

BEFORE THE VIRGINIA BOARD OF NURSING

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IN RE: MELISSA MARTIN, R.N.
License Number: 0001-245255
Case Number: 173146

OCT 03 2016

CONSENT ORDER

VA BD OF NURSING

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Melissa Martin, R.N., as evidenced by their signatures hereto, in lieu of proceeding to an informal conference, enter into the following Consent Order affecting Ms. Martin's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Melissa Martin, R.N. was issued License Number 0001-245255 to practice professional nursing on June 27, 2013, which is scheduled to expire on October 31, 2017. Her primary state of residence is Virginia.
2. Ms. Martin violated Virginia Code § 54.1-3007(2), (5), (6), and (8) and 18 VAC 90-20-300(A)(2)(c) of the Regulations Governing the Practice of Nursing in that during the course of her employment with Salem Health and Rehabilitation Center, Salem, Virginia, between December 2014 and February 2015, she diverted controlled medications, including hydrocodone (C-II), oxycodone (C-II), morphine (C-II), and alprazolam (C-IV) from resident supplies for her personal and unauthorized use.
3. Ms. Martin entered into a Participation Contract with the Health Practitioners' Monitoring Program ("HPMP") on August 26, 2015 and her first Recovery Monitoring Contract on November 23, 2015. She was granted a stay of disciplinary action in February 2016 with the

understanding that she would comply with all terms and conditions of her Contract with the HPMP, including abstaining from drugs and alcohol.

4. On March 16, 2016, Ms. Martin tested positive for alcohol. She acknowledged that she consumed alcoholic beverages on March 6, 2016. As a result of her noncompliance, Ms. Martin's stay of disciplinary action was vacated on April 5, 2016.

CONSENT

Melissa Martin, R.N., by affixing her signature to this Consent Order, agrees to the following:

1. I have been advised to seek advice of counsel prior to signing this document;
2. I am fully aware that without my consent, no legal action can be taken against me or my license except pursuant to the Virginia Administrative Process Act, Virginia Code § 2.2-4000 *et seq.*;
3. I acknowledge that I have the following rights, among others: the right to an informal fact-finding conference before the Board; and the right to representation by counsel;
4. I waive my right to an informal conference;
5. I admit to the Findings of Fact and Conclusions of Law contained herein and waive my right to contest such Findings of Fact and Conclusions of Law and any sanction imposed hereunder in any future judicial or administrative proceeding in which the Board is a party;
6. I consent to the entry of the following Order affecting my right to practice professional nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS as follows:

1. The Board shall TAKE NO ACTION at this time, contingent upon Melissa Martin's continued compliance with the following terms and conditions:

a. Ms. Martin shall continue to comply with all terms and conditions of her Contract with the HPMP for the period specified in the Contract.

b. Melissa Martin, R.N., shall comply with all laws and regulations governing the practice of professional nursing in the Commonwealth of Virginia.


2. Upon receipt of evidence of Ms. Martin's participation in and successful completion of the terms specified by the HPMP, the Board, at its discretion, may waive her appearance before the Board and conduct an administrative review of this matter, at which time she may be issued an unrestricted license.

3. This Order is applicable to Ms. Martin's multistate licensure privileges, if any, to practice professional nursing in the Commonwealth of Virginia. For the duration of this Order, Ms. Martin shall not work outside of the Commonwealth of Virginia pursuant to a multistate licensure privilege without the written permission of the Virginia Board of Nursing and the Board of Nursing in the party state where she seeks to work. Any requests for out of state employment should be directed, in writing, to the Executive Director of the Board.

4. Failure to comply with the terms and conditions of this Order shall constitute grounds for an administrative proceeding before the Board.

Pursuant to Virginia Code §§ 2.2-4023 and 54.1-2400.2, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record, and shall be made available for public inspection and copying upon request.

FOR THE BOARD


Jay Douglas, M.S.M./R.N., C.S.A.C., F.R.N.
Executive Director
Virginia Board of Nursing

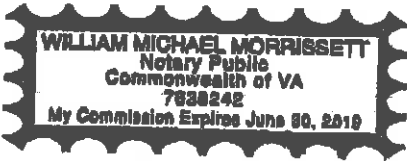
ENTERED: October 14th, 2016


SEEN AND AGREED TO:


Melissa Martin, R.N.

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF ROANOKE, TO WIT:

Subscribed and sworn to me, a notary public in and for the Commonwealth of Virginia at large, on this
2nd day of SEPTEMBER, 2016.




Notary Public


My commission expires:

6-30-19

Registration No.:

7638242

Certified True Copy

By 
Virginia Board of Nursing