



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.

*Amms* 9/11/15

COMMONWEALTH OF MASSACHUSETTS  
Authorized Signature Date

SUFFOLK COUNTY

BOARD OF REGISTRATION  
IN NURSING

In the Matter of  
Herold Philippe  
RN2299766  
Expire 09/21/2016

Docket No. NUR-2015-0143

CONSENT AGREEMENT FOR PERMANENT REVOCATION

The Massachusetts Board of Registration in Nursing (Board) and Herold Philippe (Licensee), a Registered Nurse (RN) licensed by the Board, License No. RN2299766, 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 his Massachusetts Registered Nurse license (license<sup>1</sup>) related to the conduct set forth in paragraph 2, identified as Docket No. NUR-2015-0143 (the Complaint).
2. The Licensee admits that on or about January 06, 2015 and March 30, 2015, he submitted or directed another person to submit on his behalf applications for licensure as a Registered Nurse by reciprocity. On his applications, he indicated that the Oklahoma Board of Nursing issued a Registered Nurse (RN) license (#124811) to him on November 20, 2006. The Licensee admits that the information was not truthful or accurate because he never possessed an RN license from Oklahoma. He admits that he submitted or directed another person to submit on his behalf fraudulent documents to obtain a Massachusetts RN license. He further admits that he has presented himself as a duly licensed RN in Massachusetts and that he has engaged in the practice of nursing in Massachusetts.

The Licensee acknowledges that his conduct constitutes a lack of Good Moral Character as it relates to the Board's Licensure Policy 00-01 and that said conduct fails to comply with the Board's Standards of Conduct at 244 Code of Massachusetts Regulations (CMR) 9.03(1), (34) and (47). He further acknowledges that his conduct warrants disciplinary action by the Board under

<sup>1</sup> 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 permanent revocation of his nursing license commencing with the date on which the Board signs this Agreement (Effective Date).
4. The Licensee agrees that he will not practice as a Registered Nurse in Massachusetts from the Effective Date<sup>2</sup>.
5. The Board agrees that in return for the Licensee's execution of this Agreement it will not prosecute the complaint.
6. The Licensee understands that he has a right to formal adjudicatory hearing concerning the allegations against him and that during said adjudication he would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on his 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 he is knowingly and voluntarily waiving his right to a formal adjudication of the complaint.
7. The Licensee acknowledges that he has been at all times free to seek and use legal counsel in connection with the complaint and this Agreement.
8. 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.
9. The Licensee certifies that he 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.

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<sup>2</sup> The Licensee understands that practice as a Registered Nurse includes, but is not limited to, seeking and/or accepting a paid or voluntary position as a Registered Nurse, or a paid or voluntary position requiring that the applicant hold a current Registered Nurse license. The Licensee further understands that if he accepts a voluntary or paid position as a Registered Nurse, or engages in any practice of nursing after the Effective Date, 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 80.

Herold Philippe 9/3/15  
Herold Philippe (sign and date)

Esther Jean  
Witness Print

Esther Jean 9/3/15  
Witness (sign and date)

Amy S. Fein  
Amy S. Fein, RN, BSN, JD  
Complaint Resolution Coordinator  
Board Authorized Signatory  
Board of Registration in Nursing

September 9, 2015  
Effective Date of Surrender Agreement

Fully Signed Agreement Sent to Licensee on 9/10/15 by Certified

Mail No. 7014 0510 0001 0375 1650