



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.
Patricia R. Thomas
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of Registered Nurse §
License Number 807051 §
issued to PATRICIA KAY MATHER §

ORDER OF THE BOARD

On this day, the Texas Board of Nursing, hereinafter referred to as the Board, accepted the voluntary surrender of Registered Nurse License Number 807051, issued to PATRICIA KAY MATHER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c), Texas Occupations Code.

Respondent waived representation by counsel, informal proceedings, notice and hearing.

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

FINDINGS OF FACT

1. Respondent is currently licensed to practice professional nursing in the State of Texas.
2. Respondent waived representation by counsel, informal proceedings, notice and hearing.
3. Respondent received a Diploma in Nursing from Hutchinson Community College, Hutchinson, Kansas on June 7, 1979. Respondent was licensed to practice professional nursing in the State of Texas on August 10, 2011.
4. Respondent's nursing employment history is unknown.
5. Formal Charges were filed on January 24, 2012. A copy of the Formal Charges is attached and incorporated by reference as part of this Order.
6. Formal Charges were mailed to Respondent on January 25, 2012.

7. On February 17, 2012, the Board received a notarized statement from Respondent voluntarily surrendering the right to practice nursing in Texas. A copy of Respondent's notarized statement, dated February 10, 2012, is attached and incorporated herein by reference as part of this Order.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.

2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove a violation of Section 301.452(b)(8), Texas Occupations Code.
4. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
5. Under Section 301.453(d), Texas Occupations Code, the Board may impose conditions for reinstatement of licensure.
6. Any subsequent reinstatement of this license will be controlled by Section 301.452 (b), Texas Occupations Code, and 22 TAC §§213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

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ORDER

NOW, THEREFORE, IT IS ORDERED that the voluntary surrender of Registered Nurse License Number 807051, heretofore issued to PATRICIA KAY MATHER, to practice professional nursing in the State of Texas, is accepted by the Executive Director on behalf of the Texas Board of Nursing. In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL NOT practice professional nursing, use the title of "registered nurse" or the abbreviation "RN" or wear any insignia identifying herself as a registered nurse or use any designation which, directly or indirectly, would lead any person to believe that RESPONDENT is a registered nurse during the period in which the license is surrendered.
2. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order.
3. Upon petitioning for reinstatement, RESPONDENT SHALL satisfy all then existing requirements for relicensure.

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

Effective this 17th day of February, 2012.



TEXAS BOARD OF NURSING

By:

Katherine A. Thomas

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

In the Matter of Permanent License § BEFORE THE TEXAS
Number 807051, Issued to §
PATRICIA KAY MATHER, Respondent § BOARD OF NURSING

FORMAL CHARGES

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, PATRICIA KAY MATHER, is a Registered Nurse holding license number 807051, which is in current status at the time of this pleading.

~~Written notice of the facts and conduct alleged to warrant adverse licensure action was sent to Respondent at Respondent's address of record and Respondent was given opportunity to show compliance with all requirements of the law for retention of the license prior to commencement of this proceeding.~~

CHARGE I.

On or about January 12, 2012, Respondent's license to practice nursing in the State of California was Revoked by the California Board of Registered Nursing, Sacramento, California. Said Revocation was stayed, and Respondent was placed on Probation for a period of three (3) years. A copy of the California Board of Registered Nursing Decision and Order dated January 12, 2012, is attached and incorporated, by reference, as part of this pleading.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(8), Texas Occupations Code.

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of up to, and including, revocation of Respondent's license/s to practice nursing in the State of Texas pursuant to the Nursing Practice Act, Chapter 301, Texas Occupations Code and the Board's rules, 22 Tex. Admin. Code §§ 213.27 - 213.33. Additionally, staff will seek to impose on Respondent the administrative costs of the proceeding pursuant to Section 301.461, Texas Occupations Code. The cost of proceedings shall include, but is not limited to, the cost paid by the Board to the State Office of Administrative Hearings and the Office of the Attorney General or other Board counsel for legal and investigative services, the cost of a court reporter and witnesses, reproduction of records, Board staff time, travel, and expenses. These shall be in an amount of at least one thousand two hundred dollars (\$1200.00).

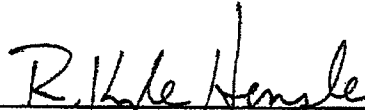
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, www.bon.texas.gov.

NOTICE IS GIVEN that, based on the Formal Charges, the Board will rely on the Disciplinary Matrix, which can be found at www.bon.texas.gov/disciplinaryaction/discp-matrix.html.

NOTICE IS ALSO GIVEN that Respondent's past disciplinary history, as set out below and described in the Order which is attached and incorporated by reference as part of these charges, will be offered in support of the disposition recommended by staff: California Board of Registered Nursing Decision and Order dated January 12, 2012.

Filed this 24th day of January, 20 12.

TEXAS BOARD OF NURSING



James W. Johnston, General Counsel
Board Certified - Administrative Law
Texas Board of Legal Specialization
State Bar No. 10838300

Jena Abel, Assistant General Counsel
State Bar No. 24036103

Lance Robert Brenton, Assistant General Counsel
State Bar No. 24066924

Robert Kyle Hensley, Assistant General Counsel
State Bar No. 50511847

Nikki Hopkins, Assistant General Counsel
State Bar No. 24052269

John F. Legris, Assistant General Counsel
State Bar No. 00785533

TEXAS BOARD OF NURSING
333 Guadalupe, Tower III, Suite 460
Austin, Texas 78701
P: (512) 305-6824
F: (512) 305-8101 or (512)305-7401

Attachments: California Board of Registered Nursing Decision and Order dated January 12, 2012

D/2011.09.23

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PATRICIA KAY MATHER

1961 Main Street # 318
Watsonville, CA 95076

Registered Nurse License No. 385777

Respondent

Case No. 2012-68

OAH No. 2011080836

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on January 12, 2012.

IT IS SO ORDERED December 13, 2011.

I hereby certify the
foregoing to be a true copy
of the documents on file in our office.

REGISTERED NURSING PROGRAM

Louise R. Bailey, M. Ed., RN
Louise R. Bailey, M. Ed., RN



Jocanne K. Weaver

President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUDITH J. LOACH
Deputy Attorney General
4 State Bar No. 162030
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5604
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E-mail: Judith.Loach@doj.ca.gov
7 *Attorneys for Complainant*

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:
13 **PATRICIA KAY MATHER**
1961 Main Street, # 318
14 Watsonville, CA 95076
15 Registered Nurse License No. 385777
16 Respondent.

Case No. 2012-68
OAH No. 2011080836
**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 PARTIES

21 1. Louise R. Bailey, M.Ed., RN ("Complainant") is the Executive Officer of the Board
22 of Registered Nursing. She brought this action solely in her official capacity and is represented in
23 this matter by Kamala D. Harris, Attorney General of the State of California, by Judith J. Loach,
24 Deputy Attorney General.

25 2. Respondent Patricia Kay Mather ("Respondent") is represented in this proceeding by
26 attorney George E. Clause, Esq., whose address is: 203 Redwood Shores Parkway, Suite 480,
27 Redwood Shores, CA 94065.

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1 3. **Report in Person.** Respondent, during the period of probation, shall
2 appear in person at interviews/meetings as directed by the Board or its designated representatives.

3 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency
4 or practice as a registered nurse outside of California shall not apply toward a reduction of this
5 probation time period. Respondent's probation is tolled, if and when she resides outside of
6 California. Respondent must provide written notice to the Board within 15 days of any change of
7 residency or practice outside the state, and within 30 days prior to re-establishing residency or
8 returning to practice in this state.

9 Respondent shall provide a list of all states and territories where she has ever been licensed
10 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
11 information regarding the status of each license and any changes in such license status during the
12 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
13 license during the term of probation.

14 5. **Submit Written Reports.** Respondent, during the period of probation,
15 shall submit or cause to be submitted such written reports/declarations and verification of actions
16 under penalty of perjury, as required by the Board. These reports/declarations shall contain
17 statements relative to Respondent's compliance with all the conditions of the Board's Probation
18 Program. Respondent shall immediately execute all release of information forms as may be
19 required by the Board or its representatives.

20 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
21 state and territory in which she has a registered nurse license.

22 6. **Function as a Registered Nurse.** Respondent, during the period of
23 probation, shall engage in the practice of registered nursing in California for a minimum of 24
24 hours per week for 6 consecutive months or as determined by the Board.

25 For purposes of compliance with the section, "engage in the practice of registered nursing"
26 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
27 non-direct patient care position that requires licensure as a registered nurse.

28 The Board may require that advanced practice nurses engage in advanced practice nursing

1 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.

2 If Respondent has not complied with this condition during the probationary term, and
3 Respondent has presented sufficient documentation of her good faith efforts to comply with this
4 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
5 extension of Respondent's probation period up to one year without further hearing in order to
6 comply with this condition. During the one year extension, all original conditions of probation
7 shall apply.

8 **7. Employment Approval and Reporting Requirements.** Respondent shall
9 obtain prior approval from the Board before commencing or continuing any employment, paid or
10 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
11 performance evaluations and other employment related reports as a registered nurse upon request
12 of the Board.

13 Respondent shall provide a copy of this Decision to her employer and immediate
14 supervisors prior to commencement of any nursing or other health care related employment.

15 In addition to the above, Respondent shall notify the Board in writing within seventy-two
16 (72) hours after she obtains any nursing or other health care related employment. Respondent
17 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
18 separated, regardless of cause, from any nursing, or other health care related employment with a
19 full explanation of the circumstances surrounding the termination or separation.

20 **8. Supervision.** Respondent shall obtain prior approval from the Board
21 regarding Respondent's level of supervision and/or collaboration before commencing or
22 continuing any employment as a registered nurse, or education and training that includes patient
23 care.

24 Respondent shall practice only under the direct supervision of a registered nurse in good
25 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
26 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
27 approved.

28 Respondent's level of supervision and/or collaboration may include, but is not limited to the

1 following:

2 (a) Maximum - The individual providing supervision and/or collaboration is present in
3 the patient care area or in any other work setting at all times.

4 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
5 care unit or in any other work setting at least half the hours Respondent works.

6 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
7 person communication with Respondent at least twice during each shift worked.

8 (d) Home Health Care - If Respondent is approved to work in the home health care
9 setting, the individual providing supervision and/or collaboration shall have person-to-person
10 communication with Respondent as required by the Board each work day. Respondent shall
11 maintain telephone or other telecommunication contact with the individual providing supervision
12 and/or collaboration as required by the Board during each work day. The individual providing
13 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
14 patients' homes visited by Respondent with or without Respondent present.

15 9. **Employment Limitations.** Respondent shall not work for a nurse's
16 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
17 traveling nurse, or for an in-house nursing pool.

18 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
19 registered nursing supervision and other protections for home visits have been approved by the
20 Board. Respondent shall not work in any other registered nursing occupation where home visits
21 are required.

22 Respondent shall not work in any health care setting as a supervisor of registered nurses.
23 The Board may additionally restrict Respondent from supervising licensed vocational nurses
24 and/or unlicensed assistive personnel on a case-by-case basis.

25 Respondent shall not work as a faculty member in an approved school of nursing or as an
26 instructor in a Board approved continuing education program.

27 Respondent shall work only on a regularly assigned, identified and predetermined
28 worksite(s) and shall not work in a float capacity.

1 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
2 request documentation to determine whether there should be restrictions on the hours of work.

3 10. Complete a Nursing Course(s). Respondent, at her own expense, shall
4 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
5 than six months prior to the end of her probationary term.

6 Respondent shall obtain prior approval from the Board before enrolling in the course(s).

7 Respondent shall submit to the Board the original transcripts or certificates of completion for the
8 above required course(s). The Board shall return the original documents to Respondent after
9 photocopying them for its records.

10 11. Cost Recovery. Respondent shall pay to the Board costs associated with
11 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
12 amount of \$ 3700.00. Respondent shall be permitted to pay these costs in a payment plan
13 approved by the Board, with payments to be completed no later than three months prior to the end
14 of the probation term.

15 If Respondent has not complied with this condition during the probationary term, and
16 Respondent has presented sufficient documentation of her good faith efforts to comply with this
17 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
18 extension of Respondent's probation period up to one year without further hearing in order to
19 comply with this condition. During the one year extension, all original conditions of probation
20 will apply.

21 12. Violation of Probation. If Respondent violates the conditions of her
22 probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside
23 the stay order and impose the stayed discipline (revocation/suspension) of Respondent's license.

24 If during the period of probation, an accusation or petition to revoke probation has been
25 filed against Respondent's license or the Attorney General's Office has been requested to prepare
26 an accusation or petition to revoke probation against Respondent's license, the probationary
27 period shall automatically be extended and shall not expire until the accusation or petition has
28 been acted upon by the Board.

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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

Dated: 10-14-2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
FRANK H. PACOE
Supervising Deputy Attorney General



JUDITH J. LOACH
Deputy Attorney General
Attorneys for Complainant

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REGISTERED NURSING BOARD

Exhibit A

2012-01-10
2012-01-10

Accusation No. 2012-68

1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 JUDITH J. LOACH
Deputy Attorney General
4 State Bar No. 162030
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5604
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E-mail: Judith.Loach@doj.ca.gov
7 Attorneys for Complainant

8
9 BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2012-08

12 PATRICIA KAY MATHER
13 1961 Main Street # 318
14 Watsonville, CA 95076
Registered Nurse License No. 385777

ACCUSATION

15 Respondent.

16
17 Complainant alleges:

18 PARTIES

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
21 Consumer Affairs.

22 2. On or about May 31, 1985, the Board of Registered Nursing issued Registered Nurse
23 License Number 385777 to Patricia Kay Mather ("Respondent"). The Registered Nurse License
24 was in full force and effect at all times relevant to the charges brought herein and will expire on
25 August 31, 2012, unless renewed.

26 ///

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1 8. California Code of Regulations, title 16, section 1443, states:

2 "As used in Section 2761 of the code, 'incompetence' means the lack of possession of or the
3 failure to exercise that degree of learning, skill, care and experience ordinarily possessed and
4 exercised by a competent registered nurse as described in Section 1443.5."

5 9. California Code of Regulations, title 16, section 1443.5 states:

6 "A registered nurse shall be considered to be competent when he/she consistently
7 demonstrates the ability to transfer scientific knowledge from social, biological and physical
8 sciences in applying the nursing process, as follows:

9 "(1) Formulates a nursing diagnosis through observation of the client's physical condition
10 and behavior, and through interpretation of information obtained from the client and others,
11 including the health team.

12 "(2) Formulates a care plan, in collaboration with the client, which ensures that direct and
13 indirect nursing care services provide for the client's safety, comfort, hygiene, and protection, and
14 for disease prevention and restorative measures.

15 "(3) Performs skills essential to the kind of nursing action to be taken, explains the health
16 treatment to the client and family and teaches the client and family how to care for the client's
17 health needs.

18 "(4) Delegates tasks to subordinates based on the legal scopes of practice of the
19 subordinates and on the preparation and capability needed in the tasks to be delegated, and
20 effectively supervises nursing care being given by subordinates.

21 "(5) Evaluates the effectiveness of the care plan through observation of the client's physical
22 condition and behavior, signs and symptoms of illness, and reactions to treatment and through
23 communication with the client and health team members, and modifies the plan as needed.

24 "(6) Acts as the client's advocate, as circumstances require, by initiating action to improve
25 health care or to change decisions or activities which are against the interests or wishes of the
26 client, and by giving the client the opportunity to make informed decisions about health care
27 before it is provided."

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WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 385777, issued to Patricia Kay Mather.

2. Ordering Patricia Kay Mather to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3.

3. Taking such other and further action as deemed necessary and proper.

DATED: July 28, 2011

Louise R. Bailey
LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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REC-1118

February 10, 2012

Paul Longoria, Investigator
Texas Board of Nursing
333 Guadalupe Street Ste.3-460
Austin TX 78701

Re: TEXAS RN license # 807051

Dear Mr. Longoria,

Thank you so much for the time you have spent with me on the phone in how to handle my Texas RN license. After taking into consideration the time and cost of contesting parts of the California allegations I have decided that it would be of no value for me to contest those allegations in Texas that I chose not to contest in California.

Per our conversation please accept this letter as the confirmation of the surrender of my TEXAS Registered Nurse license.

Sincerely,



Patricia Kay Mather
1961 Main St # 318
Watsonville, CA 95076

(please see attached)

CALIFORNIA JURAT WITH AFFIANT STATEMENT

- See Attached Document (Notary to cross out lines 1-6 below)
 See Statement Below (Lines 1-5 to be completed only by document signer[s], not Notary)

1 _____
2 _____
3 _____
4 _____
5 _____
6 _____

Signature of Document Signer No. 1 _____ Signature of Document Signer No. 2 (if any) _____

State of California

County of Santa Cruz

Subscribed and sworn to (or affirmed) before me on this

15 day of February, 2012, by
Date Month Year

(1) Patricia Kay Mather
Name of Signer

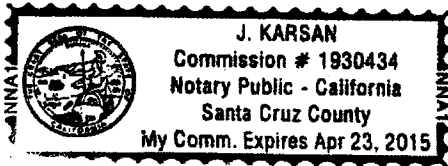
proved to me on the basis of satisfactory evidence to be the person who appeared before me (.)

(and

(2) _____
Name of Signer

proved to me on the basis of satisfactory evidence to be the person who appeared before me.)

Signature [Signature]
Signature of Notary Public



Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Further Description of Any Attached Document

Title or Type of Document: Letter

Document Date: 2-15-12 Number of Pages: _____

Signer(s) Other Than Named Above: _____

RIGHT THUMBPRINT OF SIGNER #1
Top of thumb here

RIGHT THUMBPRINT OF SIGNER #2
Top of thumb here