



BOARD OF VOCATIONAL NURSE EXAMINERS

333 GUADALUPE STREET, SUITE 3-400

AUSTIN, TEXAS 78701

512/305-8100

June 14, 2002

BELINDA MATA
PO BOX 1004
COMBES TX 78535

Dear Ms. Mata:

The enclosed Agreed Board Order has been ratified by the Board of Vocational Nurse Examiners, and it is now in effect. Your probation is subject to certain conditions as outlined in the Agreed Board Order.

The reports that are due from your nursing supervisor(s) on a quarterly basis are due on the following dates, to-wit:

September 10, 2002
December 10, 2002
March 10, 2003
June 10, 2003

It is also stipulated that you pay a probation monitoring fee in the amount of thirty (\$30.00) dollars on a quarterly basis on the 15th of each quarter on the following dates to-wit:

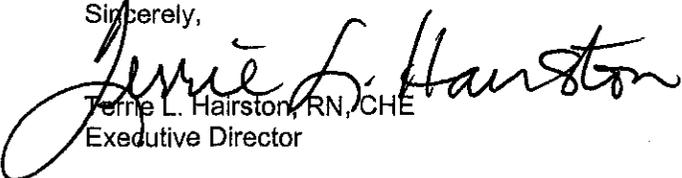
September 15, 2002
December 15, 2002
March 15, 2003
June 15, 2003

Any period(s) of unemployment must be documented in writing and submitted directly to the Board office as stipulated in the Board Order. Non-compliance with this Order, or violation of the Texas Occupations Code, may result in a more severe sanction.

It is **your responsibility** to insure that the required reports are submitted to the Board office, on time, and without reminders.

If you have any questions concerning this matter, please contact the Enforcement Division.

Sincerely,


Terrie L. Hairston, RN, CHE
Executive Director

TLH/ch

Enclosure: Agreed order and Probation Documentation

BOARD OF VOCATIONAL
NURSE EXAMINERS

VS

BELINDA MATA

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STATE OF TEXAS

COUNTY OF TRAVIS

AGREED BOARD ORDER

On this day came to be considered by the Board of Vocational Nurse Examiners for the State of Texas, hereinafter referred to as the Board, the matter of vocational nurse license number 118590, held by BELINDA MATA hereinafter called Respondent.

A sworn Complaint has been filed and served on the Respondent, which alleges violations of the Texas Occupations Code, Chapter 302, and grounds to take disciplinary action against Respondent.

An informal conference was held on April 3, 2002, at the office of the Board of Vocational Nurse Examiners. The conference was conducted by Terrie L. Hairston, R.N., C.H.E., Hearing Officer, assisted by Cathy Parrot, LVN, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Clifford F. Lemke, Investigator for the Board, and Mr. Joe Pitner, Assistant Attorney General. By their notarized signature on this Order, Respondent does hereby waive the right to Notice of Formal Hearing and a Formal Hearing of the Complaint before the Board, and to judicial review of this disciplinary action after this Order is ratified by the Board.

AGREED BOARD ORDER
RE: BELINDA MATA, LVN #118590
PAGE 2

After reviewing the Complaint and information provided at the informal conference, Respondent agrees to the entry of an Order dispensing with the need for further proceedings on the Complaint. By Respondent's signature on this Order, Respondent neither admits nor denies the truth of the allegations stated in the Complaint. By Respondent's signature on this Order, Respondent acknowledges that they have read and understood this Order and have approved it for consideration by the Board. Notice of this disciplinary action will appear in the Board's newsletter sent to Texas employers.

ORDER OF THE BOARD

NOW THEREFORE, IT IS ORDERED, that license number 118590, heretofore issued to BELINDA MATA to practice vocational nursing in the State of Texas be, and the same is hereby Suspended, with said suspension stayed and placed on probation for a period of one (1) year.

The probation of said license is subject to the following stipulations, to wit:

1. That if Respondent's place of employment, name, address or telephone number changes, Respondent is to notify the Board office immediately, or no later than ten (10) days after said change has occurred. Said notification shall be in the form of a written letter or report.
2. That Respondent shall comply with Federal, State, and local laws, and all the provisions of the Texas Occupations Code and Rules and Regulations of the Board.
3. That Respondent shall not practice nursing in a Nurse Licensure Compact remote state without obtaining prior written authority of both the BVNE and the Board of Nursing of the remote state.

4. That by copy of this Board Order, Respondent shall provide notice of Board disciplinary action to his/her immediate nursing supervisor(s) and Director(s) of Nursing, throughout the term of probation.

5. That Respondent shall be responsible for causing his/her immediate nursing supervisor(s) to submit satisfactory reports directly to the Board office on a quarterly basis, throughout the term of probation. The receipt of an unfavorable and/or untimely report shall be considered a violation of probation.

6. That any period(s) of nursing unemployment must be documented in writing by Respondent and submitted to the Board office, as provided in Stipulation No. five.

7. That Respondent shall through the Board's agent (NCPS, Inc.), submit to random urine drug screens.

8. That Respondent shall be responsible daily for telephoning NCPS, Inc., Voice Response (VR) at 1-800-580-1099. That said drug screen shall be administered through the policies and procedures of the National Confederation of Professional Services, Inc. (NCPS, Inc.), utilizing LabCorp facilities. That said drug-screening panel shall consist of the following:

Alcohol (Ethanol)	Cannabinoids	Methaqualone
Amphetamines	Cocaine	Opiates
Barbiturates	Meperidine	Phencyclidine
Benzodiazepines	Methadone	Propoxyphene

Said screen(s) shall be properly monitored with adherence to chain of custody procedures. A positive result shall be legally confirmed by Gas Liquid Chromatography/Mass Spectrometry (GCMS). The results of said screen(s) shall be submitted directly to the Board office by the laboratory. The expense of said screen(s) shall be borne by Respondent. Any report of failure to contact NCPS, Inc., and/or a positive drug screen for which the Respondent does not have a valid prescription, will be regarded as non-compliance with the terms of this order and may subject the Respondent to further disciplinary action by the Board.

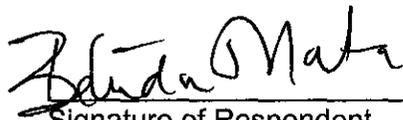
9. That Respondent pay a Probation Monitoring fee in the amount of thirty (\$30.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said fee shall be paid quarterly, due on the 15th of each quarter commencing the quarter following the date of the Board's endorsement of the Order, and continuing thereafter until the successful completion of Respondent's probation. Said fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners ", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to make any quarterly payment on time shall constitute a violation of probation.

AGREED BOARD ORDER
RE: BELINDA MATA, LVN #118590
PAGE 4

10. That Respondent shall return their license to the Board office for a replacement license marked "**PROBATION**" and pay a license re-issue fee in the amount of twenty (\$20.00) dollars in the form of a cashier's check or money order, payable to the Board of Vocational Nurse Examiners. Said return of license and fee shall be made not later than thirty (30) days following the date of the Board's endorsement of the Agreed Board Order. Said license and fee shall be sent to the Board office, addressed to the "Board of Vocational Nurse Examiners", 333 Guadalupe, Suite 3-400, Austin, TX 78701. Failure by Respondent to return said license or pay said fee shall constitute a violation of probation.

This Agreed Order shall not be effective or take effect and become enforceable in accordance with its terms until ratified by a majority of the Board present and voting, at its next regularly called session.

Dated this the 3rd day of April, 2002.



Signature of Respondent

P.O. Box 1004

Current Address

Combes, Tx 78535

City, State and Zip

956 , 412 2525

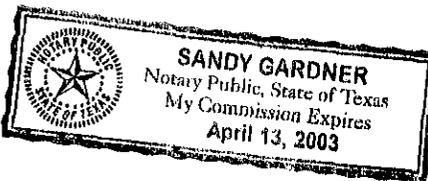
Area Code and Telephone Number

AGREED BOARD ORDER
RE: BELINDA MATA, LVN #118590
PAGE 5

The State of Texas
County of TRAVIS

Before me, the undersigned authority, on this day personally appeared BELINDA MATA who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.

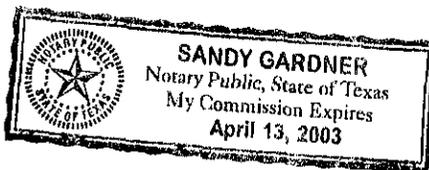
SWORN TO AND SUBSCRIBED before me this the 3rd day of April, 2002.



Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/03

Terrie L. Hairston
Terrie L. Hairston, R.N., C.H.E.,
Agent for the Board of
Vocational Nurse Examiners

SWORN TO AND SUBSCRIBED before me, the undersigned authority, on this the 9th day of May, 2002.

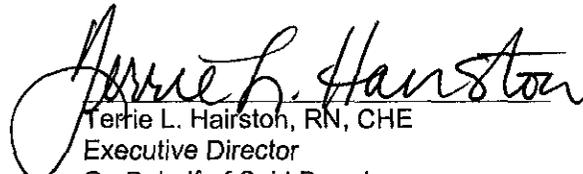


Sandy Gardner
NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS
My Commission Expires 4/13/03

BOARD ORDER
RE: BELINDA MATA, LVN #118590
PAGE: 6

WHEREFORE, PREMISES CONSIDERED, the Board of Vocational Nurse Examiners for the State of Texas does hereby ratify and adopt the Agreed Board Order, notarized on the 3rd day of April, 2002 by Respondent, license number 118590 and that Said Order is Final.

Effective this 10th day of June, 2002


Terrie L. Hairston, RN, CHE
Executive Director
On Behalf of Said Board

BOARD ORDER

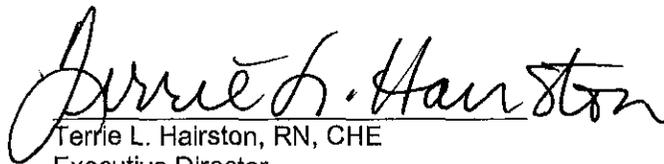
RE: BELINDA MATA, LVN #118590

PAGE: 7

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of June, 2002, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail, first class, and addressed to the following person(s):

BELINDA MATA
PO BOX 1004
COMBES, TX 78535



Terrie L. Hairston, RN, CHE
Executive Director
Agent for the Board of Vocational Nurse Examiners



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

January 6, 2003

BELINDA MATA
PO BOX 1004
COMBES TX 78535

Certified Mail No. 7002 0860 0007 8848 3263

Dear Ms. Mata:

Enclosed please find a sworn Complaint which has been filed against you alleging one or more statutory violations or grounds to take disciplinary action against you as a vocational nurse licensed under the Texas Occupations Code, Chapter 302.

Pursuant to the Board of Vocational Nurse Examiners' Rules, you are hereby offered the opportunity to schedule an *Informal Conference*, to be conducted at the Board's office, to discuss possible agreed resolution of this matter, in whole or in part. You may be represented by an attorney at the Informal Conference, or you may appear without an attorney. The date of the Informal Conference is February 6, 2003.

You must file a "written answer to appear" within twenty (20) days from the date of this correspondence. You may file your answer via FAX (512) 305-8101, U.S. Mail and/or telephone Kirby W. Hattox, Supervising Investigator, at (512) 305-7664, **no later than** January 30, 2003, to schedule your Informal Conference. Docket times are assigned by the Board staff.

You must arrive at the Board office at least thirty (30) minutes prior to the scheduled time in order to meet with your case investigator. Please bring with you a valid form of picture identification (Drivers License, I.D. Card, etc.).

A copy of the Board's rules pertaining to Informal Conferences is enclosed. The proceedings relating to the Informal Conference are confidential and your statements made at the conference will not be offered as evidence to support the allegations in the Complaint. However, if an Agreed Order is proposed as a result of the Informal Conference, it will become a public record if *accepted and ratified by the Board of Vocational Nurse Examiners*.

Due to security concerns, purses, briefcases, backpacks, etc., will not be allowed into the conference chambers. (Attorneys are exempt from this requirement). Please make prior arrangements for the safekeeping of your personal belongings, as the Board will not be responsible for these items.

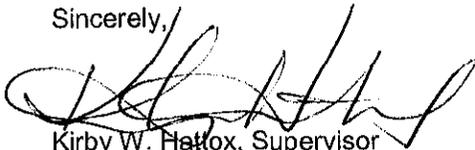
FIREARMS ARE NOT PERMITTED IN THE BOARD OF VOCATIONAL NURSE EXAMINERS OFFICES AND/OR HEARING CHAMBERS.

Belinda Mata
January 6, 2003
Page 2

FAILURE TO ANSWER THIS NOTICE OF COMPLAINT WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION, YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED.

Should you have questions regarding the Informal Conference procedure, please contact the Enforcement Division (512) 305-7664.

Sincerely,



Kirby W. Hattox, Supervisor
Enforcement Division

KWH/ch

Enclosure: Complaint, Informal Conference Rules, Board Location Map

cc: Regular Mail

7002 0860 0007 8848 3263

U.S. Postal Service CERTIFIED MAIL REC (Domestic Mail Only; No In)	
OFFICIAL	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Sent To Belinda N	
Street, Apt. No., or PO Box No. P.O. Box	
City, State, ZIP+ 4 Combes, T	
PS Form 3800, April 2002	

BOARD OF VOCATIONAL NURSE
EXAMINERS

VS.

BELINDA MATA

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* 118590
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NOTICE

Notice is hereby given in the above-referenced and styled cause of action that a hearing will be held before the Executive Director with the Board of Vocational Nurse Examiners (hereinafter "BVNE"), pursuant to the Texas Occupations Code, Chapter 302, on February 6, 2003 at the William P. Hobby Building, Tower 3, 4th Floor, Suite 400, Austin, Texas.

The purpose of said hearing will be to determine whether BELINDA MATA has violated the Texas Occupations Code, Chapter 302, by engaging in the alleged acts described in the Complaint filed and served on Respondent/Applicant, and which is incorporated herein for all purposes. In addition, should the Complaint contain an allegation regarding any felony or misdemeanor conviction you may have, the hearing shall also serve the purpose of determining whether or not the BVNE, can take disciplinary action against your license pursuant to the Texas Occupations Code, Chapter 53, § 53.021.

The hearing is being conducted under authority of the Texas Occupations Code and the Administrative Procedure Act, TEX. GOV'T CODE, ANN., Chapter 2001 (Vernon's Supp. 1998).

The Complaint is based on information received by the Board. You are hereby notified that such documentation, which may include certified business records submitted to the Board, is now on file and available for your inspection at the Board office during regular business hours prior to said hearing.

When applicable, the staff will propose that the Executive Director take official notice of the following: Federal and/or State Drug Laws, relating to medical practice, the Physician's Desk Reference, the Encyclopedia and Dictionary of Medicine and Nursing, and former Orders of the Board.

NOTICE
RE: BELINDA MATA, LVN #118590
JANUARY 6, 2003
PAGE 2

According to the provisions of the aforementioned authority, you have the right to be present at the hearing and to be represented by counsel. You may also present and introduce evidence by testimony, documentation, or any other offer of proof as prescribed by the Rules of Evidence of the courts of this State in refuting the aforesaid charges.

Pursuant to the Texas Occupations Code, Chapter 302, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).

PURSUANT TO BVNE RULE 239.44 (A) (7), YOUR FAILURE TO FILE A WRITTEN ANSWER TO APPEAR WILL RESULT IN THE ALLEGATIONS AGAINST YOU THAT ARE SET OUT IN THE NOTICE OF COMPLAINT BEING DEEMED ADMITTED AS TRUE. IN ADDITION YOUR OPPORTUNITY TO OBJECT TO THE PROPOSED SANCTIONS AND YOUR OPPORTUNITY FOR HEARING ON THE COMPLAINT SHALL BE DEEMED TO HAVE BEEN WAIVED. THE RELIEF SOUGHT IN THE NOTICE OF HEARING MAY BE GRANTED BY DEFAULT.

THE WRITTEN ANSWER OR OTHER RESPONSIVE PLEADING MUST BE FILED WITH THE BOARD OF VOCATIONAL NURSE EXAMINERS, 333 GUADALUPE, SUITE 3-400, AUSTIN, TEXAS 78701 VIA MAIL; OR FAXED TO (512) 305-8101; OR TELEPHONE THE SUPERVISOR OF THE ENFORCEMENT DIVISION (512) 305-7663; WITHIN TWENTY (20) DAYS (FROM THE DATE INDICATED ON THE ENCLOSED COVER LETTER).



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners

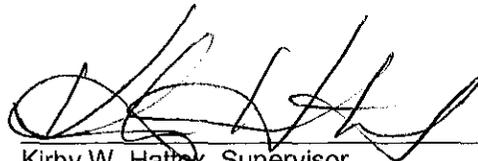
ENCLOSURE: BVNE ANSWER TO APPEAR

COMPLAINT/NOTICE INFORMAL CONFERENCE
RE: BELINDA MATA, LVN #118590
PAGE: 3

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of January, 2003, a true and correct copy of the foregoing complaint/notice was served by placement in the U.S. Mail, first class and certified return receipt, and addressed to the following person(s):

BELINDA MATA
PO BOX 1004
COMBES TX 78535



Kirby W. Hattox, Supervisor
Enforcement Division
Agent for the Board of Vocational Nurse Examiners

BOARD OF VOCATIONAL NURSE
EXAMINERS

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STATE OF TEXAS

VS.

BELINDA MATA

COUNTY OF TRAVIS

COMPLAINT

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Carolyn Hudson, who after being by me duly sworn, did depose and say:

As an Investigator for the Board of Vocational Nurse Examiners, I, Carolyn Hudson, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against BELINDA MATA, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 118590, hereinafter called Respondent.

I.

- a. On June 10, 2002, the Board of Vocational Nurse Examiners ratified an Agreed Board Order in which Respondent's license to practice Vocational Nursing in the State of Texas was suspended, with said suspension stayed and placed on probation for a period of one (1) year.
- b. Said Order stipulated, in part, that Respondent shall submit to random urine drug screens through the Board's agent NCPS, Inc.
- c. Said Order also stipulated, in part, that Respondent shall be responsible daily for telephoning NCPS, Inc., Voice Response (VR) at 1-800-580-1099, and that said drug screen shall be administered through the policies and procedures of the National Confederation of Professional Services, Inc. (NCPS, Inc.), utilizing LabCorp facilities.
- d. Respondent was selected to submit to a drug screen on October 22, 2002, in which the result was positive for Benzodiazepines.
- e. By said conduct Respondent has violated the terms of her probation.

COMPLAINT
RE: BELINDA MATA, LVN #118590
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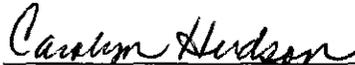
II.

Respondent has violated the Texas Occupations Code, a rule or order issued under this code, contrary to the Texas Occupations Code, Chapter 302, Section 302.402 (a) (1).

III.

The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, reprimand, warning, denial of licensure and/or imposition of administrative penalties (fines), may be recommended by the Board. Pursuant to Board Rule 239.19 the Board may assess penalties (fines), in the minimum amount of two hundred fifty dollars (\$250.00), not to exceed two thousand dollars (\$2,000.00).

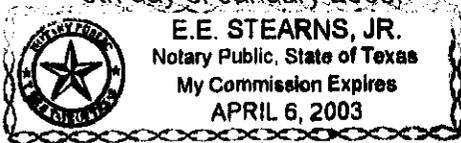
WHEREFORE, PREMISES CONSIDERED, I, Carolyn Hudson, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against BELINDA MATA, LVN # 118590, in accordance with the provisions of the laws of the State of Texas.

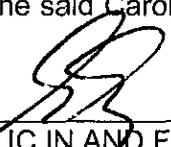


AFFIANT

COMPLAINT
RE: BELINDA MATA, LVN #118590
PAGE 3

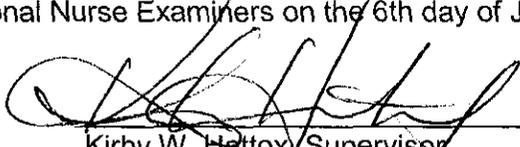
SUBSCRIBED AND SWORN TO BEFORE ME by the said Carolyn Hudson, on this the
6th day of January 2003.





NOTARY PUBLIC IN AND FOR
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 6th day of January 2003.



Kirby W. Hattox, Supervisor
Enforcement Division
Board of Vocational Nurse Examiners



BOARD OF VOCATIONAL NURSE EXAMINERS
333 GUADALUPE STREET, SUITE 3-400
AUSTIN, TEXAS 78701
(512) 305-8100

June 24, 2003

BELINDA MATA
PO BOX 15
COMBES TX 78535

Dear Ms. Mata:

You have successfully completed your term of probation as stipulated by the Board of Vocational Nurse Examiners.

All pertinent information will remain in your permanent records. We urge you in the future to promote and uphold the ethical standards a Licensed Vocational Nurse should practice.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Sincerely,

A handwritten signature in cursive script that reads "Carolyn Hudson".

Carolyn Hudson
Probation Monitor, Enforcement Division

/ch