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FILED

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N.J. BOARD OF NURSING

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

IVELYSE BELONY, L.P.N.
LICENSE NO. 26NP06592800

TO PRACTICE NURSING AS A
LICENSED PRACTICAL NURSE IN THE
STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the State Board of Nursing ("Board") on August 29, 2016 upon the filing of a two-count Complaint by Christopher S. Porrino, Attorney General of New Jersey, by and through Christopher Salloum, Deputy Attorney General, appearing. The Attorney General's Complaint alleges that the Respondent, Ivelyse Belony, L.P.N., falsely represented to the Board on two distinct occasions that she had completed a course of professional nursing study at, and had been issued an RN diploma by, Ohio American Health Care ("Ohio American"), a now-defunct nursing school formerly located in the State of Ohio. The discipline that

the Board herein imposes against the Respondent is necessary and appropriate as a sanction for the Respondent's unequivocally fraudulent conduct and also as a deterrent message to all prospective or current Board licensees that the Board will not countenance the perpetration of such fraudulent conduct against it by its licensees.

The Respondent's first fraudulent act occurred on January 28, 2015. On that date, in response to a Provisional Order of Discipline that had been entered against the Respondent as a result of her failure to respond to a Board inquiry concerning her continuing education obligations, the Respondent provided the Board with a transcript and diploma purporting to demonstrate that she had completed professional nursing courses at Ohio American, and that, therefore, she had satisfied her continuing education obligations. Because Ohio American was not an accredited nursing institution, in a Final Order of Discipline filed on April 14, 2015, the Board found that the Respondent "knew or should have known that the courses she had taken did not qualify as valid continuing education pursuant to N.J.A.C. 13:37-5.3." In so doing, the Board implicitly assumed that the Respondent had attended and completed a course of professional nursing study at Ohio American. It has now come to the Board's attention, however, that the Respondent did not, in fact, attend Ohio American. Instead, the Respondent admits that she purchased a fraudulent Ohio American transcript and diploma for approximately \$15,000. By submitting to

the Board a sham diploma and transcript from a nursing school that she did not attend in an attempt to deceive the Board into believing that she had satisfied her continuing education obligations, the Respondent perpetrated a fraud against the Board.

The Respondent's second act of dishonesty occurred on May 16, 2016. On that date, the Respondent submitted to the Board a written statement under oath in which she once again represented to the Board that she had attended Ohio American, and, there, successfully completed a course of professional nursing study. In addition, the Respondent made several embellishing lies about her supposed attendance and studies at Ohio American. By submitting a sworn statement to the Board affirmatively representing that she had graduated from Ohio American when, in fact, she had not, the Respondent perpetrated another fraud against the Board.

The Board finds that Respondent's conduct, as described above, involves the use or employment of dishonesty, fraud, deception, misrepresentation, false promise and false pretense, and also constitutes professional misconduct, thereby providing a basis to suspend or revoke Respondent's license to practice nursing as a licensed practical nurse pursuant to N.J.S.A. 45:1-21(b) and (e).

The Respondent, being desirous of resolving this matter without a formal disciplinary hearing, and agreeing to waive any right to same, and the Board, finding the within disposition adequately protective of the public health, safety, and welfare, and for other good cause having been shown,

IT IS, THEREFORE, on this 7th day of November, 2016,

ORDERED and AGREED that:

1. Effective November 21, 2016, the Respondent's license to practice nursing as a licensed practical nurse shall be, and hereby is, suspended for twelve (12) months.

2. Respondent shall be, and hereby is, reprimanded for the acts of fraud, deception, and misrepresentation described herein.

3. Respondent shall immediately cease and desist from practicing nursing as a licensed practical nurse in this State.

4. Respondent shall not submit, and the Board shall not entertain, an application for a license to practice nursing as a registered professional nurse in this State for thirty-six (36) months from the date that this Order is filed.

5. Respondent shall be, and hereby is, assessed a civil penalty in the amount of Two Thousand and 00/100 Dollars (\$2,000.00). Payment shall be made by certified check or money order made payable to the State of New Jersey. The Respondent shall pay the civil penalty in twelve monthly installments as follows: One Hundred Sixty-Six and 66/100 Dollars (\$166.66) for the first eleven payments, and One Hundred Sixty-Six and 74/100 Dollars (\$166.74) for the twelfth and final payment, all of which shall be due by the first day of each month, beginning on December 1, 2016. Payment shall be sent to the attention of Leslie Burgos, Board of Nursing, P.O. Box 45010, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Any other form of payment shall be rejected,

returned, and deemed unremitted. If Respondent does not pay in full the civil penalty assessed herein, a Certificate of Debt shall be filed pursuant to N.J.S.A. 45:1-24 to protect the judgment and the Board may bring such other proceedings as authorized by law.

6. The entry of this Order shall constitute a complete and final resolution of the Attorney General's Complaint, filed on August 28, 2016. The Board shall retain jurisdiction to enforce the terms of this Order.

7. The entry of this Order shall be without prejudice to further action by this Board or other law enforcement entities resulting from Respondent's conduct prior to the entry of this Order.

NEW JERSEY STATE BOARD OF NURSING

By: *Patricia Murphy*
Patricia Murphy, Ph.D., A.B.N.
Board President

I have read the within Consent Order and I agree to be bound by its terms in their entirety. I understand that I have the right to seek the advice of legal counsel, and I decline to do so. I understand the meaning and effect of this Consent Order and understand that it has serious legal consequences. Consent is hereby given to the Board to enter this Consent Order.

Ivelyse Belomy
Ivelyse Belomy, LPN

11-6-16
Date