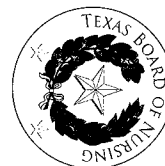


BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of § ELIGIBILITY
SYLVIA J. MATTA §
APPLICANT for Eligibility for Licensure § AGREED ORDER



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Katherine A. Thomas
Executive Director of the Board

On the date entered below, the Board of Nurse Examiners for the State of Texas hereinafter referred to as the Board, considered the Temporary License/Endorsement Application and supporting documents filed by SYLVIA J. MATTA, hereinafter referred to as APPLICANT, together with any documents and information gathered by staff and APPLICANT's Certificate contained herein. Information received by the Board produced evidence that APPLICANT may have violated Section 301.452(8) *et seq.*, Texas Occupations Code.

APPLICANT waived representation by counsel, notice and hearing, and agreed to the entry of this Order offered on July 18, 2002, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. On or about June 21, 2002, Applicant submitted a Temporary License/Endorsement Application in compliance with Section 301.260 *et seq.*, Texas Occupations Code.
2. Applicant waived representation, notice, administrative hearing, and judicial review.
3. Applicant graduated with an Associate Degree in Nursing from Eastern New Mexico University - Roswell Campus, Roswell, New Mexico, in December 1997.
4. Applicant completed the application for licensure by endorsement and answered "yes" to Question Number Ten (10), which reads as follows: "*Have you ever had disciplinary action taken against your license by any licensing/certifying authority in any country, state, province or territory?*".

5. On February 24, 1999, Applicant's license to practice professional nursing in the State of New Mexico was Revoked by the New Mexico Board of Nursing, for failure to request and appear at an Informal Hearing to discuss pending allegations. A copy of the February 24, 1999, New Mexico Default Order is attached and incorporated by reference as part of this Order.
6. On August 24, 2000, Applicant appeared before the New Mexico Board of Nursing to request the reinstatement of her professional nursing license. On August 25, 2000, Applicant was granted reinstatement and issued an unencumbered license by the New Mexico Board of Nursing. A copy of the August 25, 2000, New Mexico Order is attached and incorporated by reference as part of this Order.
7. Applicant has sworn that with the exception of matters disclosed in connection with the Temporary License/Endorsement Application, her past behavior conforms to the Board's professional character requirements.
8. After considering the action taken by the New Mexico Board of Nursing along with Applicant's conduct since August 25, 2000, the Executive Director is satisfied that Applicant is able to meet the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.
9. On July 18, 2002, the Executive Director considered evidence of Applicant's behavior in light of the character factors set out in 22 Texas Administrative Code §213.27 and determined that Applicant currently demonstrates the criteria required for good professional character.
10. Applicant presented sufficient evidence that she would not pose a direct threat to the health and safety of patients and the public.
11. The Executive Director's review of the grounds for potential ineligibility has been made on the basis of Applicant's disclosures.
12. Applicant has been advised by the Board that any information found to be incomplete, incorrect or misleading to the Board or a subsequent discovery of a basis of ineligibility will be considered by the Board and may result in an ultimate determination of ineligibility or the later revocation of a license obtained through fraud or deceit.

CONCLUSIONS OF LAW

1. The Board of Nurse Examiners has jurisdiction over this matter pursuant to Section 301.453 *et seq.*, Texas Occupations Code.

2. Applicant has submitted a Temporary License/Endorsement Application in compliance with 301.260 *et seq.*, Texas Occupations Code.
3. The evidence in Finding of Fact Number Five (5), is sufficient cause to take disciplinary action under Section 301.452 *et seq.*, Texas Occupations Code, and, therefore, sufficient cause to deny licensure.
4. The action taken by another jurisdiction is grounds for denial of a license under Section 301.452 *et seq.*, Texas Occupations Code.
5. Applicant shall immediately notify the Board of any fact or event that could constitute a ground of ineligibility for licensure under Section 301.452 *et seq.*, Texas Occupations Code.
6. The Board may license an individual with prior behaviors inconsistent with the Board's character requirements if, upon evaluation of the factors in 22 Texas Administrative Code §213.27, the Board is satisfied that the individual is able to consistently conform her conduct to the requirements of the Nursing Practice Act, the Board's Rules and Regulations, and generally accepted standards of nursing practice.

ORDER

IT IS THEREFORE AGREED that the application of SYLVIA J. MATTA, APPLICANT, is hereby CONDITIONALLY GRANTED and shall be subject to the following conditions:

(1) APPLICANT SHALL obtain and read the Texas Nursing Practice Act, and the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice.

(2) Upon payment of the necessary fees, APPLICANT SHALL be issued a license to practice professional nursing in the State of Texas which shall bear the appropriate notation.

(3) Upon receiving authorization to practice professional nursing in Texas, APPLICANT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Professional Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.01 *et seq.* and this Order.

IT IS FURTHER AGREED and ORDERED that this Order SHALL be applicable to APPLICANT's multistate licensure privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while APPLICANT's license is encumbered by this Order the APPLICANT may not work outside the State of Texas pursuant to a multistate licensure privilege without the written permission of the State of Texas and the Board of Nursing in the party state where APPLICANT wishes to work.

(4) APPLICANT SHALL, within one (1) year of initial licensure, successfully complete a Texas course in nursing jurisprudence. APPLICANT SHALL obtain Board approval of the course prior to enrollment. Home study courses and video programs will not be approved. In order for the course to be approved, the target audience must include registered nurses. It must be a minimum of six (6) contact hours in length. The course's content shall include the Nursing Practice Act, standards of practice, and documentation of care. Courses focusing on malpractice issues will not be accepted. APPLICANT SHALL CAUSE the sponsoring institution to submit a Verification of Course Completion form, provided by the Board, to the Office of the Board to verify APPLICANT's successful completion of the course. This course is to be taken in addition to any continuing education requirements the Board may have for relicensure.

IT IS FURTHER AGREED, that upon full compliance with the terms of this Order, APPLICANT SHALL be issued an unencumbered license and multistate licensure privileges, if any, to practice professional nursing in the State of Texas.

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APP sent TO INV.
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APPLICANT'S CERTIFICATION

I am the Applicant in this matter. I have fully and truthfully disclosed all of my past convictions and I have caused a complete and accurate criminal history to be submitted to the Board of Nurse Examiners from each jurisdiction in which I have been convicted. I certify that my past behavior, except as disclosed in my Temporary License/Endorsement Application has been in conformity with the Board's professional character rule. I have provided the Board with complete and accurate documentation of my past behavior in violation of the penal law of any jurisdiction which was disposed of through any procedure short of conviction such as conditional discharge, deferred adjudication or dismissal. I have no criminal prosecution pending in any jurisdiction.

In connection with my application, I acknowledge that I have read and I understand Sections 301.157, 301.252, 301.253, 301.260, and 301.452(b) of the Texas Occupations Code, and Chapter 53, Section 53.001 *et seq.*, and Board Rules at 213.27, 213.28, and 213.29 22 Texas Administrative Code which are incorporated by reference as a part of this Order. I agree with all terms of this Order and any stipulations. I agree to inform the Board of any other grounds for denial of licensure prior to accepting any permit or license from the Board of Nurse Examiners.

I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including revocation of my license to practice professional nursing in the State of Texas, as a consequence of my noncompliance.

I understand that I can be represented by an attorney in this matter. I waive representation, notice, administrative hearing, and judicial review of this Order and request that the Executive Director of the Board of Nurse Examiners enter this Order.

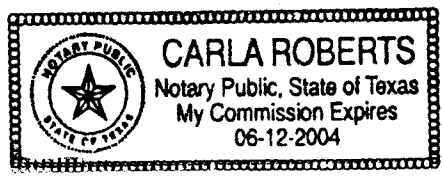
Signed this 9 day of September, 2002

Sylvia J. Matta
SYLVIA J. MATTA, APPLICANT

Sworn to and subscribed before me this 9th day of September, 2002.

SEAL

Carla Roberts
Notary Public in and for the State of Texas




BOARD OF
NURSE EXAMINERS
000670

WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby ratify and adopt the Order of Conditional Eligibility that was signed on the 9th day of September, 2002, by SYLVIA J. MATTA, APPLICANT, for Temporary License/Endorsement Application, and said Order is final.

Entered this 12th day of September, 2002.

BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS


By: Katherine A. Thomas, MN, RN
Executive Director
on behalf of said Board

Enclosures: 301.157 Program of Study and Accreditation
301.252 License Application
301.253 Examination
301.260 Temporary License by Endorsement
301.452 Grounds for Disciplinary Action
301.453 Disciplinary Authority of Board; Methods of Discipline
213.27 Good Professional Character
213.28 Licensure of Persons with Criminal Convictions
213.29 Criteria and Procedure Regarding Intemperate Use and Lack of
Fitness in Eligibility and Disciplinary Matters
Chapter 53, Sec. 53.001 *et seq.*, Texas Occupations Code

BEFORE THE BOARD OF NURSING
FOR THE STATE OF NEW MEXICO

IN THE MATTER OF:
SYLVIA MATTA,
LICENSE NO. R42801 AND NCLEX 3064-75-903,
RESPONDENT.

I certify this to be a true copy of the
records on file with the New Mexico
Board of Nursing.
Signed: Charles A. ...

DEFAULT ORDER

This matter having come before the Board of Nursing ("BON") and with a quorum present and a majority voting in the affirmative the Board finds as follows:

1. A Notice of Contemplated Action was served upon Respondent in accordance with the Uniform Licensing Act, Section 61-1-1 et seq. N.M.S.A.
2. Respondent did not request a hearing within twenty days of receipt or attempted service of the Notice of Contemplated Action as set forth in the Uniform Licensing Act.
3. Pursuant to the provisions of the Uniform Licensing Act, if Respondent does not request a hearing, the BON may proceed to take action against Respondent's license by default.

IT IS THEREFORE ORDERED THAT RESPONDENT'S LICENSE BE
REVOKED BY DEFAULT.

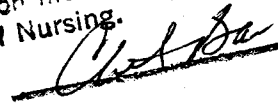
8/24/99
DATE

Marlene L. Cyrodeen
CHAIRPERSON
BOARD OF NURSING

CERTIFIED MAIL NO. 2577923677
RETURN RECEIPT REQUESTED

BEFORE THE NEW MEXICO
BOARD OF NURSING

IN THE MATTER OF
Sylvia Matta
LICENSE NO. R42801

I certify this to be a true copy of the
records on file with the New Mexico
Board of Nursing.
Signed: 

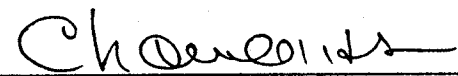
ORDER

A Notice of Contemplated Action issued against Sylvia Matta, on or about December 16, 1998, and was sent by certified mail to her last known address as reflected in the records of the New Mexico Board of Nursing. Ms. Matta did not request a hearing; therefore, her license, R42801, was revoked by default on February 24, 1999.

Ms Matta requested to appear before the New Mexico Board of Nursing to request reinstatement of her license, R42801. An informal hearing was set for Thursday, August 24, 2000. Ms. Matta appeared before the Board of Nursing and testified in her own behalf in support of her request for reinstatement.

ACORDINGLY, the license, R42801, of Sylvia Matta may be reinstated.

Date: 8-25-00


CHRISTINE GLIDDEN, ACTING CHAIRPERSON
NEW MEXICO BOARD OF NURSING

CERTIFIED MAIL NO.: 2445267851
RETURN RECEIPT REQUESTED

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