



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.
William J. Thomas
Executive Director of the Board

BEFORE THE BOARD OF NURSE EXAMINERS
FOR THE STATE OF TEXAS

In the Matter of License Number 583500 § AGREED
issued to SCARLET LENARE MATTER § ORDER

On this day, the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, accepted the voluntary surrender of License Number 583500, issued to SCARLET LENARE MATTER, hereinafter referred to as Respondent. This action was taken in accordance with Section 301.453(c) of the Texas Occupations Code.

Respondent waived representation by counsel, informal conference and hearing, and agreed to the entry of this Order.

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

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was provided to Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license.
2. Respondent waived representation by counsel, notice and hearing, and agreed to the entry of this Order.
3. Respondent is currently licensed to practice professional nursing in the State of Texas.
4. Respondent received an Associate of Science Degree in Nursing from Howard College at Big Spring, Big Spring, Texas, in May 1992. Respondent became licensed to practice professional nursing in the State of Texas in August 1992.
5. Respondent's professional employment history includes:

May 1992-September 2001	Staff RN/Head Nurse Kerrville State Hospital Kerrville, Texas
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Respondent's professional employment history continued:

September 2001-Present

Not employed in nursing

6. At the time of the initial incident, Respondent was employed as a Staff Nurse with Kerrville State Hospital, Kerrville, Texas, and had been in this position for eight (8) years.
7. On or about June 17, 2000 and June 18, 2000, while employed with Kerrville State Hospital, Kerrville, Texas, Respondent failed to administer insulin to patient #012798 as ordered by the physician as follows:

DATE	TIME	BLOOD GLUCOSE LEVEL	SLIDING SCALE INSULIN ORDER	INSULIN DOSE GIVEN BY RESPONDENT
6/17/00	11:30	233 mg/dL	5 units	7 units
6/17/00	16:30	28 mg/dL		
6/18/00	11:30	127 mg/dL	no insulin ordered	5 units
6/18/00	16:00	142 mg/dL		

Respondent's conduct contributed to the patient's marked hypoglycemia on June 17, 2000, and unnecessarily exposed the patient to the risk of harm due to hypoglycemia, including coma and death, on June 18, 2000.

8. On or about June 23, 2000, while employed with the above mentioned facility, Respondent admitted that she could no longer control her intake of alcohol and was subsequently hospitalized for treatment of alcoholism.
9. Respondent, by her signature to this Order, expresses her desire to voluntarily surrender her license to practice professional nursing in the State of Texas.
10. The Board policy implementing Rule 213.29 in effect on the date of this Agreed Order provides discretion by the Executive Director for consideration of conditional reinstatement after proof of twelve (12) consecutive months of abstinence from alcohol and drugs followed by licensure limitations/stipulations and/or peer assistance program participation.
11. The Board finds that there exists serious risks to public health and safety as a result of impaired nursing care due to intemperate use of controlled substances or chemical dependency.

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 violations of Section 301.452(b)(9),(10)&(13), Texas Occupations Code, 22 TEX. ADMIN. CODE §217.11(3), and 22 TEX. ADMIN. CODE §217.12(3).
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against License Number 583500, heretofore issued to SCARLET LENARE MATTER, including revocation of Respondent's professional license to practice nursing in the State of Texas.
5. Under Section 301.453(c), Texas Occupations Code, the Board has the authority to accept the voluntary surrender of a license.
6. Under Section 301.453(d), Texas Occupations Code, as amended, the Board may impose conditions for reinstatement of licensure.
7. Any subsequent reinstatement of this license will be controlled by Section 301.452(b), Texas Occupations Code and 22 TEX. ADMIN. CODE §213.26-.29, and any amendments thereof in effect at the time of the reinstatement.

ORDER

NOW, THEREFORE, IT IS AGREED and ORDERED that the VOLUNTARY SURRENDER of License Number 583500, heretofore issued to SCARLET LENARE MATTER, to practice professional nursing in the State of Texas, is accepted by the Board of Nurse Examiners.

In connection with this acceptance, the Board imposes the following conditions:

1. RESPONDENT SHALL immediately deliver the wallet-size license, heretofore issued to SCARLET LENARE MATTER, to the office of the Board of Nurse Examiners.
2. RESPONDENT SHALL NOT practice professional nursing, use the title "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

3. RESPONDENT SHALL NOT petition for reinstatement of licensure until: one (1) year has elapsed from the date of this Order and RESPONDENT has obtained objective, verifiable proof of twelve (12) consecutive months of sobriety immediately preceding the petition.
4. 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 multistate privilege, if any, to practice professional nursing in the State of Texas.

IT IS FURTHER AGREED and ORDERED that while Respondent's license is encumbered by this order, Respondent 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 Respondent wishes to work.

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RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order.

I waive representation by counsel. I have reviewed this Order. I neither admit nor deny the violations alleged herein. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes final when accepted by the Executive Director at which time the terms of this Order become effective and a copy will be mailed to me.

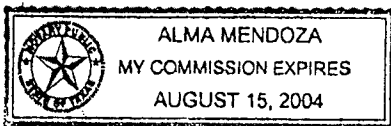
Signed this 24th day of March, 2002

Scarlet Lenore Matter
SCARLET LENARE MATTER, Respondent

Sworn to and subscribed before me this 24th day of March, 2002


SEAL

Alma Mendoza
Notary Public in and for the State of Texas



WHEREFORE, PREMISES CONSIDERED, the Executive Director on behalf of the Board of Nurse Examiners for the State of Texas does hereby accept the voluntary surrender of License Number 583500, previously issued to SCARLET LENARE MATTER.

Effective this 4 day of April, 2002


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