



The Commonwealth of Massachusetts

Executive Office of Health and Human Services

Department of Public Health

250 Washington Street, Boston, MA 02108-4619

617-624-6000 | mass.gov/dph

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Kiame Mahaniah, MD, MBA
Secretary

Robert Goldstein, MD, PhD
Commissioner

October 7, 2025

Via First Class and Certified Mail No. : 9589 0710 5270 0876 5969 25
Return Receipt Requested and via Email

Mary Vieu
1495 Sassaquin Ave
New Bedford, MA 02745

RE: In the Matter of Mary Vieu
Docket No. NUR-2023-0074
License No. LN57820

Dear Ms. Vieu:

Enclosed please find the Final Decision and Order on Probation Compliance issued by the Board of Registration in Nursing ("Board") on October 7, 2025 and **effective October 17, 2025** in connection with the above-reference matter. Your appeal rights are noted on page 5.

Please note that as of the effective date, your license status will change to **Suspended**. It will remain in this status until the Board notifies you of a change in license status in accordance with the terms of the order.

Please direct all questions, correspondence and documentation relating to licensure reinstatement to the attention of reinstatement@mass.gov.

You may contact Meghan Bresnahan, Board Counsel at Meghan.bresnahan@mass.gov with any questions that you may have concerning this matter.

Sincerely,

 BSN, RN, JD
Heather Cambra, BSN, RN, JD
Executive Director

Board of Registration in Nursing
Enclosures

cc: Kim Jones, Probation Compliance Officer

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION IN
NURSING

In the Matter of
Mary Vieu
License No. LN57820
License Expires 06/25/2027

Docket No. NUR-2023-0074

FINAL DECISION AND ORDER ON PROBATION COMPLIANCE

I. PROCEEDINGS

On August 28, 2025, the Board of Registration in Nursing (“Board”) issued and duly served Mary Vieu (“Respondent” or “Licensee”) a Hearing Notice (rescheduled) (“Notice”)¹ related to alleged non-compliance with her Consent Agreement for Probation (“Agreement”), effective October 24, 2024. The Notice set forth that the Board was in possession of evidence indicating that Respondent was in violation of the Agreement and informed Respondent that a hearing would be held on the matter. The Notice included a list and copies of documents that the Board would consider during the hearing. It also notified Respondent of her opportunity to submit documents and present witnesses.

On September 10, 2025, the Board held a hearing, in executive session, via Zoom during its regularly scheduled meeting and received evidence on the issue of Respondent’s compliance with the terms of the Agreement. Respondent participated via Zoom.

At the hearing, the Board reviewed the following documents:

1. Consent Agreement for Probation, effective October 24, 2024
2. Notice of Violation and Intent to Suspend, dated June 18, 2025
3. Compliance Summary Report
4. Written Request for Hearing from Licensee, dated June 25, 2025

During the hearing, the Board heard from Board Counsel and Probation Compliance Officer (“PCO”), Kim Jones. The summary is as follows:

¹ A previous Hearing Notice was issued on July 1, 2025, scheduling the hearing for the Board’s July 9, 2025 meeting. However, due to time constraints, the hearing was not heard on this day and was reschedule to the September 10, 2025 meeting.

- Respondent was employed as a Licensed Practical Nurse at The Oaks Nursing Center in New Bedford, Massachusetts. Respondent's supervisor, Christopher Ferreira, submitted four Supervision Reports² evaluating Respondent's nursing practice, each reflecting multiple ratings of [REDACTED]

- On March 26, 2025, the PCO received an email from Mr. Ferreira indicating that Respondent had made multiple medication errors and had previously been written up for another error. He stated that, despite ongoing education and counseling, Respondent was not demonstrating improvement and that the facility could not risk harm to residents. Based on these concerns, the supervisor informed the PCO that Respondent was suspended and subsequently terminated from employment.

The Board heard from Respondent. The summary is as follows:

Respondent stated that she had made only two medication errors and had worked with her supervisor on just two occasions over a six-month period, expressing uncertainty about the source of the supervisor's information. She asserted that, after maintaining a clean record for a year and a half, it was suspicious that these issues arose only after she was placed on probation. Respondent further explained that she was reassigned to the first shift because of her probation status, despite not typically working that shift, and felt that the faster pace made it difficult for her to succeed and that she had been set up to fail.

II. FINDINGS

The Board discussed that the probation originated from ongoing practice issues dating back to January 2023. Members noted that the supervisory reports documented numerous concerns regarding Respondent's practice and that the matter progressed due to the Licensee's lack of response. The Board concluded that the practice issues were significant and found no reason to modify its prior decision to suspend the Licensee's license.

The Board makes the following finding:

1. Respondent violated Paragraph 5(h) of the Agreement. The Board voted to suspend Licensee's license for an indefinite period.

III. ORDER

² Supervision Reports dated 11/2/2024, 11/22/2024, 2/1/2025, 3/26/2025

1. Based on its Final Decision and the foregoing discussion, the Board **SUSPENDS** the Respondent's license to practice as a Licensed Practical Nurse in Massachusetts, License No. LN57820 for an indefinite period. The Board further suspends the Respondent's right to renew her license. If Respondent renews her license to practice as a Licensed Practical Nurse in Massachusetts before the Effective Date of this Final Decision and Order, the Board suspends said license.
2. Respondent shall not practice as a Licensed Practical Nurse in Massachusetts on or after the Effective Date of this Order until the license is reinstated by the Board. "Practice as a Licensed Practical Nurse" includes, but is not limited to, seeking and accepting a paid or voluntary position as a Licensed Practical Nurse or in any way representing herself as a Licensed Practical Nurse in Massachusetts. The Board shall refer any evidence of unlicensed practice to appropriate law enforcement authorities for prosecution as provided by G.L. c. 112, §§ 65 and 80A.
3. The Board may choose to reinstate Respondent's license if the Board determines in its sole discretion that reinstatement is in the best interests of the public health, safety and welfare. Respondent may petition the Board in writing for relicensure when she can provide documentation satisfactory to the Board demonstrating her ability to practice nursing in a safe and competent manner. With any petition for relicensure, the Respondent shall have submitted directly to the Board:
 - a. Reports from Respondent's primary care provider and any specialist(s) whom Respondent may have consulted verifying that Respondent is medically able to resume the safe and competent practice of nursing, which meets the requirements set forth in **Attachment B 1**;
 - b. If employed during the year immediately preceding Respondent's petition for relicensure, have each employer from said year submit on official letterhead an evaluation reviewing Respondent's attendance, general reliability, and overall job performance;³
 - c. Certified Court and/or Agency documentation that there are no pending actions or obligations, criminal or administrative, against the Respondent before any court or Administrative Agency including, but not limited to:
 - i. Documentation that *at least one (1) year prior to any petition for reinstatement* the Respondent satisfactorily completed all court requirements (including probation)

³ If Respondent was not employed during this period, submit an affidavit so attesting.

imposed on her/him in connection with any criminal matter and a description of those completed requirements and/or the disposition of such matters;⁴ and

- ii. Certified documentation from the state board of nursing of each jurisdiction in which the Respondent has ever been licensed to practice as a nurse, sent directly to the Massachusetts Board identifying her license status and discipline history, and verifying that her nursing license is, or is eligible to be, in good standing and free of any restrictions or conditions.
 - d. Documentation satisfactory to the Board of Respondent's successful completion of all continuing education equivalent to the continuing education required by Board regulations for the two (2) license renewal cycles immediately preceding any petition for relicensure.
4. The Board may choose to reinstate the Respondent's license if the Board determines that reinstatement is in the best interests of the public at large. Any reinstatement of the Respondent's license may be conditioned upon the Respondent entering into a Consent Agreement for the Probation of her license including other requirements that the Board determines at the time of relicensure to be reasonably necessary in the best interests of the public health, safety and welfare.

The Board voted to issue this Final Decision and Order on Probation Compliance at its meeting held on September 10, 2025, by the following vote:

In favor: *A. Alley, MSN, RN, S. Abshir, LPN, K. Crowley, DNP, RN, A. Joseph, MD, L. Keough, PhD, CNP, RN, D. Nikitas, BSN, RN, K. Pelletier, ADN, RN, R. Reynolds, PhD, MSN, RN, K. Sanclemente, R. Sesay, ASN, RN, BSN, RN, H. Underwood, LPN*

Opposed: *None*

Abstained: *None*

Recused: *None*

Absent: *K.A. Barnes, JD, RPh, L. Kelly, DNP, CNP, RN,*

⁴ The Respondent shall also provide, if requested, an authorization for the Board to obtain a Criminal Offender Record Information (CORI) Report of the Respondent conducted by the Massachusetts Criminal History Systems Board and 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.

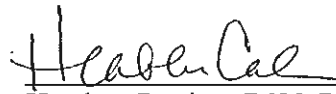
EFFECTIVE DATE OF ORDER

This Final Decision and Order on Probation Compliance becomes effective upon the tenth (10th) day from the date issued (see "Date Issued" below).

RIGHT TO APPEAL

Respondent is hereby notified of the right to appeal this Final Decision and Order on Probation Compliance either to the Superior Court for Suffolk County or the county where Respondent resides pursuant to M.G.L. c. 30A, § 14, or to the Supreme Judicial Court pursuant to M.G.L. c. 112, §64, within thirty (30) days of receipt of notice of this Final Decision and Order.

Board of Registration in Nursing,

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

October 7, 2025

Date Issued

Notified:

VIA FIRST CLASS AND CERTIFIED MAIL NO. : 9589 0710 5270 0876 5969 25
RETURN RECEIPT REQUESTED AND VIA EMAIL

Mary Vieu
1495 Sassaquin Ave
New Bedford, MA 02745

BY INTER-OFFICE MAIL

Kimberly Jones
Probation Compliance Officer
250 Washington Street
Boston, MA 02108



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619
617-624-6000 | mass.gov/dph

Maura T. Healey
Governor

Kimberley Driscoll
Lieutenant Governor

Kiame Mahaniah, MD, MBA
Secretary

Robert Goldstein, MD, PhD
Commissioner

August 28, 2025

Via First Class and Certified Mail No. : 9589 0710 5270 1797 3782 32
Return Receipt Requested and via Email

Mary Vieu
1495 Sassaquin Ave
New Bedford, MA 02745

RE: In the Matter of Mary Vieu
Docket No. NUR-2023-0074
License No. LN57820

HEARING NOTICE (rescheduled)

Dear Ms. Vieu:

On October 24, 2024, you entered into a Consent Agreement for 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 June 18, 2025, the Board 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 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, provided that you submit a written statement of facts and request for a hearing within seven (7) days.

On June 25, 2025, the Board received a written request for a hearing from you. Your hearing was originally scheduled for July 9, 2025; however, due to time restraints, your hearing was not heard on this day. **Accordingly, the Board will hold a hearing on Wednesday, September 10, 2025.**

The Board Meeting will be held via Zoom. You will receive information by separate letter with time details and instructions on how to access the meeting in order to participate in the Zoom meeting.

The hearing shall be conducted in accordance with the State Administrative Procedure Act, G.L. c.30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights: to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position. The Board's consideration of this matter will be in Executive Session unless you request the session be open as provided by G.L. c. 30A, §21(a)(l).

G.L. c. 30A, §21(a)(l) provides that when an Executive Session is held, the individual involved shall have the following rights:

1. To be present (via Zoom) at such Executive Session during deliberations which involve that individual;
2. To have counsel or a representative of his/her own choosing present (via Zoom) and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
3. To speak on his/her own behalf; and
4. To cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

This section of the statute also states that these rights of an individual are in addition to the rights that s/he may have from another source.

Please note that **the hearing will be limited to the issue of whether you are in compliance with, or in violation of, the terms of the Agreement.** The Board will not conduct a hearing on the facts of the complaint resolved by the Agreement.

At the hearing, the Board will consider the following documents (copies enclosed):

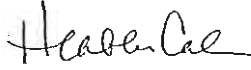
1. Consent Agreement for Probation, effective October 24, 2024
2. Notice of Violation and Intent to Suspend, dated June 18, 2025
3. Compliance Summary Report
4. Written Request for Hearing from Licensee, dated June 25, 2025

At the hearing, you may present additional documents relevant to the issue of whether you are in compliance with the terms of the Agreement. You may also present witnesses who agree to testify on your behalf on the date of the hearing, if such persons have firsthand knowledge about facts demonstrating your compliance. If you intend to present documents and/or witnesses at the hearing, you must provide notice to Board Counsel on or before **September 3, 2025**. Your failure to provide such notice may be grounds for the Board to refuse to consider such documents or witness testimony. Notice must include a copy of all documents you intend to submit at the hearing, as well as the names and addresses of all witnesses, with a description of the facts to which they will testify. The Board reserves the right to refuse to consider any evidence that is redundant or irrelevant.

Board Counsel for this matter is:

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

Sincerely,

 BSN, RN, JD

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

cc: Kim Jones, Probation Compliance Officer



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

MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD, PhD
Commissioner

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

July 1, 2025

Via First Class and Certified Mail No. 9589 0710 5270 1211 6834 09
Return Receipt Requested and via Email

Mary Vieu
1495 Sassaquin Ave
New Bedford, MA 02745

RE: In the Matter of Mary Vieu
Docket No. NUR-2023-0074
License No. LN57820

HEARING NOTICE

Dear Ms. Vieu:

On October 24, 2024, you entered into a Consent Agreement for 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 June 18, 2025, the Board 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 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, provided that you submit a written statement of facts and request for a hearing within seven (7) days.

On June 25, 2025, the Board received a written request for a hearing from you. Accordingly, the Board will hold a hearing on Wednesday, **July 9, 2025**.

The Board Meeting will be held via Zoom. You will receive information by separate letter with time details and instructions on how to access the meeting in order to participate in the Zoom meeting.

The hearing shall be conducted in accordance with the State Administrative Procedure Act, G.L. c.30A, §§ 10 and 11, and the Standard Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 and 1.03, under which you are granted certain rights including, but not limited to, the rights:

to a hearing, to secure legal counsel or another representative to represent your interests, to call and examine witnesses, to cross-examine witnesses who testify against you, to testify on your own behalf, to introduce evidence, and to make arguments in support of your position. The Board's consideration of this matter will be in Executive Session unless you request the session be open as provided by G.L. c. 30A, §21(a)(l).

G.L. c. 30A, §21(a)(l) provides that when an Executive Session is held, the individual involved shall have the following rights:

1. To be present (via Zoom) at such Executive Session during deliberations which involve that individual;
2. To have counsel or a representative of his/her own choosing present (via Zoom) and attending for the purpose of advising the individual and not for the purpose of active participation in the executive session;
3. To speak on his/her own behalf; and
4. To cause an independent record to be created of said executive session by audio-recording or transcription, at the individual's expense.

This section of the statute also states that these rights of an individual are in addition to the rights that s/he may have from another source.

Please note that **the hearing will be limited to the issue of whether you are in compliance with, or in violation of, the terms of the Agreement.** The Board will not conduct a hearing on the facts of the complaint resolved by the Agreement.

At the hearing, the Board will consider the following documents (copies enclosed):

1. Consent Agreement for Probation, effective October 24, 2024
2. Notice of Violation and Intent to Suspend, dated June 18, 2025
3. Compliance Summary Report
4. Written Request for Hearing from Licensec, dated June 25, 2025

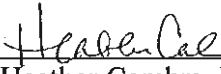
At the hearing, you may present additional documents relevant to the issue of whether you are in compliance with the terms of the Agreement. You may also present witnesses who agree to testify on your behalf on the date of the hearing, if such persons have firsthand knowledge about facts demonstrating your compliance. If you intend to present documents and/or witnesses at the hearing, you must provide notice to Board Counsel on or before **July 7, 2025**. Your failure to provide such notice may be grounds for the Board to refuse to consider such documents or witness testimony. Notice must include a copy of all documents you intend to submit at the hearing, as well as the names and addresses of all witnesses, with a description of the facts to which they will testify. The Board reserves the right to refuse to consider any evidence that is redundant or irrelevant.

Board Counsel for this matter is:

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

Sincerely,

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

cc: Kim Jones, Probation Compliance Officer



MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

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

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD,
PhD Commissioner

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

June 18, 2025

Via First Class and Certified Mail No. : 7022 2410 0001 6852 7485
Return Receipt Requested and via Email

Mary View
1495 Sassaquin Ave
New Bedford, MA 02745

RE: In the Matter of Mary View
Docket No. NUR-2023-0074
License No. LN57820

NOTICE OF VIOLATION AND INTENT TO SUSPEND

Dear Ms. View:

On October 24, 2024, you entered into a Consent Agreement for 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 9 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 June 11, 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 4(h) of the Agreement requires you to submit quarterly Supervision Reports attesting to the quality of your nursing practice, including any errors or incidents. The Board may take action pursuant to Paragraph 8 in the event that any quarterly report reveals a practice issue the Board deems significant.
 - *You are currently employed as a Licensed Practical Nurse at The Oaks Nursing Center in New Bedford, MA.*
 - *Your supervisor, Christopher Ferreira, has submitted four Supervision Reports (Form 1) regarding the quality of your nursing practice.*

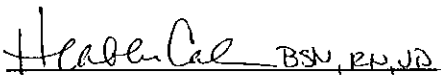
- 
- *On March 26, 2025, the PCO received an email from your supervisor stating that you had made multiple medication errors. On a previous occasion, you were written up for a medication error that your supervisor was unaware of. He also stated "Unfortunately, it does not seem that Mary is retaining all her education and counseling and we cannot risk harm coming to one of our residents." Your supervisor informed the PCO via email that based on your practice issues, you would be suspended and ultimately terminated from the facility.*
- *The Board deems these practice issues significant.*

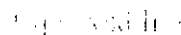
You have a right to a hearing on the limited issue of whether you are in compliance with, or in violation of, the terms of the Agreement. You may claim your right to a hearing by submitting a written statement to the Board within seven (7) days of receipt of this letter. Your written statement must include 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,


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





MAURA T. HEALEY
Governor

KIMBERLEY DRISCOLL
Lieutenant Governor

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

Attachment 1

KATHLEEN E. WALSH
Secretary

ROBERT GOLDSTEIN, MD,
PhD Commissioner

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

October 28, 2024

Via First Class and Certified Mail No. : 9589 0710 5270 1788 9297 26
Return Receipt Request

Mary Vieu
1495 Sassaquin Ave
New Bedford, MA 02745

RE: In the Matter of Mary Vieu
Docket No. NUR-2023-0074
License No. LN57820

Dear Ms. Vieu:

This letter acknowledges receipt by the Board of Registration in Nursing ("Board") of the signed Consent Agreement for Probation ("Agreement") between you and the Board in resolution of the above-referenced Complaint. The Board has now signed the Agreement, a copy of which is enclosed for your records. The effective date of the Agreement is October 24, 2024.

Enclosed are the following two (2) required probation forms that each of your nursing supervisors must complete and submit to the Board in accordance with the terms of your probation: "Supervisor Verification Form (Form 1)" and "Supervisor Report Form" (Form 2). Additional copies may be made of these blank forms as needed or can be obtained from the Board's website, www.mass.gov/dph/boards/rn, through the Complaint Resolution topic link.

In addition, Kimberly Jones is responsible for monitoring compliance with any probation Agreement that a nurse enters into with the Board. All correspondence and documentation in connection with your probation Agreement should be directed to her at the Board's office listed above. You may also contact her at 617-973-0863 or Kimberly.r.jones@mass.gov with any questions regarding this matter.

Lastly, as your Agreement provides, if you are not presently employed in a nursing position, you must notify Ms. Jones of this in writing within thirty (30) days of the effective date of your probation. You will also need to remember that throughout your probationary period, you must promptly notify Ms. Jones in writing if you are not employed as a nurse or of any of the other status changes designated by the Agreement.

Sincerely,

/s/ Meghan Bresnahan

Electronic Signature for

Meghan Bresnahan, Esq.

Board Counsel

Board of Registration in Nursing

cc: Kimberly Jones, Probation Compliance Officer

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

In the Matter of
Mary Vieu
License No. LN57820
License Expires 06/05/2025

Docket No. NUR-2023-0074

CONSENT AGREEMENT FOR PROBATION

The Massachusetts Board of Registration in Nursing (Board) and Mary Vieu (Licensee), a Licensed Practical Nurse (LPN) licensed by the Board, License No. LN57820 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 their Massachusetts Licensed Practical Nurse license (license¹) related to the conduct set forth in Paragraph 2(a), identified as Docket No. NUR-2023-0074 (the Complaint).
2. The Licensee and the Board agree to resolve this Complaint without making any admissions or findings and without proceeding to a formal adjudicatory hearing. The Licensee and the Board acknowledge that the Complaint alleges the following:
 - a. While employed as a Licensed Practical Nurse at Active Day at Fairhaven in Fairhaven, MA, on or about January 2023, Licensee failed to administer medication to a patient, failed to monitor the patient's wound site, and falsified the patient's Medication Administration Record.
3. The Licensee and the Board acknowledge and agree that the conduct described in Paragraph 2(a), if proven at hearing, constitutes failure to comply with the Board's Standards of Conduct at 244 CMR 9.03 (5), (31), (32), (39), (44), (45) and

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

(47), and warrants disciplinary action by the Board under Massachusetts General Laws (G.L.) Chapter 112, sections 61 and 74A and Board regulations at 244 CMR 7.04, Disciplinary Actions.

4. The Licensee agrees that their nursing license shall be placed on **PROBATION** for no less than **six (6) months** (Probationary Period), commencing with the date on which the Board signs this Agreement (Effective Date).
5. During the Probationary Period, the Licensee further agrees that they 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(a).
 - b. Notify the Board in writing within ten (10) days of each change in their name and/or address.
 - c. Timely renew their license to practice nursing.
 - d. Respond to inquiries from Board staff in a timely manner.
 - e. Disclose the terms of this Agreement to the Program Administrator of any Nursing Education Program at which they are enrolled during the Probationary Period.
 - f. Maintain active employment (Active Practice Requirements) in a position that requires a nursing license, in a facility setting where the Licensee receives consistent, on-site supervision by a qualified licensed nurse² for a minimum average of twenty (20) hours per week throughout the Probationary Period.
 - i. The Licensee agrees that a qualified licensed nurse is defined as a nurse who 1) possesses a Massachusetts³ nursing license in good standing or authority to practice under federal law, or both; 2) is employed in a supervisory role; 3) possesses a minimum of one year full-time experience in nursing, or its equivalent, within the last five years; 4) is educationally prepared at or above the level of the Licensee; and 5) has no open complaints with the Board and no open criminal matters.

² The Licensee must receive direct supervision from a qualified licensed nurse who is employed in a supervisory role and is physically located at all times in each facility in which the Licensee practices nursing.

³ Or a license to practice in the jurisdiction in which the Licensee is employed.

- g. Refrain from the practice of nursing in any of the following employment settings during the Probationary Period:
 - i. Settings where structured, consistent on-site supervision is not in place including but not limited to, home care agencies or private home care;
 - ii. Travel nurse agencies; or
 - iii. Temporary staffing agencies.
- h. Review this Agreement with each of their 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) the Effective Date *and*
 - (2) any subsequent employment commenced during the Probationary Period
 - 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 proper medication documentation and administration including any errors and incidents. The Board may take action pursuant to Paragraph 9 in the event that any quarterly report reveals a practice issue the Board deems significant.
- i. Within 30 days of the Effective Date, notify the Board in writing if the Licensee is not employed in accordance with Paragraph 5f.
- j. If not employed in accordance with Paragraph 5f within 30 days of the Effective Date:
 - i. On a weekly basis: actively search for nursing employment.
 - ii. On a monthly basis: submit to the Board a detailed description of their nursing job search activities and the status of their nursing employment.

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

- k. Complete the Active Practice Requirements within a period up to a maximum of double the length of the Probationary Period.⁵
 - l. Notify the Board in writing within seven (7) 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.
 - m. Notify the Board in writing within seven (7) days of any complaint filed against their nursing license in any jurisdiction in which they holds such a license.
 - n. Submit documentation that they have successfully completed the following continuing education within sixty (60) days of the Effective Date:
 - i. Six (6) contact hours on Medication Administration and Documentation in Nursing.
6. The Licensee agrees that Board staff may, pending review by the Board, take immediate action to restrict nursing practice privileges following:
- a. A report from an out of state employer that the Licensee is under investigation for a practice issue which violates Board regulations at 244 CMR 9.00 *et seq.*
- Immediate action that Board staff may take includes notifying the Licensee and any employer where the Licensee may be engaged in nursing practice, that the Licensee's nursing practice privileges have been restricted by the Board. Board staff shall inform the Licensee of the factual basis for taking immediate action. In the event that the Licensee disputes the factual basis, the Licensee agrees to refrain from the practice of nursing pursuant to their Massachusetts license until such time as the Board either determines that there is no violation, or takes action pursuant to Paragraph 9.
7. 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.
8. If the Licensee has complied to the Board's satisfaction with all the requirements contained in this Agreement, the Probationary Period will terminate **six (6) months** after the Effective Date upon written notice to the Licensee from the Board⁶.

⁵ The Probationary Period is defined in Paragraph 4.

⁶ 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.

9. If the Licensee does not comply with each requirement of this Agreement, or if the Board opens a Subsequent Complaint⁷ during the Probationary Period, the Licensee agrees to the following:
- a. The Board may upon written notice to the Licensee, as warranted to protect the public health, safety, or welfare:
 - i. EXTEND the Probationary Period; and/or
 - ii. MODIFY the Probation Agreement requirements; and/or
 - iii. IMMEDIATELY SUSPEND the Licensee's nursing license.
 - b. If the Board suspends the Licensee's nursing license pursuant to Paragraph 9(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.
10. The Licensee agrees that if the Board suspends their nursing license in accordance with Paragraph 9, they will immediately return their current Massachusetts license to practice as a Licensed Practical Nurse to the Board, by hand or certified mail. The Licensee further agrees that upon said suspension, they will no longer be authorized to engage in the practice of nursing in the Commonwealth of Massachusetts and shall not in any way represent themselves as a Licensed Practical Nurse until such time as the Board reinstates their nursing license or right to renew such license⁸.
11. The Licensee understands that they have a right to formal adjudicatory hearing concerning the Complaint and that during said adjudication they would possess the right to confront and cross-examine witnesses, to call witnesses, to present evidence, to testify on their 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

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.

⁸ Any evidence of unlicensed practice or misrepresentation as a Licensed Practical Nurse after the Board has notified the Licensee of their 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.

Adjudicatory Rules of Practice and Procedure, 801 CMR 1.01 *et seq.* The Licensee further understands that by executing this Agreement they are knowingly and voluntarily waiving their right to a formal adjudication of the Complaint.

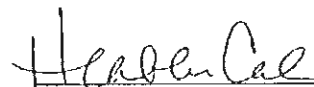
12. The Licensee acknowledges that they have been represented by legal counsel or have been at all times free to seek and use legal counsel in connection with the Complaint and this Agreement.
13. The Licensee acknowledges that after the Effective Date, the Agreement constitutes a public record of disciplinary 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.
14. The Licensee certifies that they have 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.

Received

OCT 23 2024

General Counsel

 10/21/24
MARY VIEN
Licensee (sign and date)

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

October 24, 2024

Effective Date of Agreement

Fully Signed Agreement Sent to Licensee on October 28, 2024 by Certified Mail
No. : 9589 0710 5270 1788 9297 26