

EFORE THE VIRGINIA BOARD OF NURSING

IN RE: MELONY J. BLAKE, R.N.
License Number: 0001-206881
Case Number: 181919

CONSENT ORDER

JURISDICTION AND PROCEDURAL HISTORY

The Virginia Board of Nursing ("Board") and Melony J. Blake, R.N., as evidenced by their signatures hereto, in lieu of proceeding to a formal administrative proceeding, enter into the following Consent Order affecting Ms. Blake's license to practice professional nursing in the Commonwealth of Virginia.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. Melony J. Blake, R.N., was issued License Number 0001-206881 to practice professional nursing on June 6, 2007, which is scheduled to expire on September 30, 2017. Ms. Blake also holds a license to practice as a registered professional nurse in the State of New York. Her primary state of residence is Virginia.
2. By Order entered September 29, 2010, the Board took no action against Ms. Blake contingent on her continued compliance with the Health Practitioners' Monitoring Program ("HPMP"), based on her diversion of narcotic medication. By Order entered February 9, 2012, Ms. Blake was reprimanded and the Board took no further action against her contingent on her continued compliance with the HPMP. This Order was based on findings that Ms. Blake had violated the Board's previous Order entered September 29, 2010.
3. By Order entered August 23, 2016, the Board found that Ms. Blake had successfully completed her contract with the HPMP and released her from the terms and conditions placed on her license.

4. On June 26, 2017, the New York Board of Regents accepted Ms. Blake's application to surrender her license to practice as a registered professional nurse in the State of New York in lieu of disciplinary action. At that time, the New York State Educational Department, Office of Professional Discipline, State Board for Nursing, had brought disciplinary action against Ms. Blake based solely on the facts set forth in the Order of the Virginia Board of Nursing entered September 29, 2010.

5. On September 19, 2017, the Virginia Department of Health Professions suspended Ms. Blake's license to practice professional nursing in Virginia pursuant to Virginia Code § 54.1-2409, based on the action of the New York Board of Regents.

6. The matter of the reinstatement of Ms. Blake's license to practice professional nursing in the Commonwealth of Virginia is properly before the Board.

CONSENT

Melony J. Blake, 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 a formal administrative hearing before the Board; the right to representation by counsel; and the right to cross-examine witnesses against me;
4. I waive my right to a formal hearing;
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;

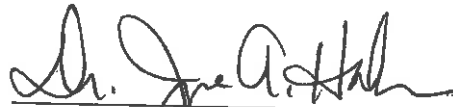
6. I consent to the entry of the following Order affecting my licensure to practice professional nursing in the Commonwealth of Virginia.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, the Virginia Board of Nursing hereby ORDERS that the license of Melony J. Blake, R.N., to practice professional nursing in Virginia is REINSTATED without restriction.

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



Joyce A. Hahn, PhD, RN, NEA-BC, FNAP
President, Virginia Board of Nursing

ENTERED: _____

9/19/17

SEEN AND AGREED TO:

Melony J. Blake (Melony barinson)
Melony J. Blake, R.N. (Single)

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Virginia Beach, TO WIT:

Subscribed and sworn to before me, a notary public in and for the Commonwealth of Virginia at large,
on this 13 day of Sept, 2017.



Bernabe Mabanglo
Notary Public

My commission expires:

2/28/17

Registration No.:

864593

Certified True Copy

By dgraham
Virginia Board Of Nursing

BEFORE THE VIRGINIA DEPARTMENT OF HEALTH PROFESSIONS

IN RE: MELONY J. BLAKE, R.N.
License Number: 0001-206881
Case Number: 181919

ORDER OF MANDATORY SUSPENSION

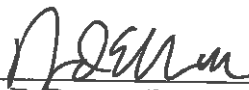
In accordance with Virginia Code § 54.1-2409, I, David E. Brown, D.C., Director of the Virginia Department of Health Professions, received and acted upon evidence that the New York State Board of Regents accepted the application of Melony J. Blake, R.N., to surrender her license to practice as a registered professional nurse in the State of New York. A certified copy of the Original Vote and Order is attached hereto as Commonwealth's Exhibit 1.

WHEREUPON, by the authority vested in the Director of the Department of Health Professions pursuant to Virginia Code § 54.1-2409, it is hereby ORDERED that the license of Melony J. Blake, R.N., to practice professional nursing in the Commonwealth of Virginia is hereby SUSPENDED.

Upon entry of this Order, the license of Melony J. Blake, R.N., will be recorded as suspended and no longer current and valid. Should Melony J. Blake, R.N., seek reinstatement of her license pursuant to Virginia Code § 54.1-2409, she shall be responsible for any fees that may be required for the reinstatement of the license prior to issuance of the license to resume practice.

This Order shall be applicable to Ms. Blake's multistate licensure privilege, if any, to practice professional nursing in the Commonwealth of Virginia.

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 or copying on request.



David E. Brown, D.C., Director
Virginia Department of Health Professions

Certified True Copy
By 

Virginia Board Of Nursing

ENTERED:

9/19/17

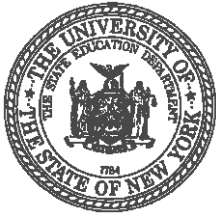
CERTIFICATION OF DUPLICATE RECORDS

I, David E. Brown, D.C., Director of the Department of Health Professions, hereby certify that the attached Original Vote and Order entered June 13, 2017, regarding Melony J. Blake, R.N., is a true copy of the records received from the New York State Education Department, Office of the Professions, Division of Professional Licensing Services.



David E. Brown, D.C.

Date: 9/19/17



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK / ALBANY, NY 12230

OFFICE OF THE PROFESSIONS
DIVISION OF PROFESSIONAL LICENSING SERVICES
Public Information Unit
Tel. (518) 474-3817 EXT: 330
Fax (518) 473-0578
E-mail: DPLSDSU@MAIL.NYSED.GOV



STATE OF NEW YORK)

SS:

COUNTY OF ALBANY)

In accordance with the **Civil Practice Law and Rules Article 45, I**, Cathy Hanczaryk, Principal Clerk in the Division of Professional Licensing Services of the New York State Education Department, have caused this certificate to be prepared. I certify that I have legal custody of the official original records of the Division of Professional Licensing Services and I attest that the attached are true, complete and correct copies of the original documents in our files relating to the licensure of MELONY J BLAKE, aka MELONY BLAKE.

Witness my hand and the seal of the New York State Education Department this 20 July, 2017.

Cathy Hanczaryk, Office Assistant 3
Professional Licensing Services

DATED
07/20/2017





The University of the State of New York

IN THE MATTER

OF

MELONY J. BLAKE
(Registered Professional Nurse)

ORIGINAL
VOTE AND ORDER
NO. 29658

Upon the application of MELONY J. BLAKE, under Calendar No. 29658, which application is made a part hereof, and in accordance with the provisions of Title VIII of the Education Law, it was

VOTED (June 13, 2017): That the application of MELONY J. BLAKE, respondent, for a consent order be granted; and that the Deputy Commissioner for the Professions be empowered to execute, for and on behalf of the Board of Regents, all orders necessary to carry out the terms of this vote;

and it is

ORDERED: That, pursuant to the above vote of the Board of Regents, said vote and the provisions thereof are hereby adopted and **SO ORDERED**, and it is further

ORDERED that this order shall take effect as of the date of the personal service of this order upon the respondent or five days after mailing by certified mail.

MELONY J. BLAKE (29658)

IN WITNESS WHEREOF, I, Douglas E. Lentivech, Deputy Commissioner for the Professions, for and on behalf of the State Education Department and the Board of Regents, do hereunto set my hand, at the City of Albany, this 13th day of June, 2017.



DOUGLAS E. LENTIVECH
DEPUTY COMMISSIONER
FOR THE PROFESSIONS

VOTE AND ORDER

MELONY J. BLAKE

CALENDAR NO. 29658

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

MELONY J. BLAKE

APPLICATION FOR
CONSENT ORDER

CAL. NO. 29658

who is currently licensed to practice as
a(n) registered professional nurse in the
State of New York.

-----X

MELONY J. BLAKE states:

That on or about September 7, 2005 I was licensed to practice
as a registered professional nurse in the State of New York,
having been issued license number 565642 by the New York State
Education Department.

I am not currently registered with the New York State
Education Department to practice as a registered professional
nurse in the State of New York. My current mailing address is
5131 Richard Road, Virginia Beach, Virginia 23462.

That I have been charged with one (1) specification of
professional misconduct, a copy of which is annexed hereto, made a
part hereof, and marked as Exhibit "A".

MELONY J. BLAKE

I admit guilt to the aforesaid specification of professional misconduct, charging me with committing unprofessional conduct (stealing drugs from a hospital in the Commonwealth of Virginia).

I hereby agree to the penalty that my license to practice as a registered professional nurse in the State of New York be suspended for two (2) years; that execution of said suspension be stayed; that I be placed on probation for a period of two (2) years, under the terms set forth in the exhibit annexed hereto, made a part hereof, and marked as Exhibit "B," said probation to commence upon my return to the practice of nursing in the State of New York; and that I be fined the sum of five hundred dollars (\$500), said fine to be paid by certified or bank cashier's check, made payable to the order of the New York State Education Department, to be delivered to the Director, Office of Professional Discipline, New York State Education Department, 1411 Broadway, Tenth Floor, New York, New York 10018-3496, within thirty (30) days after the effective date of the service of the order to be issued in this matter.

I further agree to notify the New York State Education Department of my return to the practice of nursing in the State of New York, by certified mail, return receipt requested, addressed

MELONY J. BLAKE

to the Director, Office of Professional Discipline, New York State Education Department, as aforesaid, at least seven (7) days prior to my return to the practice of nursing in the State of New York.

I hereby make this application to the Board of Regents and request that it be granted.

I understand that in the event that the Board of Regents denies the application, nothing contained herein shall be binding upon me or construed to be an admission of any act of misconduct alleged or charged against me. Such application shall not be used against me in any way and shall be kept in strict confidence during the pendency of the disciplinary proceeding, and such denial by the Board of Regents shall be without prejudice to the continuance of the disciplinary proceeding and the final determination by the Board of Regents pursuant to the provisions of the Education Law.

I agree that in the event the Board of Regents grants my application, as set forth herein, an Order may be issued in accordance with the same. I understand that if and when the Board of Regents grants this application, the entire application shall become a matter of public record.

MELONY J. BLAKE

No promises of any kind were made to me, I am making this application of my own free will and accord and not under duress, compulsion, or restraint of any kind or manner.


Respondent

EXHIBIT "A"

MELONY J. BLAKE

SPECIFICATION OF PROFESSIONAL MISCONDUCT

Respondent is charged with committing unprofessional conduct, within the purview and meaning of New York Education Law section 6509(9), in specific violation of 8 NYCRR 29.1(b)(5), in that:

While employed as a registered professional nurse at a hospital in the Commonwealth of Virginia, between in and about January 2010 and in and about April 2010, Respondent stole controlled drugs, specifically Dilaudid.

EXHIBIT "B"

TERMS OF PROBATION

MELONY J. BLAKE

CALENDAR NO. 29658

1. That Respondent, during the period of probation, shall be in compliance with the standards of conduct prescribed by the law governing Respondent's profession;
2. That Respondent shall submit written notification to the New York State Education Department, addressed to the Director, Office of Professional Discipline, New York State Education Department, 1411 Broadway - Tenth Floor, New York, New York 10018-3496, of any employment and/or practice, Respondent's residence, telephone number, or mailing address, and of any change in Respondent's employment, practice, residence, telephone number, or mailing address within or without the State of New York;
3. That Respondent shall, during the period of probation, abstain from the unauthorized use of all drugs and shall be fit to practice her profession;
4. That Respondent shall submit written proof from the Division of Professional Licensing Services (DPLS), New York State Education Department (NYSED), that Respondent has paid all registration fees due and owing to the NYSED and Respondent shall cooperate with and submit whatever papers are requested by DPLS in regard to said registration fees, said proof from DPLS to be submitted by Respondent to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, no later than the first three months of the period of probation;
5. That Respondent shall submit written proof to the NYSED, addressed to the Director, Office of Professional Discipline, as aforesaid, that 1) Respondent is currently registered with the NYSED, unless Respondent submits written proof that Respondent has advised DPLS, NYSED, that Respondent is not engaging in the practice of Respondent's profession in the State of New York and does not desire to register, and that 2) Respondent has paid any fines which may have previously been

MELONY J. BLAKE
CALENDAR NO. 29658

imposed upon Respondent by the Board of Regents, said proof of the above to be submitted no later than the first two months of the period of probation;

6. That Respondent shall make quarterly visits to an employee of the Office of Professional Discipline, New York State Education Department, unless otherwise agreed to by said employee, for the purpose of said employee monitoring Respondent's terms of probation to assure compliance therewith, and Respondent shall cooperate with said employee, including the submission of information requested by said employee, regarding the aforesaid monitoring;
7. That upon receipt of evidence of noncompliance with or any other violation of any of the aforementioned terms of probation, the New York State Education Department may initiate a violation of probation proceeding and/or such other proceedings pursuant to the Education Law and/or Rules of the Board of Regents.

NEW YORK STATE EDUCATION DEPARTMENT
OFFICE OF PROFESSIONAL DISCIPLINE
STATE BOARD FOR NURSING

-----X

IN THE MATTER

of the

Disciplinary Proceeding

against

MELONY J. BLAKE

APPLICATION FOR
CONSENT ORDER

CAL. NO. 29658

who is currently licensed to practice as
a(n) registered professional nurse in the
State of New York.

-----X

The undersigned agree to the above statement and to the
proposed penalty based on the terms and conditions thereof.

Dated: 2-6, 2017




Respondent
**ATTORNEY SIGNATURE NOT REQUIRED;
RESPONDENT APPEARED PRO SE.**

Attorney for Respondent

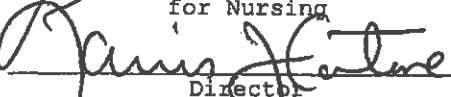
Dated: 2017

Dated: 2-21, 2017



Angela P. Shuler RN
Member of the State Board
for Nursing

Dated: 3/22, 2017



Director
Office of Professional Discipline

The undersigned, a member of the Board of Regents who has
been designated by the Chairman of the Regents Committee on
Professional Practice to review this Application for a Consent
Order, has reviewed said Application and recommends to the Board
of Regents that the Application be granted.

Dated: 4/5, 2017



Member, Board of Regents

/ebf

U.S. Postal Service CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com	
OFFICIAL USE	
Certified Mail Fee \$ 3.35	Postmark Here
Extra Services & Fees (check box, add fee if appropriate) <input checked="" type="checkbox"/> Return Receipt (hardcopy) \$ 2.75 <input type="checkbox"/> Return Receipt (electronic) \$ _____ <input type="checkbox"/> Certified Mail Restricted Delivery \$ _____ <input type="checkbox"/> Adult Signature Required \$ _____ <input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ 1.40	
Total Postage and Fees \$ 7.50	
Sent To Melony J. Blake Registered Professional Nurse 29658 5131 Richard Road Virginia Beach, VA 23462	
PS Form 3800, April 2015 PSN 7526-02-000-9028 See Reverse for Instructions	



of the State of New York

IN THE MATTER

OF

Melony J. Blake

REGISTERED PROFESSIONAL NURSE

STATE OF NEW YORK)
)
 COUNTY OF ALBANY) SS.:

I, Michael Kinley, being duly sworn, deposes and says:

I am over the age of twenty-one years and am an employee of the New York State Education Department, Office of Professional Discipline, 80 Wolf Road, Suite 204, Albany, New York 12205-2643.

On the 21 day of June, 2017, I personally delivered to the Stuyvesant Plaza Post Office the Duplicate Original Vote of the Board of Regents and Order under Calendar No. 29658 and the Report of the Regents Review Committee or Application for Consent or Surrender, or Report of the designated Regent in a summary suspension proceeding as applicable, by Certified Mail - Return Receipt Requested to the respondent herein named at 5131 Richard Road Virginia Beach, VA 23462.

Certified Mail Receipt No: 7015 1520 0001 2067 4461

The effective date of the Order being the 26 day of June, 2017.

Sworn to before me this
 21st day of June, 2017

Connie F. Mitchell

CONNIE F. MITCHELL
 Notary Public, State of New York
 No.: 01M15018171
 Qualified in Schoharie County
 Commission Expires: 09/20/17