from, allows the Board to find the following facts.

B. Findings of Fact

The Board hereby makes the following findings of fact. The Board hereby adopts and incorporates by reference herein, and attached hereto, paragraphs (1–30) of the Verified Petition for Emergency Suspension filed by Michael Porter, OPLC Investigations Bureau Chief, OPLC Enforcement.

IV. CONCLUSIONS OF LAW:

Based upon the Board's findings of fact, the Presiding Officer concludes there is a reasonable basis to suspend the Licensee's New Hampshire license on an emergency basis pursuant to RSA 310:12, IV Rule 206.07. The central facts are straightforward: The Board's Findings of Fact reflect that on 11/07/2024, the Licensee was providing direct care to patients and/or residents at Hillsborough County Nursing Home while under the influence of alcohol. The Licensee's conduct on its face therefore warrants immediate

emergency suspension of her license pursuant to RSA 310:12, IV and Rule 206.07, pending a follow-up emergency suspension hearing/disciplinary hearing.

ORDER:

Pursuant to RSA 310:12, IV and Rule 206.07 (a) the Board hereby orders the immediate emergency suspension of Deysi Primero's license as a LNA, pending a follow up emergency hearing in this matter. A Notice of Emergency Hearing with an appropriate date/time shall follow forthwith.

DATED: 11/15/2024

_____/s/ Shane D. Goulet, Presiding Officer_____
Shane D. Goulet, Administrative Law Judge
New Hampshire Office of
Professional Licensure & Certification
7 Eagle Square
Concord, NH 03301