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VA BD OF NURSING

VIRGINIA:

BEFORE THE BOARD OF NURSING

IN RE: **TONYA R. DRAKE, L.P.N. REINSTATEMENT APPLICANT**  
License No.: 0002-059626

**CONSENT ORDER**

The Virginia Board of Nursing ("Board") and Tonya R. Drake, L.P.N., as evidenced by her signature hereto, enter into the following Consent Order affecting Ms. Drake's application for reinstatement to practice practical nursing in Virginia.

The Board adopts the following Findings of Fact and Conclusions of Law.

**FINDINGS OF FACT**

1. Tonya R. Drake, L.P.N., was issued License No. 0002-059626 to practice practical nursing by the Virginia Board of Nursing on February 8, 2000. Said license expired on August 31, 2005, due to the Nurse Licensure Compact. Ms. Drake was issued License No. 66200 to practice in the State of North Carolina on October 21, 2005, which expired on April 30, 2013, due to the Nurse Licensure Compact. Her primary state of residence is Virginia.
2. Ms. Drake submitted an application for reinstatement of her license which was received by the Board on August 21, 2013.
3. From May 1, 2013, to August 15, 2013, Ms. Drake practiced nursing without a license or multistate privilege at Legum Dermatology, Chesapeake, Virginia.
4. Ms. Drake applied for reinstatement of her Virginia license after discovering that she mistakenly paid a duplicate license fee in March 2013, instead of the reinstatement fee.

**CONCLUSIONS OF LAW**

1. Finding of Fact No. 3 constitutes a violation of §§ 54.1-3007(3), 54.1-3008(A)(2) and (4) and 54.1-3011(C) of the Code of Virginia (1950), as amended (“Code”).
2. The Board concludes that Tonya R. Drake, L.P.N., has demonstrated satisfactory evidence that she is prepared to resume practice in a safe and competent manner.

**CONSENT**

Tonya R. Drake, L.P.N., by affixing her signature hereon, agrees to the following:

1. She has been advised to seek advice of counsel prior to signing this document;
2. She acknowledges that without her consent, no legal action can be taken against her except pursuant to the Virginia Administrative Process Act, § 2.2-4000(A) *et seq.* of the Code;
3. She acknowledges that she has the following rights, among others: the right to an informal fact finding conference before the Board, the right to reasonable notice of said hearing, the right to representation by counsel, and the right to cross-examine witnesses against her;
4. She waives all such right to an informal conference;
5. She admits to the Findings of Fact and Conclusions of Law contained herein and waives her right to contest such Findings of Fact and Conclusions of Law in any subsequent proceeding before the Board;
6. She consents to the entry of the following Order affecting her application for reinstatement to practice practical nursing in Virginia.

**ORDER**

WHEREFORE, on the basis of the foregoing, the Virginia Board of Nursing, effective upon entry of this Order, and in lieu of further proceedings, hereby ORDERS as follows:

1. The license of Tonya R. Drake, L.P.N., is hereby REINSTATED contingent upon payment of

a MONETARY PENALTY of \$300.00 to the Board.

2. Ms. Drake shall maintain a course of conduct in her capacity as a practical nurse commensurate with the requirements of § 54.1-3000 *et seq.* of the Code and the Regulations Governing the Practice of Nursing.

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

FOR THE BOARD

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

ENTERED: January 13<sup>th</sup>, 2014

SEEN AND AGREED TO:

Tonya R. Drake L.P.N.  
Tonya R. Drake, L.P.N.

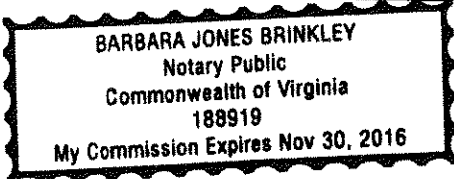
Certified True Copy  
By [Signature]  
Virginia Board of Nursing

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

Subscribed and sworn to before me, Barbara Jones Brinkley a Notary Public, this 9<sup>th</sup> day of January, 2014.

My commission expires 11-30-16.

Registration Number 188919.



Barbara Jones Brinkley  
NOTARY PUBLIC