



Department of Health  
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VIA HAND DELIVERY  
2/29/12

State of Rhode Island  
and Providence Plantations

Department of Health  
Office of Health Professions Regulation

vs.

Lynda-Lee L'Heureux (C11-728)

### CONSENT ORDER

Pursuant to R.I.G.L. (2001 Reenactment) Section 23-17.9-8 and the Rules and Regulations promulgated thereunder, the Rhode Island Department of Health (hereinafter "Department"), after review and consultation with the Advisory Board for Nursing Assistants, has investigated a complaint charging Lynda-Lee L'Heureux NA24663 (hereinafter "Respondent") with a violation of Section 23-17.9-8 of the General Laws.

After consideration by the Department, the following constitutes the Findings of Fact with the respect to the professional performance of the Respondent:

1. Respondent is a Nursing Assistant licensed to practice in the State of Rhode Island.
2. That all pertinent times, Respondent was employed by Bayada Nurses, Inc., Providence, RI.
3. That is, on or about August 10, 2011, Respondent was arrested and charged with a felony for identity fraud by the West Warwick Police Department. These criminal charges are pending as of the date of this Order.

The parties agree as follows:

- (a) Respondent is a Nursing Assistant licensed and doing business under and by virtue of the Laws of the State of Rhode Island, Nursing Assistant license number, NA24663.
- (b) Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department;
- (c) Respondent has read this Consent Order and understands that it is a proposal of the Board and is subject to the final approval of the Department. This Consent Order is not binding on Respondent until signed by the Department.
- (d) Respondent hereby acknowledges and waives:
  - (1) The right to appear personally or by counsel or both before the Department;
  - (2) The right to produce witnesses and evidence on Respondent's behalf at a hearing;
  - (3) The right to cross-examine witnesses;
  - (4) The right to have subpoenas issued by the Department;
  - (5) The right to further procedural steps except for those specifically contained herein;
  - (6) Any and all rights of appeal of this Consent Order;
  - (7) Any objection to the fact that this Consent Order will be presented to the Department for consideration and review;
  - (8) Any objection to the fact that it will be necessary for the Department to become acquainted with all evidence pertaining to this matter in order to review adequately this Consent Order;

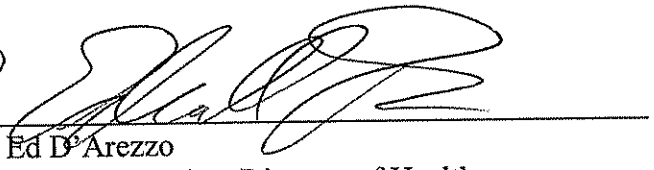
(9) Any objection to the fact that potential bias against the Respondent may occur as a result of the presentation of this Consent Order. The signing of this Consent Order is for settlement purposes only.

Based on the foregoing, the Rhode Island Department of Health and Respondent hereby agree to the following:

1. The Nursing Assistant license issued to the Respondent is hereby suspended, at the request of the Respondent, commencing February 29, 2012.
2. The suspension will remain in full force and effect until such time as the final conclusion of the criminal charges (Case No.K2-2011-0859A). If the Respondent is found Not Guilty of all charges, (including amended or reduced charges) she will have a right to request a hearing, in writing, for reinstatement of her license. If the Respondent is found Guilty, pleads *Nolo contendere* or has any criminal sanction imposed by the court as a result of criminal case K2-2011-0859A, the suspension will convert *immediately* to a revocation of her Nursing Assistant license without further notice, hearing or appeal.
3. At the time Respondent seeks reinstatement of the Nursing Assistant license, Respondent shall submit documentation to the Board evidencing that Respondent is capable. In addition, Respondent must meet all education requirements for licensure in effect at the time Respondent applies for licensure. No further education will be required if the reinstatement is granted as a result of the criminal charges being dismissed.
4. That the Respondent fail to comply with the terms of this Order, Respondent shall be subject to further disciplinary sanctions.

5. That this Order shall remain in full force and effect pending further Order by the Rhode Island Department of Health.

  
Lynda-Lee L'Heureux  
NA24643

  
Ed D'Arezzo  
Interim Associate Director of Health  
Environmental and Health Services Regulation

Date: 2-29-12

Date: 2/29/12