

IN THE MATTER OF  
PERMANENT CERTIFICATE  
NUMBER 116021  
ISSUED TO  
KIMBERLY SIMPSON CARTER

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BEFORE THE ELIGIBILITY  
AND DISCIPLINARY  
COMMITTEE  
OF THE TEXAS  
BOARD OF NURSING



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 A. Thomas*  
Executive Director of the Board

**ORDER OF THE BOARD**

TO: KIMBERLY SIMPSON CARTEK  
16318 SETTER COURT  
MISSOURI CITY, TX 77489

During open meeting held in Austin, Texas, on September 8, 2009, the Eligibility and Disciplinary Committee (hereinafter "Committee") heard the above-styled case. This case was heard, and based on the failure of the Respondent to file a written response to the Formal Charges as required by 22 TEX. ADMIN. CODE § 213.16.

The Committee of the Texas Board of Nursing finds that notice of the facts or conduct alleged to warrant disciplinary action has been provided to Respondent in accordance with Texas Government Code § 2001.054(c) and Respondent has been given an opportunity to show compliance with all the requirements of the Nursing Practice Act, chapter 301 of the Texas Occupations Code, for retention of Respondent's license to practice vocational nursing in the State of Texas.

The Committee finds that the Formal Charges were properly initiated and filed in accordance with section 301.458, Texas Occupations Code.

The Committee finds that after proper and timely notice of the violations alleged in the Formal Charges were given to Respondent in this matter, Respondent has failed to file an answer in accordance with 22 TEX. ADMIN. CODE § 213.16.

The Committee finds that the Board is authorized to enter a default order pursuant to Texas Government Code § 2001.056 and 22 TEX. ADMIN. CODE § 213.16.

The Eligibility and Disciplinary Committee, after review and due consideration, adopts the proposed findings of fact and conclusions of law as stated in the Formal Charges which are attached hereto and incorporated by reference for all purposes and the Staff's recommended sanction of revocation by default. This Order will be properly served on all parties and all parties will be given an opportunity to file a motion to set aside the default order (22 TEX. ADMIN.CODE § 213.16(j)). All parties have a right to judicial review of this Order.

All proposed findings of fact and conclusions of law filed by any party not specifically adopted herein are hereby denied.

NOW, THEREFORE, IT IS ORDERED that Permanent Certificate Number 116021, previously issued to KIMBERLY SIMPSON CARTER, to practice vocational nursing in the State of Texas be, and the same is hereby, REVOKED.

IT IS FURTHER ORDERED that Permanent Certificate Number 116021, previously issued to KIMBERLY SIMPSON CARTER, upon receipt of this Order, be immediately delivered to the office of the Texas Board of Nursing.

IT IS FURTHER ORDERED that this Order SHALL be applicable to Respondent's multi-state privilege, if any, to practice vocational nursing in the State of Texas.

Entered this 8th day of September, 2009.

TEXAS BOARD OF NURSING  
FOR THE STATE OF TEXAS

BY:




KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

CERTIFICATE OF SERVICE

I hereby certify that on the 17<sup>th</sup> day of September, 2009, a true and correct copy of the foregoing DEFAULT ORDER was served by placement in the U.S. Mail via certified mail, and addressed to the following person(s):

KIMBERLY SIMPSON CARTER  
16318 SETTER COURT  
MISSOURI CITY, TX 77489

BY:

  
\_\_\_\_\_  
KATHERINE A. THOMAS, MN, RN  
EXECUTIVE DIRECTOR ON BEHALF OF SAID BOARD

**In the Matter of Permanent License** § **BEFORE THE TEXAS**  
**Number 116021, Issued to** §  
**KIMBERLY SIMPSON CARTER, Respondent** § **BOARD OF NURSING**

### **FORMAL CHARGES**

This is a disciplinary proceeding under Section 301.452(b), Texas Occupations Code. Respondent, KIMBERLY SIMPSON CARTER, is a Vocational Nurse holding license number 116021, 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 June 5, 2007, Respondent failed to comply with the Order issued to her on June 12, 2006, by the Board of Nurse Examiners for the State of Texas. Non-compliance is the result of her failure to comply with Stipulation No. Four (4) of the Order which states, in pertinent part:

(4) RESPONDENT shall comply with all requirements of the TPAPN contract during its term....

A copy of the June 12, 2006, Order, Findings of Fact and Conclusions of Law, 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)(1) and (10), Texas Occupations Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(11)(B).

#### **CHARGE II.**

On or about June 5, 2007, Respondent engaged in the intemperate use of alcohol in that she produced a specimen for a drug screen which resulted positive for alcohol. The use of alcohol by a Licensed Vocational Nurse, while subject to call or duty, could impair the nurse's ability to recognize subtle signs, symptoms or changes in the patient's condition, and could impair the nurse's ability to make rational, accurate, and appropriate assessments, judgments, and decisions regarding patient care, thereby placing the patient in potential danger.

The above action constitutes grounds for disciplinary action in accordance with Section 301.452(b)(9)&(10), Texas Occupation Code, and is a violation of 22 TEX. ADMIN. CODE §217.12(10)(A)(D).

NOTICE IS GIVEN that staff will present evidence in support of the recommended disposition of revocation of Respondent's license to practice vocational nursing in the State of Texas pursuant to 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 § 301.461, TEX. OCC. CODE ANN. 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).

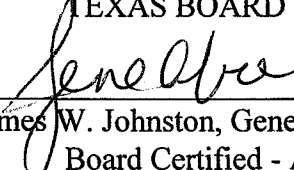
NOTICE IS GIVEN that all statutes and rules cited in these Charges are incorporated as part of this pleading and can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

NOTICE IS GIVEN that to the extent applicable, based on the Formal Charges, the Board will rely on Adopted Disciplinary Sanction Policies for Nurses with Substance Abuse, Misuse, Substance Dependency, or other Substance Use Disorder, which can be found at the Board's website, [www.bon.state.tx.us](http://www.bon.state.tx.us).

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: Agreed Orders dated March 4, 2003, and June 12, 2006.

Filed this 25<sup>th</sup> day of June 2009.

TEXAS BOARD OF NURSING

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

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

Jena Renee Koslan Abel, Assistant General Counsel  
State Bar No. 24036103

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

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

Attachments: Agreed Order dated March 4, 2003, and June 12, 2006.

BEFORE THE BOARD OF NURSE EXAMINERS  
FOR THE STATE OF TEXAS

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In the Matter of Vocational Nurse	§	AGREED
License Number 116021	§	ORDER
issued to KIMBERLY SIMPSON CARTER		

On this day the Board of Nurse Examiners for the State of Texas, hereinafter referred to as the Board, considered the matter of KIMBERLY SIMPSON CARTER, Vocational Nurse License Number 116021, hereinafter referred to as Respondent.

Information received by the Board produced evidence that Respondent may have violated Section 301.452(b)(12), Texas Occupations Code. Respondent waived representation by counsel, informal conference, notice and hearing, and agreed to the entry of this Order offered on March 26, 2006, by Katherine A. Thomas, MN, RN, Executive Director.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on 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, informal conference, notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice vocational nursing in the State of Texas is currently in suspended status.
4. Respondent received a Certificate in Vocational Nursing from Texas Medical Center, Hermann, Texas, on May 30, 1986. Respondent was licensed to practice vocational nursing in the State of Texas on November 22, 1986.
5. Respondent's complete vocational nursing employment history is unknown.

6. On March 4, 2003, Respondent's license to practice vocational nursing was suspended by the Board of Vocational Nurse Examiners for the State of Texas for two (2) years. A copy of the March 4, 2003, Agreed Order, and Complaint, is attached and incorporated, by reference, as part of this Order.
7. On April 20, 2004, Respondent presented to Ted Jolly, Psychologist, Psychodiagnostics and Behavioral Medicine, Houston, Texas, to undergo a psychological evaluation. The evaluator states that Respondent's weaknesses stem from a long history of cocaine dependence that, despite her two years of sobriety, still places her in a high risk for a relapse. Respondent needs to adhere to a drug relapse prevention treatment program to provide a healthy cushion to be able to deal with life's adversities. The evaluator states that there is no evidence of disorganizing or disabling mental or emotional factors that may require psychiatric or psychological intervention beyond the need to adhere to A.A. drug relapse prevention treatment.
8. Respondent's compliance with the terms of a Board approved peer assistance program should be sufficient to protect patients and the public.

#### CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.455, 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)(12), Texas Occupations Code.
4. The evidence received is sufficient cause pursuant to Section 301.452(b), Texas Occupations Code, to take disciplinary action against Vocational Nurse License Number 116021, heretofore issued to KIMBERLY SIMPSON CARTER, including revocation of Respondent's vocational license to practice nursing in the State of Texas.
5. The Board may, in its discretion, order a nurse to participate in a peer assistance program approved by the Board if the nurse would otherwise have been eligible for referral to peer assistance pursuant to Section 301.410, Texas Occupations Code.

ORDER

IT IS THEREFORE AGREED and ORDERED that RESPONDENT, in lieu of the sanction of Revocation under Section 301.453, Texas Occupations Code, SHALL comply with the following conditions for such a time as is required for RESPONDENT to successfully complete the Texas Peer Assistance Program for Nurses (TPAPN):

(1) The stipulations outlined and required herein SHALL supercede all previous stipulations required by any Order entered by the Board of Vocational Nurse Examiners.

(2) RESPONDENT SHALL, within forty-five (45) days following the date of entry of this final Order, apply to and be accepted into the TPAPN, which SHALL include payment of a non-refundable participation fee in the amount of three hundred fifty dollars (\$350) payable to TPAPN.

(3) Upon acceptance into the TPAPN, RESPONDENT SHALL waive confidentiality and provide a copy of the executed TPAPN contract to the Board of Nurse Examiners.

(4) RESPONDENT SHALL comply with all requirements of the TPAPN contract during its term.

(5) RESPONDENT SHALL CAUSE the TPAPN to notify the Board of Nurse Examiners of any violation of the TPAPN contract.

IT IS FURTHER AGREED and ORDERED, RESPONDENT SHALL comply in all respects with the Nursing Practice Act, Revised Civil Statutes of Texas as amended, Texas Occupations Code, Section §§301.001 *et seq.*, the Rules and Regulations Relating to 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 Respondent's multistate licensure privileges, if any, to practice vocational 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.

IT IS FURTHER AGREED, SHOULD RESPONDENT fail to comply with this Order or the terms of the participation agreement with the TPAPN, such noncompliance will result in further disciplinary action including revocation of Respondent's license and multistate licensure privileges, if any, to practice vocational nursing in the State of Texas.

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CONTINUED ON NEXT PAGE.

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. I do acknowledge possessing a diagnosis that deems me eligible to participate in the Texas Peer Assistance Program for Nurses. By my signature on this Order, I agree to the Findings of Fact, Conclusions of Law, and Conditions One (1) through Four (4) of this Order to obtain disposition of the allegations through peer assistance and to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that this Order becomes effective upon acceptance by the Executive Director on behalf of the Board of Nurse Examiners, and a copy will be mailed to me. 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 vocational nursing in the State of Texas, as a consequence of my noncompliance.

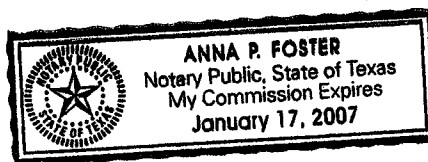
Signed this 19 day of May, 2006.

Kimberly S. Carter  
KIMBERLY SIMPSON CARTER, Respondent

Sworn to and subscribed before me this 19 day of May, 2006.

SEAL

Anna P. Foster  
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 and enter the Agreed Order that was signed on the 19th day of May, 2006, by KIMBERLY SIMPSON CARTER, Vocational Nurse License Number 116021, and said Order is final.

Entered and effective this 12th day of June, 2006.



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

BOARD OF VOCATIONAL  
NURSE EXAMINERS

VS

KIMBERLY SIMPSON CARTER

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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 116021, held by KIMBERLY SIMPSON CARTER 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 January 9, 2003, 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 Ms. Wendy Prater Dear, member of the Board of Vocational Nurse Examiners. Respondent was present and was not represented by counsel.

The conference was attended by Lynda G. Pringle, Investigator for the Board, and Mr. Eugene Clayborn, 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: KIMBERLY SIMPSON CARTER, LVN #116021  
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 116021, heretofore issued to KIMBERLY SIMPSON CARTER to practice vocational nursing in the State of Texas be, and the same is hereby suspended until such time as Respondent has provided the Board office with proof of two (2) years of sobriety from any mood altering substance. Respondent must provide the Board office with a psychological and a medical report upon requesting reinstatement. It is further ordered that upon sobriety the suspension of said license shall be automatically lifted and the license reinstated without stipulations.

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 9<sup>th</sup> day of January, 2003.

AGREED BOARD ORDER  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
PAGE 3

Kimberly S. Carter  
Signature of Respondent

507 Brookford Dr.  
Current Address

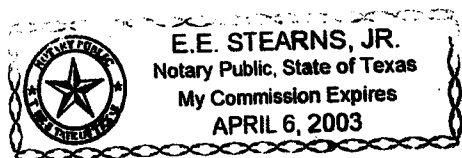
M. O. City, Texas 7749  
City, State and Zip

281 1 948-4800  
Area Code and Telephone Number

The State of Texas  
County of TRAVIS

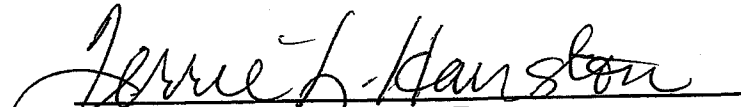
Before me, the undersigned authority, on this day personally appeared KIMBERLY SIMPSON CARTER who being duly sworn by me stated that he or she executed the above for the purpose therein contained, and that he or she understood same.




SWORN TO AND SUBSCRIBED before me this the 9<sup>th</sup> day of January, 2003.

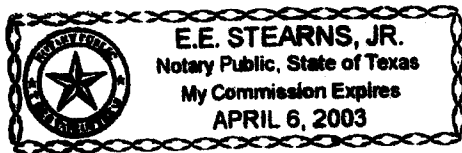



[Signature]  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

AGREED BOARD ORDER  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
PAGE 4

  
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  
 04  day of           MAR           , 2003.

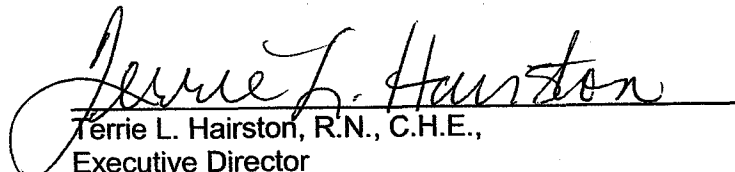


  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

BOARD ORDER  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
PAGE 5

**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 9<sup>th</sup> day of January, 2003 by KIMBERLY SIMPSON CARTER, license number 116021 and that Said Order is Final.

**Effective this 4<sup>th</sup> day of March, 2003.**

  
Terrie L. Hairston, R.N., C.H.E.,  
Executive Director  
On Behalf of Said Board

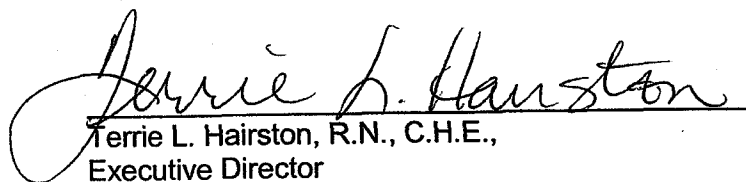


BOARD ORDER  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
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**CERTIFICATE OF SERVICE**

I hereby certify that on the 7<sup>th</sup> day of March, 2003, a true and correct copy of the foregoing **BOARD ORDER** was served by placement in the U.S. Mail first class mail, and addressed to the following person(s):

KIMBERLY SIMPSON CARTER  
507 BROOKFORD DRIVE  
MD CITY, TEXAS 77489

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

BOARD OF VOCATIONAL NURSE  
EXAMINERS

VS.

KIMBERLY SIMPSON CARTER

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STATE OF TEXAS

COUNTY OF TRAVIS

### COMPLAINT

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

As an Investigator for the Board of Vocational Nurse Examiners, I, Lynda G. Pringle, do hereby present to the Executive Director of the Board of Vocational Nurse Examiners, the following complaint against KIMBERLY SIMPSON CARTER, a practitioner of vocational nursing in Texas licensed by the Board of Vocational Nurse Examiners with license number 116021, hereinafter called Respondent.

#### I.

a. On or about September 3, 2002, the Board of Vocational Nurse Examiners received correspondence from Respondent requesting renewal of her license and notifying the Board that she had been convicted of the Felony Offense of: POSSESSION OF A CONTROLLED SUBSTANCE (COCAINE). Respondent acknowledged that, as a result of said conviction, she had been incarcerated for about six (6) months.

b. On or about March 8, 2002, Respondent was convicted of the Felony Offense of: POSSESSION OF A CONTROLLED SUBSTANCE (COCAINE), in the 263<sup>rd</sup> Judicial District Court of Harris County, Texas, under Cause Number 881417. As a result of said conviction, Respondent was sentenced to incarceration for 180 days.

c. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the

II.

a. On or about September 24, 2002, the Board of Vocational Nurse Examiners obtained a criminal history report from the Texas Department of Public Safety indicating that Respondent had been convicted of the Misdemeanor Offense of: THEFT.

b. On or about July 7, 1994, Respondent pled "no contest" to the Misdemeanor Offense of: THEFT, in the County Criminal Court at Law No. 14 in Harris County, Texas, under Cause Number 9422498. As a result of said plea, the Court deferred an adjudication of guilt in the matter and placed Respondent on probation for a period of 180 days.

c. On or about December 29, 1994, Respondent violated the terms of her probation by failing to pay fines and failing to participate in community service. On or about May 15, 1995, an adjudication of guilt was rendered and Respondent was convicted of the Misdemeanor Offense of: THEFT, in the County Criminal Court at Law No. 14 in Harris County, Texas, under Cause Number 9422498. As a result of said conviction, Respondent was sentenced to incarceration for fifteen (15) days.

d. Respondent has been convicted of a crime, which the Board considers to be directly related to the duties and responsibilities of a Licensed Vocational Nurse. Said conviction is inconsistent with the basic duties and responsibilities inherent in the occupation of vocational nursing in that said occupation requires the maintenance of accurate and complete records, and safeguarding personal property of the patient, client, and employer.

III.

The foregoing acts constitute unprofessional or dishonorable conduct that, in the opinion of the Board, is likely to deceive, defraud, or injure the public, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (10) and Rule 239.11 of the Rules and Regulations of the Board of Vocational Nurse Examiners, Title 22, Texas Administrative Code. Rule 239.11, provides in pertinent part: that "Unprofessional Conduct" shall include, but not be limited to:

- (27) failing to conform to the minimal standards of acceptable prevailing practice, regardless of whether or not actual injury to any person was sustained;
- (28) violating state or federal laws relative to drugs, including controlled substances and dangerous drugs;
- (29) being convicted of a crime that relates to the practice of vocational nursing;
  - (A) Those crimes which the Board considers to be directly related to the duties and responsibilities of a licensed vocational nurse shall include, but are not limited to:
    - (iii) offenses involving fraud, dishonesty or deceit;
    - (iv) offenses related to drugs/alcohol.

IV.

Respondent has been convicted of a crime of the grade of felony or a crime of a lesser grade which involves moral turpitude, in violation of the Texas Occupations Code, Chapter 302, Section 302.402 (a) (3) (A) and (B).

V.

It is the Board's contention that under the Texas Occupations Code Ann. § 53.021(a) and § 53.022, the crime for which Respondent received a conviction is directly related to the duties and responsibilities of vocational nursing. In addition, the Board asserts that

COMPLAINT  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
PAGE 4

according to the factors enumerated in the Texas Occupations Code Ann. § 53.023, Respondent is not presently fit to practice vocational nursing in the state of Texas. Consequently, Respondent's license to practice nursing in Texas should be revoked.

**VI.**

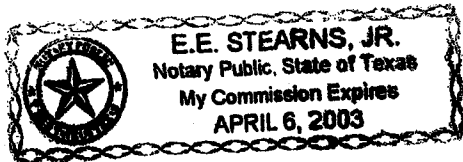
**The foregoing acts constitute grounds for the Board of Vocational Nurse Examiners to take disciplinary action as provided under the Texas Occupations Code, Chapter 302, Licensed Vocational Nurse, Section 302.403 and Section 302.451, relief such as revocation, suspension, suspension with probation, 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, Lynda G. Pringle, do hereby suggest and request the Board of Vocational Nurse Examiners take disciplinary action against KIMBERLY SIMPSON CARTER, LVN #116021, in accordance with the provisions of the laws of the State of Texas.**

COMPLAINT  
RE: KIMBERLY SIMPSON CARTER, LVN #116021  
PAGE 5

Lynda G. Pringle  
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME by the said Lynda G. Pringle, on this the day 9<sup>th</sup> December 2002.



[Signature]  
NOTARY PUBLIC IN AND FOR  
THE STATE OF TEXAS

Filed with the Board of Vocational Nurse Examiners on the 9<sup>th</sup> day of December 2002.

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