



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

KATHLEEN E. WALSH Secretary

ROBERT GOLDSTEIN, MD, PhD
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

April 29, 2025

Via First Class and Certified Mail No. 9589 0710 5270 1788 8585 83
Return Receipt Requested and via Email

Joan Hevey
25 Malwood Ave
Dracut, MA 01826

RE: In the Matter of Joan Hevey
Docket No. NUR-2018-0304 License No. LN38791 (Exp.)

FINAL NOTICE: SUSPENSION

Dear Ms. Hevey:

On October 31, 2019, you entered into a Consent Agreement for Surrender followed by Probation ("Agreement") with the Board of Registration in Nursing ("Board"). The Agreement obligates you to comply with specified licensure conditions during the period of time while your license is on probation. A copy of the Agreement is enclosed with this letter for your review.

On April 10, 2025, I sent you a Notice of Violation and Intent to Suspend ("Notice"). A copy of the Notice is enclosed with this letter. The Notice informed you that you are in violation of the Agreement and listed the facts supporting the determination that you are in violation. The Notice also informed you that the Board voted to suspend your license. The Notice informed you that you had a right to a hearing on the limited issue of whether you are in compliance with, or in violation of, the terms of the Agreement. Lastly, the Notice informed you that to claim your right to a hearing, you needed to submit a written statement of facts and request for a hearing to Board Counsel within seven (7) days.

As of the date of this letter, Board Counsel has not received from you a written statement of facts and request for a hearing. Accordingly, you have waived your right to a hearing.

Effective today, April 29, 2025, the Board **SUSPENDS** your license to practice nursing indefinitely. You may not practice as a Licensed Practical Nurse in Massachusetts until the Board provides you written notice that it has reinstated your license.

This notice constitutes a final agency action. You are hereby notified that you have a right to appeal this *Final Notice: Suspension* within thirty (30) days of your receipt of this notice, either to the Superior Court for Suffolk County or the county where you reside pursuant to M.G.L. ch. 30A, § 14, or to the Supreme Judicial Court pursuant to M.G.L. ch. 112, §64.

You may petition the Board to reinstate your license in accordance with the Board's policy 17-01. Please review the attached reinstatement policy for guidance on information and documents that you will need to include with your petition. You may also contact reinstatement@mass.gov if you have any questions regarding license reinstatement.

Sincerely,

Patricia McNamée on behalf of:

Heather Cambra, BSN, RN, JD
Executive Director
Board of Registration in Nursing



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Via First Class and Certified Mail No. 9589 0710 5270 1211 6839 97
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Joan Hevey
25 Malwood Ave
Dracut, MA 01826

RE: In the Matter of Joan Hevey
Docket No. NUR-2018-0304
License No. LN38791 (Exp.)

NOTICE OF VIOLATION AND INTENT TO SUSPEND

Dear Ms. Hevey:

On October 31, 2019, you entered into a Consent Agreement Surrender followed by Probation ("Agreement") with the Board of Registration in Nursing ("Board"). The Agreement obligates you to comply with specified licensure conditions during the period of time while your license is on probation. A copy of the Agreement is enclosed with this letter for your review.

You are in violation of the Agreement. Under Paragraph 7 of the Agreement, the Board may impose further discipline against your license in the event that you violate any provision of the probation Agreement. At its meeting on February 12, 2025, the Board voted to **SUSPEND your nursing license, effective in 10 days.**

The basis for the Board's contention that you are in violation of the Agreement is as follows:

1. Paragraph 5(c) of the Agreement requires you to timely renew your license to practice nursing.
 - *Your Massachusetts LN license expired on August 7, 2023.*
2. Paragraph 5(d) of the Agreement requires you to maintain active employment in a position that requires a nursing license, in a setting where you receive consistent, on-site supervision by a qualified license nurse, for a minimum average of twenty (20) hours per week throughout the Probationary Period.

- *You were granted four (4) separate "Staff Action" extensions to comply with the active practice requirement of the Agreement. You informed the Board's Probation Compliance Officer ("PCO") that you were unable to practice as nurse due to having to undergo an eye surgery. You were also granted an additional eighteen-month extension by the Board which expired on July 13, 2022. The PCO attempted to contact you via phone and mail but received no response. On December 11, 2024, the PCO spoke with you via phone and you indicated that you would be sending a letter and medical documentation. The PCO has not received any documentation from you as of the date of this letter.*

3. Paragraph 4(f) of the Agreement requires you to maintain contact with the PCO regarding your employment status.

- *You failed to respond to the PCO's request for documentation. As of the date of this notice, you have been unresponsive to the Board.*

You have a right to a hearing on the limited issue of whether you are in compliance with, or in violation of, the terms of the Agreement. You may claim your right to a hearing by submitting a written statement to the Board within seven (7) days of receipt of this letter. Your written statement must include specific facts which support the determination that you are in compliance, and not in violation, with the provisions of the Agreement identified above. Your written statement must also include a request for a hearing. Please send your written statement to:

Meghan Bresnahan, Esq.
Board Counsel for the Board of Registration of Nursing
Office of General Counsel
250 Washington Street- 2nd Floor
Boston, MA 02108
Meghan.bresnahan@mass.gov

Your failure to submit a written statement of facts and request for a hearing within seven (7) days shall constitute a waiver of your right to a hearing on the issue of your violation of the Agreement.

Sincerely,

Handwritten signature of Heather Cambra in black ink, followed by the text "BSN, RN, JD" in a smaller font.

Heather Cambra, BSN, RN, JD
Executive Director
Board of Registration in Nursing

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

In the Matter of
Joan Hevey
LICENSE NO. LN38791
LICENSE EXP. 08/07/2021

Docket No. NUR- 2018-0304

CONSENT AGREEMENT FOR SURRENDER FOLLOWED BY PROBATION

The Massachusetts Board of Registration in Nursing (Board) and **Joan Hevey** (Licensee), a **Licensed Practical Nurse (LPN)** licensed by the Board, License No. LN38791, 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 Practice Nurse license (license¹) related to the conduct set forth in paragraph 2, identified as Docket No. NUR-2018-0304 (the Complaint).
2. The Licensee admits that while employed as a Licensed Practical Nurse at Oxford Rehabilitation and Health Care Center in Haverhill, MA, on or about July 19, 2018, she failed to 1) appropriately assess a resident, 2) failed to document an assessment, and 3) failed to report a condition change to the resident's physician. 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), (9), (15), (44), (47) and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, section 61 and Board regulations at 244 CMR 7.04, Disciplinary Actions.
3. The Licensee agrees to **SURRENDER** her nursing license for no less than one (1) day (Surrender Period), commencing with the date on which the Board signs this Agreement (Effective Date).

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

4. If and when the Board determines that the Licensee has complied to the Board's satisfaction with all the requirements contained in Paragraph 3, the Board shall send written notice to the Licensee² which shall terminate the Surrender Period. The Licensee understands and agrees that her license shall be placed on PROBATION for no less than one (1) Year (Probationary Period) commencing immediately upon the date of reinstatement, which will be specified in the Board's notice of termination of the Surrender Period.
5. During the Probationary Period, the Licensee further agrees that she shall comply with all of the following requirements to the Board's satisfaction:
 - a. Comply with all laws and regulations governing the practice of nursing, and not engage in any continued or further conduct such as that set forth in Paragraph 2.
 - b. Notify the Board in writing within ten (10) days of each change in her name and/or address.
 - c. Timely renew her license to practice nursing.
 - d. Maintain active employment in a position that requires a nursing license, in a setting where the Licensee receives consistent, on-site supervision by a qualified licensed nurse³, for a minimum average of twenty (20) hours per week throughout the Probationary Period. The Licensee may not accept any home care, travel or temporary staffing assignment, or other practice assignment where consistent, on-site supervision is not in place.
 - i. Within 30 days of reinstatement, the Licensee shall notify the Board's Probation Monitor in writing if the Licensee is not employed in accordance with paragraph 5d.
 - e. Review this Agreement with each of her nursing supervisors, and arrange for each nursing supervisor to submit directly to the Board:
 - i. a completed and signed "Supervisor Verification Form" (Form 1), provided with this Agreement, within thirty (30) days of
 - (1) reinstatement *and*
 - (2) any subsequent employment commenced during the Probationary Period

² In all instances where this Agreement specifies written notice to the Licensee from the Board, such notice shall be sent to the Licensee's address of record.

³ The Licensee must receive direct supervision from a licensed nurse who must have at least one (1) year of clinical nursing practice experience, no open complaints, no past discipline of the nurse's license, and who is physically located at all times in each facility in which the Licensee practices nursing.

- ii. *quarterly* written reports⁴, using the "Supervision Report Form" (Form 2) provided with this Agreement attesting to the quality of the Licensee's nursing practice, reliability and attendance and specifically addressing Licensee's assessment and documentation including any errors and incidents⁵.
- f. Notify the Board's Probation Monitor in writing within ten (10) days of any change in the Licensee's employment status, including each change in Employer, each resignation or termination, and the name, address and telephone number of each new Employer.
- g. Submit documentation that she has successfully completed the following continuing education⁶ within thirty (30) days after reinstatement,
 - i. Three (3) contact hours of continuing education on the topic of "Patient Assessment,"
 - ii. Three (3) contact hours of continuing education on the topic of "Handling a Medical Emergency."
 - iii. Three (3) contact hours of continuing education on the topic of "Documentation,"
 - iv. Three (3) contact hours of continuing education on the topic of "Legal and Ethical Aspects of Nursing."
- 6. If and when the Board determines that the Licensee has complied to the Board's satisfaction with all the requirements contained in Paragraph 5, and no earlier than one (1) year after the date of reinstatement, the Board shall send written notice to the Licensee which shall terminate the Probationary Period.
- 7. If the Licensee does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint⁷ during either the Surrender Period or the Probationary Period, the Licensee agrees to the following:

⁴ The Licensee is responsible for ensuring that these reports on the required form are received by the Board commencing ninety (90) days reinstatement and on the first day of every third month thereafter.

⁵ The Board may take action under paragraph 7 in the event that the reports reveal a practice issue which the Board deems significant.

⁶ These continuing education courses must be *in addition to* any contact hours required for license renewal. They may be taken as home study or as correspondence course, *provided that* they meet the requirements of Board Regulations at 244 CMR 5.00, Continuing Education.

⁷ The term "Subsequent Complaint" applies to a complaint opened after the Effective Date, which (1) alleges that the Licensee engaged in conduct that violates Board statutes or regulations, and (2) is substantiated by evidence, as determined following the complaint investigation during which the Licensee shall have an opportunity to respond.

- a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
 - i. EXTEND the Surrender Period and/or the Probationary Period; and/or
 - ii. MODIFY the Surrender Period and/or the Probationary Period requirements; and/or
 - iii. IMMEDIATELY SUSPEND the Licensee's nursing license.
 - b. If the Board suspends the Licensee's nursing license pursuant to Paragraph 7(a)(iii), the suspension shall remain in effect until:
 - i. the Board gives the Licensee written notice that the Probationary Period is to be resumed and under what terms; or
 - ii. the Board and the Licensee sign a subsequent agreement; or
 - iii. the Board issues a written Final Decision and Order following adjudication of the allegations (1) of noncompliance with this Agreement, and/ or (2) contained in the Subsequent Complaint.
8. The Licensee agrees during the Surrender Period and/or if the Board suspends her nursing license in accordance with Paragraph 7, she will immediately return her current Massachusetts license to practice as a Licensed Practical Nurse to the Board, by hand or certified mail. The Licensee further agrees that during the Surrender Period and/or upon suspension, she will no longer be authorized to engage in the practice of nursing in the Commonwealth of Massachusetts and shall not in any way represent herself as a Licensed Practical until such time as the Board reinstates her license⁸.
 9. The Board agrees that in return for the Licensee's execution and successful compliance with all the requirements of this Agreement it will not prosecute the Complaint.
 10. The Licensee understands that she has a right to formal adjudicatory hearing concerning the Complaints 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.

⁸ Any evidence of unlicensed practice or misrepresentation as a Licensed Practical Nurse during the Surrender period and/or after the Board has notified the Licensee of her license suspension shall be grounds for further disciplinary action by the Board and the Board's referral of the matter to the appropriate law enforcement authorities for prosecution, as set forth in G.L. c. 112, §§ 65 and 80A.

Licensee further understands that by executing this Agreement she is knowingly and voluntarily waiving her right to a formal adjudication of the Complaints.

11. The Licensee acknowledges that she has been represented by legal counsel in connection with the Complaint and this Agreement.
12. 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.
13. The Licensee certifies that she has read this Agreement. The Licensee understands and agrees that entering into this Agreement is a voluntary and final act and not subject to reconsideration, appeal or judicial review.

Marc J. Gervais 10-23-19
Witness (sign and date)

MARC J GERVAIS
Witness (print name)

Jean Hevey 10/23/19
Licensee (sign and date)

Lorena Silva
Lorena Silva, MSN-L, MBA, DNP, RN
Executive Director
Board of Registration in Nursing

October 31st, 2019
Effective Date of Surrender

Fully Signed Agreement Sent to Licensee on 11/11/19 by Certified
Mail No. 7019 0700 0000 1934 6878

November 1, 2019
Effective Date of Probation

Lorena Silva
Lorena Silva, MSN-L, MBA, DNP, RN
Executive Director
Board of Registration in Nursing

Notice of Reinstatement to Probation Status to Licensee on 11/11/19 by
Certified Mail No. 7019 0700 0000 1934 6878

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN NURSING**

Discipline Policy 17-01

Title	REINSTATEMENT PETITIONS
Purpose	The Board adopts this policy to facilitate timely responses to petitions for reinstatements that clearly do not meet requirements set by the Board. This policy also sets deadlines to allow consistent handling and limits on petitions where a petitioner has not submitted all required documentation. Lastly, this policy establishes minimum, standard reinstatement requirements for those matters where the Board notice, consent agreement or Board order do not specify reinstatement requirements.
Date Adopted	August 9, 2017
Standard Requirements	1. In the event that a licensee petitions the Board for reinstatement of his or her license and the Board notice, consent agreement or Board order that forms the basis for license surrender, suspension or revocation is silent with respect to specific reinstatement requirements, the petitioner must provide the following as part of his or her petition: a. Authorization for the Board to obtain a Criminal Offender Record Information (CORI) Report of the Respondent conducted by the Massachusetts Criminal History Systems Board; b. Either a sworn written statement that there are no pending actions or obligations, criminal or administrative, against the Respondent before any court or administrative body in any other jurisdiction, or documentation that at least one (1) year prior to any petition for reinstatement the Respondent satisfactorily completed all court requirements (including probation) imposed on her in connection with any criminal matter and a description of those completed requirements and/or the disposition of such matters; c. Certified documentation from the state board of nursing of each jurisdiction in which the Respondent has ever been licensed to practice as a nurse which has been sent directly to the Massachusetts Board, identifying the petitioner's license status and discipline history, and verifying that the petitioner's nursing license is, or is eligible to be, in good standing and free of any restrictions or conditions; d. Either a sworn written statement that the petitioner was not employed during the year preceding the petition or a letter from each employer, prepared on official letterhead, describing Respondent's attendance, general reliability, and overall job performance; and e. Documentation of successful completion of all required continuing education for the two (2) license renewal cycles immediately preceding the petition. The Board may require additional documentation prior to acting on the petition, as the Board deems necessary for the protection of the public health, safety and welfare.

Denial of Petition by Staff Action	2. The Board's Executive Director is authorized to send a Notice of Denial of Petition on behalf of the Board on the basis of one or more of the following grounds. a. The minimum period of revocation, suspension or surrender per the terms of the agreement/order has not yet passed. b. More than six (6) months have passed since the petition was submitted and: i. Petitioner has failed to submit any documentation for at least one (1) or more categories of requirements unless, the Petitioner has attempted to fulfill the requirement but has been unsuccessful due to a third party's failure to act; or ii. Petitioner's documentation of attendance requirements covers less than 90% of the specified length (e.g., less than 11 months and requirement is one (1) year). c. Random urine drug testing: i. Petitioner has not yet started random urine drug testing as of the date of the petition; ii. Petitioner will not have the requisite number of months of urines screens as of six (6) months from the date of the petition; iii. Petitioner has one (1) or more positive results for a Schedule I controlled substance during the preceding 24 months; iv. Petitioner has one (1) or more positive results for a substance available only by prescription for which she cannot provide any supporting documentation (medical record, medical provider letter, prescription) during the preceding 24 months; or v. Petitioner has more than six (6) uncured missed calls or missed tests during the preceding 12 months. d. Criminal matter relating to basis for revocation, suspension or surrender is still open. e. Petitioner has failed to complete the requisite continuing education requirements within 0.5 contact hours per topic. f. Petitioner's professional license in one (1) or more jurisdictions was disciplined and has not been restored to good standing unless: i. The discipline in the other jurisdiction is based on the BORN discipline; or ii. Petitioner has attempted to restore his or her license to good standing but has been unsuccessful due to administrative barriers in the other jurisdiction. g. More than three (3) months have passed since the Board issued notice of reinstatement of licensure contingent upon the petitioner entering into a superseding consent agreement and the petitioner has failed to do so.
Subdelegation	3. The Board's Executive Director may subdelegate his or her authority under this policy to: a. Any staff person who reports directly to the Executive Director, and b. Board Counsel or staff who reports to Board Counsel.

Report to Board	4. Board Counsel, or staff who reports to Board Counsel, shall provide a written report to the Board setting forth all actions taken on the Board's behalf pursuant to this policy since the previous meeting of the Board.
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