



Tel. 603-271-8389
Fax 603-271-6702

State of New Hampshire

Office of Licensed Allied Health Professionals

Philbrook Building, 121 South Fruit Street

Concord New Hampshire 03301-2412

PH 603-271-8389. TDD Access: Relay NH 1-800-735-2964

www.nh.gov/alliedhealth

March 10, 2014

David Ross, Administrator
Genesis Health Care – Bedford Hills
30 Colby Court
Bedford, New Hampshire 03110

Dear Mr. Ross:

On October 31, 2013, Nancy A. Belliveau submitted to the New Hampshire Speech-Language Pathology Governing Board (the "Board") an application for renewal. With that renewal form, Ms. Belliveau checked "yes" to "During the past 27 months or not previously reported: Had, for disciplinary reasons, been put on administrative leave, been fired for cause other than staff reductions from a position at your place of employment, or had any privileges limited, suspended or revoked in any of the following settings: hospital, healthcare institution, home health care agency, educational institution, or any other professional setting?" She reported that an internal investigation was conducted and that Genesis found that the patient was billed in error and there was no evidence of fraudulent intent or malfeasance. In addition she stated she was terminated from employment.

With the information provided by Ms. Belliveau, an investigation by the Board was commenced. During the investigation, it was confirmed that Ms. Belliveau treated the wrong patient on September 23 and 24 of 2013.

RSA 328-F:25 II Obligation to Report; Immunities states:

Every individual, agency, facility, institution or organization regulated by the state and employing licensed allied health professionals within the state shall report to the appropriate governing board within 30 days any act by a licensee that appears to constitute misconduct. Persons and entities so reporting shall be immune from civil liability if the report is made in good faith.

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Pursuant to this provision, Genesis Health Care – Bedford Hills was obligated to report Ms. Belliveau's misconduct.

After reviewing the Board's files and the information provided during the investigation, the Board has determined that Genesis Health Care – Bedford Hills never reported to the Board Ms. Belliveau's actions or that her employment was terminated based on this conduct. RSA 328-F:25 III states: "An administrative fine of \$500.00 shall be imposed on any person or entity failing to make a report required by this section."

For Genesis Health Care – Bedford Hills failure to report Ms. Belliveaus conduct, the Board is imposing a \$500.00 fine to be paid to the New Hampshire Speech-Language Pathology Governing Board no later than April 1, 2014. Make the check payable to "Treasurer, State of NH".

The administrative fine will become final twenty (20) days after the date of this letter unless prior to 4:00 p.m. on the twentieth day of the date of this letter the Board receives a written request to show cause why the fine should not be imposed. The receipt of a timely filed request for a show cause hearing shall automatically stay the administrative fine and an order shall be issued in due course in which the Board establishes a date and time of the show cause hearing, and specifies the issues to be heard. The show cause hearing shall be a non-adjudicatory hearing. The facility may request to be heard on any relevant matter of law or fact, but evidentiary proceedings shall be conducted only to the extent the facility has identified in its request for a show cause hearing disputed factual issues which require resolution. This non-adjudicatory hearing will be conducted in non-public session unless the Petitioner makes a timely written request to conduct it in public session. Subsequent to such hearing, the Board will issue a 'final order' within sixty (60) days. The final order is a public document. Once a Board order is a 'final order' in accordance with the circumstances outlined above, the petitioner has thirty (30) days to file a request for reconsideration pursuant to RSA 541:3. Such motion shall comply with RSA 541:4.

Sincerely,



Tina M. Kelley, Administrator
Authorized Representative of the
Speech-Language Pathology
Governing Board