



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
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Kiame Mahaniah, MD, MBA
Secretary

Robert Goldstein, MD, PhD
Commissioner

December 17, 2025

Via First Class and Certified Mail No. : 9589 0710 5270 0876 5973 11
Return Receipt Requested and via Email

Brian R. Cunha, Esq.
311 Pine Street
Fall River, MA 02720
brian@briancunha.com

Re: In the Matter of Robert Wamukoya
Docket No. NUR-2021-0230; NUR-2022-0015
License No. RN22935630 (Exp.)

Dear Attorney Cunha and Mr. Wamukoya:

Enclosed please find the Final Decision and Order after Sanction Hearing Process issued by the Board of Registration in Nursing on December 17, 2025 and **effective December 27, 2025**. Pursuant to the Order, Mr. Wamukoya's nursing license will be **suspended for an indefinite period**. This constitutes full and final disposition of the above-referenced complaints, as well as the final agency action of the Board. Mr. Wamukoya's appeal rights are noted on page 5.

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

You may also contact Meghan Bresnahan, Board Counsel at Meghan.bresnahan@mass.gov.

Sincerely,

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

Encl.

cc: Ernest Sarason, Esq. Administrative Magistrate
Candace Hodge, Esq., Prosecuting Counsel

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK COUNTY

BOARD OF REGISTRATION
IN NURSING

_____))
Board of Registration in Nursing,)
Petitioner)
)
v.)
)
ROBERT WAMUKOYA)
License No. RN22935630 (Exp.))
License Expired 12/16/2022)
Respondent)
_____))

Docket No. NUR-2021-0230;
NUR-2022-0015

FINAL DECISION AND ORDER AFTER SANCTION HEARING PROCESS

Procedural History

On September 22, 2023, the Board of Registration in Nursing (“Board”) issued and duly served on Robert Wamukoya (“Respondent”), a Registered Nurse (“RN”), an Order to Show Cause (“OTSC”) on why it should not take action against his license and right to renew. Respondent filed an Answer to the OTSC on October 30, 2023. On February 21, 2025, the parties filed stipulations regarding material facts of the two complaints at issue. On April 15, 2025, Administrative Magistrate Ernest L. Sarason (“Magistrate Sarason” or “the Magistrate”) issued a Ruling on Petitioner’s Motion for Summary Decision concluding that that there were no genuine issues of material facts or that the Petitioner had no reasonable expectation of proving essential elements of its case at trial. Following this Ruling on Summary Decision, Respondent filed a Motion for Sanction Hearing on April 16, 2025. Prosecuting Counsel’s request for sanction hearing to be done by papers rather than oral argument was granted and a Tentative Decision after Sanction Hearing Process was issued on July 7, 2025 (“Tentative Decision”).

The Board has carefully considered the Tentative Decision and hereby adopts the

Tentative Decision, including all findings of fact, conclusions of law and credibility determinations. The Tentative Decision is attached hereto and incorporated herein by reference.

Discussion/Rationale for Sanction

The Board is charged with protecting the public health, safety, and welfare and, to this end, the Board has broad authority to regulate the conduct of nursing professionals including the ability to sanction professionals for conduct that undermines public confidence in the integrity of the profession. *See Sugarman v. Board of Registration in Medicine*, 422 Mass. 338, 342 (1996); *see also, Kvitka v. Board of Registration in Medicine*, 407 Mass. 140, cert. denied, 498 U.S. 823 (1990); *Raymond v. Board of Registration in Medicine*, 387 Mass. 708, 713 (1982).

The Board finds that Respondent's conduct — including his falsification of patient records, misrepresentation of patient status, and delegation of skilled nursing responsibilities to an unverified individual — constitutes violations of 244 CMR 9.03(5), (9), (15), (31), (44), and (47), and is inconsistent with the standards of integrity and professional accountability expected of a nurse licensed in the Commonwealth.

The Board further concurs with the Magistrate's determination that these actions constitute "deceit, malpractice, and gross misconduct in the practice of the profession" under G.L. c. 112, § 61, and conduct inconsistent with "good moral character" under G.L. c. 112, § 74. The Board is authorized to impose discipline on any license *or right to renew* a license under these provisions.

Although no patient harm was demonstrated, the Respondent's falsification of clinical records and misrepresentation of patient care undermine the public's trust in the nursing profession and the Board's regulatory mandate to ensure safe and ethical nursing practice. The integrity of documentation is fundamental to patient safety, quality assurance, and the coordination of care. Further, the Respondent's delegation of skilled nursing responsibilities to an unverified individual demonstrates a significant lapse in judgment and failure to comply with basic fundamentals of nursing care.

Given the seriousness of the proven violations, a period of suspension with required continuing education is necessary to protect the public and to ensure remediation of the Respondent's practice and professional judgment.

The Board voted to adopt the within **Final Decision** at its meeting held on December 10, 2025, by the following vote:

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

Opposed: *None*

Abstained: *None*

Recused: *None*

Absent: *K. Sanclemente, BSN, RN*

ORDER

1. Based on its Final Decision and the foregoing discussion, the Board **SUSPENDS** the Respondent's license to practice as a Registered Nurse in Massachusetts, License No. 22935630 (Exp.) for an **indefinite period**. The Board further revokes the Respondent's right to renew their license. If Respondent renews their license to practice as a Registered Nurse in Massachusetts before the Effective Date of this Final Decision and Order, the Board revokes said license.
2. Respondent shall not practice as a Registered Nurse in Massachusetts on or after the Effective Date of this Order until the license is reinstated by the Board. "Practice as a Registered Nurse" includes, but is not limited to, seeking and accepting a paid or voluntary position as a Registered Nurse or in any way representing themselves as a Registered 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 80.
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 they can provide documentation satisfactory to the Board demonstrating their 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;¹
- 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) imposed on them in connection with any criminal matter and a description of those completed requirements and/or the disposition of such matters;² 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 their license status and discipline history, and verifying that their 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;
- e. Documentation satisfactory to the Board of Respondent's successful completion of the following continuing education³:

¹ If Respondent was not employed during this period, submit an affidavit so attesting.

² 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.

³ 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.

- i. Three (3) contact hours in Patient Abuse and Neglect; and
 - ii. Three (3) contact hours in Legal and Ethical Aspects of Nursing; and
 - iii. Three (3) contact hours in Documentation in Nursing.
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 their 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 adopt the within **Final Order** at its meeting held on December 10, 2025, by the following vote:

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

Opposed: *None*

Abstained: *None*

Recused: *None*

Absent: *K. Sanclemente, BSN, RN*

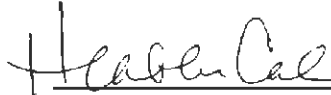
EFFECTIVE DATE OF ORDER

This Final Decision and Order 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 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

Date Issued: December 17, 2025

Notified:

FIRST CLASS AND CERTIFIED MAIL NO. : 9589 0710 5270 0876 5973 11
RETURN RECEIPT REQUESTED AND VIA EMAIL

Brian R. Cunha, Esq.
311 Pine Street
Fall River, MA 02720

INTEROFFICE DELIVERY VIA SHARED DRIVE

Candace Hodge, Esq.
Prosecuting Counsel
Department of Public Health
Office of General Counsel
250 Washington Street, 2nd Floor
Boston, MA 02108

Ernest L. Sarason, Esq.
Administrative Magistrate
Department of Public Health
Office of General Counsel
250 Washington Street, 2nd Floor
Boston, MA 02108