



I do hereby certify the foregoing to be a true and certified copy of the document on file with the Massachusetts Board of Registration in Nursing.

Am. [Signature] 6/11/15
Authorized Signature Date

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

In the Matter of
FRANCESSE DELUS
LICENSE NO. LN 87795
LICENSE EXPIRATION 09/20/2015

Docket No. NUR-2012-0239

CONSENT AGREEMENT FOR SUSPENSION

The Massachusetts Board of Registration in Nursing (Board) and Francesse Delus (Licensee), a Licensed Practical Nurse (LPN) licensed by the Board, License No. LN87795, do hereby stipulate and agree that the following information shall be entered into and become a permanent part of the Licensee's record maintained by the Board:

1. The Licensee acknowledges that a complaint has been filed with the Board against her Massachusetts Licensed Practical Nurse license (license¹) related to the conduct set forth in paragraph 2, identified as Docket No. NUR-12-0239 (the Complaint).
2. The Licensee admits that on or about August 12, 2011, while employed as a Licensed Practical Nurse for **Centrus Premier Home Care based in Needham, MA and caring for a patient residing in Boston, MA she failed to ensure the safety of a ventilator dependent pediatric patient by failing to wake a suitable caregiver prior to leaving the patient's residence at the end of her shift. The Licensee also admits that during the investigation of her conduct the Licensee submitted forged continuing education documentation to the Board.** The Licensee acknowledges that her conduct constitutes failure to comply with the Board's Standards of Conduct at 244 Code of Massachusetts Regulations (CMR) 9.03(5), (31), (47) and warrants disciplinary action by the Board under

¹ The term "license" applies to both a current license and the right to renew an expired license.

Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 244 CMR 7.04, Disciplinary Actions.

3. The Licensee agrees to a **SUSPENSION** of her nursing license for no less than one (1) day (Suspension Period), commencing with the date on which the Board signs this Agreement (Effective Date).
4. The Licensee agrees that she will not practice as a Licensed Practical Nurse in Massachusetts from the Effective Date unless and until the Board reinstates her license².
7. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the complaint.
8. The Licensee understands that she has a right to formal adjudicatory hearing concerning the allegations against her and that during said adjudication she would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on her own behalf, to contest the allegations, to present oral argument, to appeal to the courts, and all other rights as set forth in the Massachusetts Administrative Procedures Act, G. L. c. 30A, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Licensee further understands that by executing this Agreement she is knowingly and voluntarily waiving her right to a formal adjudication of the complaints.
9. The Licensee acknowledges that she has been at all times free to seek and use legal counsel in connection with the complaint and this Agreement.
10. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary action by the Board. The Board may forward a copy of this Agreement to other licensing boards, law enforcement entities, and other individuals or entities as required or permitted by law.
11. The Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a final act and not subject to reconsideration, appeal or judicial review.

² The Licensee understands that practice as a Licensed Practical Nurse includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a Licensed Practical Nurse, or a paid or voluntary position requiring that the applicant hold a current Licensed Practical Nurse license. The Licensee further understands that if she accepts a voluntary or paid position as a Licensed Practical Nurse, or engages in any practice of nursing after the Effective Date and before the Board formally reinstates her license, evidence of such practice shall be grounds for the Board's referral of any such unlicensed practice to the appropriate law enforcement authorities for prosecution, as set forth in G. L. c. 112, ss. 65 and 80A.

Witness (sign and date)

Francesse Delus 5/23/2015
FRANCESSE DELUS
Licensee (sign and date)

Witness (print name)

Rula Harb /VPB
Rula Harb, MSN, RN
Executive Director
Board of Registration in Nursing

6.11.15
Effective Date of Suspension

Fully Signed Agreement Sent to Licensee on June 11, 2015 by Certified
Mail No. 7012 3460 000 237027422

BOARD OF
REGISTRATION
JUN 15 2015