

STATE OF UTAH
DEPARTMENT OF COMMERCE
DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING

NEWSLETTER

May 1, 2009

The following actions have been taken by the Division following hearings conducted before an Administrative Law Judge and the respective Licensing Committees or Boards or have been entered by Stipulation or Memorandum of Understanding from April 1, 2009 - April 30, 2009.

PHYSICIANS/SURGEONS

***ANDERSON, Darrell G., MD**

License No. 169190-1205

Salt Lake City, Utah

Cause of Action:

Respondent practiced as a physician/surgeon through a pattern of negligence and thus engaged in unprofessional conduct. Respondent also violated probationary conditions that existed on his licenses.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were placed on probation for an additional three year period with conditions and restrictions.

Date:

April 20, 2009

***GOATES, Michael G., MD**

License No. 186945-1205

Orem, Utah

Amended Order:

The probationary condition identified in paragraph (10) of the March 19, 2009 Amended Order requiring Respondent to have a supervising physician was amended to now read as follows: Respondent shall identify a supervising physician who is in good standing with the Division. The supervising physician will agree to oversee practice care issues and randomly select and review 20% of patient files with Respondent. The Division/Board are not responsible for any expenses for supervision. The supervising physician must be approved by the Division/Board and shall consult with Respondent at a frequency approved by the Division/Board. Once Respondent is employed, he shall cause the supervising physician to meet in person or telephonically with the Division/Board. Respondent shall cause the supervising physician to submit performance evaluations to the Division/Board monthly for the first six months and then quarterly thereafter upon approval by the Division/Board. The receipt of an unfavorable report may be considered a violation of probation. If Respondent is not employed as a physician/surgeon, Respondent shall submit the performance evaluation report form on the date it is due and indicate on the form that Respondent is not currently practicing as a physician/surgeon.

Date:

April 16, 2009

***MORRIS, David J., MD**

License No. 165056-1205

Price, Utah

Cause of Action:

Additional amendments needed to be made to the disciplinary action currently on Respondent's licenses.

Order:

The suspension on Respondent's license to prescribe and administer controlled substances was terminated and the restriction on Respondent's license to practice as a physician/surgeon regarding practicing in an accredited residency program only was also terminated. Both licenses are now placed on probation for three years with conditions and restrictions.

Date:

April 20, 2009

DENTISTS/DENTAL HYGIENISTS

***ISRAELSEN, John A.**

License No. 144654-9922

Logan, Utah

Reinstatement Order:

The probation on Respondent's license to practice as a dentist/anesthesia class I permit was terminated. Respondent's license to practice as a dentist was transferred back to the anesthesia Class II permit effective the date of the Order. It should also be noted that a license to administer and prescribe controlled substances Schedules II-V had been issued to Respondent as of December 17, 2008.

Date:

April 2, 2009

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***BANKS, Veronica**

License No. 5812823-3102

Salina, Utah

Cause of Action:

Respondent has engaged in the use of drugs, narcotics or similar chemicals to the extent that the conduct might reasonably be considered to impair her ability to practice safely as a nurse.

Order:

Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license is placed on probation for five years with conditions and restrictions. Respondent was also ordered to pay a \$500 fine within 90 days.

Date:

April 14, 2009

***CLARK, Nichole**

License No. 288973-3102

Salt Lake City, Utah

Cause of Action:

Respondent has engaged in the use of drugs, narcotics, or similar chemicals to the extent that the conduct might reasonably be considered to impair her ability to practice safely as a nurse.

Order:

Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license was placed on probation for five years with conditions and restrictions.

Date:

April 20, 2009

***GILLIT, Helen Kay**

License No. 267958-3102

Ontario, Oregon

Amended Order:

The suspension on Respondent's license to practice as a registered nurse will be terminated upon receipt of renewal/reinstatement fees of \$108. Said license will be placed on probation for five years with conditions and restrictions.

Date:

April 23, 2009

***JASMER, Dustin Chase**

License No. 6472603-3102

Clearfield, Utah

Reinstatement Order:

The probation on Respondent's license to practice as a registered nurse was terminated and said license was reinstated with full privileges.

Date:

April 16, 2009

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***LONG, Betty Courney**

License No. 194707-3102

Ogden, Utah

Cause of Action:

Respondent violated a probationary condition that exists on her license when she failed to notify the Division of a criminal proceeding.

Order:

The term of probation currently on Respondent's license to practice as a registered nurse was extended to an additional term of five years from this Order date. Respondent will remain subject to the probationary conditions and restrictions identified in the July 2007 Stipulation and Order as well as additional conditions in this Order. Respondent was also given a public reprimand for her conduct. Respondent was also ordered to pay a \$500 fine within 90 days.

Date:

April 15, 2009

***NIVEN, Lori E.**

License No. 332521-3102

Salt Lake City, Utah

Amended Order:

The probationary condition restricting Respondent to practicing under the on-site supervision of a registered nurse in good standing with the Division or a licensed physician in good standing with the Division was amended to allow Respondent to practice under the on-site supervision of a licensed nurse active in good standing with the Division or a licensed physician in good standing with the Division..

Date:

April 16, 2009

***TATE, Marian Kay**

License No. 212230-3102

Murray, Utah

Cause of Action:

Respondent has previously been disciplined by the Division for alcohol abuse.

Memorandum of Understanding and Order:

A license to practice as a registered nurse was reissued and said license was placed on probation for five years with conditions and restrictions.

Date:

April 23, 2009

LICENSED PRACTICAL NURSES

***WEBB, Frankie T.**

License No. 188394-3101

Pleasant Grove, Utah

Cause of Action:

Respondent engaged in unprofessional conduct because she is addicted to narcotics, diverted controlled substance pain medication from a patient under her care for her own use and fraudulently represented in the patient's record the medication was administered to him.

Order:

Respondent's license to practice as a licensed practical nurse was revoked effective the date of the Order.

Date:

April 2, 2009

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***HARRIS, Scott Dale**

License No. 150735-1701

Parowan, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in his practice as a pharmacist when he dispensed prescription medications to patients without having a valid prescription from an authorized practitioner for those medications.

Order:

This Stipulation and Order also vacated the February 26, 2009 Default Order in which Respondent's licenses were revoked. This Stipulation and Order provides the following: Respondent's licenses to practice as a pharmacist and to dispense controlled substances were revoked with a stay of enforcement on the revocation. Said licenses are placed on probation for three years with conditions and restrictions.

Date:

April 1, 2009

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES - continued

***NIEWALD, Scott Oliver**

Pharmacy Technician
License No. 6575262-1717
Logan, Utah

Cause of Action: Respondent took controlled substances from his employer and ingested the controlled substances himself.
Order: Respondent voluntarily surrendered his license to practice as a pharmacy technician. Respondent may not reapply for a pharmacy technician license for a period of five years.
Date: April 30, 2009

***PINNACLE PHARMACY**

Class A pharmacy
License No. 7294617-1703
Sandy, Utah

Cause of Action: Respondent's responsible party, Leland Erickson, misrepresented information to the Division in its application for licensure as a Class A/retail pharmacy.
Order: Respondent voluntarily surrendered its licenses to practice as a Class A pharmacy and to dispense controlled substances. Respondent may not reapply for a pharmacy license for a period of five years.
Date: April 7, 2009

***WHITE, Issac Thomas**

Pharmacy Technician
License No. 6508233-1717
Salt Lake City, Utah

Cause of Action: Respondent failed to comply with probationary conditions that existed on his license to practice as a pharmacy technician.
Order: Respondent voluntarily surrendered his license to practice as a pharmacy technician.
Date: April 6, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***AMERICAN PLUMBING & HEATING LLC**

License No. 5689597-5501
Saratoga Springs, Utah

Cause of Action: Respondent failed to replace its qualifier
Order: Respondent's license to practice as a contractor was revoked effective the date of the Order.
Date: April 28, 2009

***CLARK, Ryan Thomas**

Apprentice Electrician
License No. 7055127-5505
Logan, Utah

Cause of Action: Respondent engaged in unprofessional conduct prior to submitting an application for licensure.
Memorandum of Understanding and Order: A license to practice as an apprentice electrician was issued and said license was placed on probation for four years with conditions.
Date: April 29, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***CLARK, Taylor Armstrong**

Apprentice Electrician
License No. 5216551-5505
Lehi, Utah

Cause of Action: Respondent engaged in unprofessional conduct prior to submitting a reinstatement application to the Division.
Memorandum of Understanding and Order: Respondent's license to practice as an apprentice electrician was reinstated and said license was placed on probation for four years with conditions.
Date: April 29, 2009

***EKBLAD, Brian Lynn**

Apprentice Electrician
License No. 5258362-5505
Magna, Utah

Cause of Action: Respondent engaged in unprofessional conduct prior to submitting a renewal application to the Division.
Memorandum of Understanding and Order: Respondent's license to practice as an apprentice electrician was renewed and said license was placed on probation for five years with conditions and restrictions.
Date: April 29, 2009

***GREAT VALLEY CONSTRUCTION, LLC**

License No. 7003695-5501
Salt Lake City, Utah

Cause of Action: Respondent failed to replace its qualifier.
Order: Respondent's license to practice as a contractor was revoked effective the date of the Order.
Date: April 14, 2009

***JOHNSON, Guy Howard**

Master Electrician
License No. 150094-5502
West Valley City, Utah

Cause of Action: Respondent engaged in unprofessional conduct prior to submitting a renewal application to the Division.
Memorandum of Understanding and Order: Respondent's license to practice as a master electrician was renewed and said license was placed on probation for four years with conditions.
Date: April 29, 2009

***LEPPARD CONSTRUCTION, LLC**

License No. 7280756-5501
Draper, Utah

Cause of Action: Respondent's owner, Scott Leppard, engaged in unlawful conduct prior to submitting an application for licensure.
Memorandum of Understanding and Order: A license to practice as a contractor was issued and said license was placed on probation for two years with conditions.
Date: April 29, 2009

***MASS X EXCAVATING LLC**

License No. 7107092-5501
Salt Lake City, Utah

Cause of Action: Respondent failed to replace its qualifier in the S410 and S390 license classifications.
Order: Respondent's S410 and S390 license classifications were revoked effective the date of the Order.
Date: April 28, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***MATHESON, Steven Brent**

Apprentice Plumber

License No. 7220852-5509

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure.

Memorandum of Understanding and Order:

A license to practice as an apprentice plumber was issued to Respondent and said license was placed on probation for five years with conditions.

Date:

April 29, 2009

***MIDZINSKI, Alton Christian**

Apprentice Electrician

License No. 7246976-5505

Preston, Idaho

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure.

Memorandum of Understanding and Order:

A license to practice as an apprentice electrician was issued and said license was placed on probation for four years with conditions and restrictions.

Date:

April 29, 2009

***NEW IMAGE LINE LLC**

License No. 7181643-5501

Orem, Utah

Cause of Action:

Respondent failed to replace its qualifier.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order.

Date:

April 28, 2009

***NEWTON, Kendelin**

Apprentice Plumber

License No. 364155-5509

Nephi, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting a renewal application to the Division.

Memorandum of Understanding and Order:

Respondent's license to practice as an apprentice plumber was renewed and said license was placed on probation for four years with conditions.

Date:

April 29, 2009

***RADIAN COMMUNICATION SERVICES, INC.**

License No. 6508214-5551

Peoria, Illinois

Cause of Action:

Respondent failed to replace its qualifier.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order.

Date:

April 28, 2009

***WALLACE CONSTRUCTION & DEVELOPMENT, INC.**

License No. 6523101-5501

Riverton, Utah

Cause of Action:

Respondent failed to replace its qualifier.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order.

Date:

April 28, 2009

OTHER REGULATED PROFESSIONS

***BASSETT, Jordan Craig**

Temporary Unarmed Private Security Officer

License No. 7264949-8012

Springville, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of a positive drug analysis test conducted as a condition of his employment as an unarmed private security officer.

Order:

Respondent voluntarily surrendered his temporary license to practice as an unarmed private security officer. Respondent may not reapply for a security guard license for a period of five years.

Date:

April 14, 2009

***BEE, Sabrina Marie**

Unarmed Private Security Officer

License No. 5916930-6303

Midvale, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting a reinstatement application for licensure.

Memorandum of Understanding and Order:

Respondent's license to practice as an unarmed private security officer was reinstated and said license was placed on probation for two years with conditions and restrictions.

Date:

April 27, 2009

***BURNHAM, T. Lee**

Psychologist

License No. 108286-2501

Salt Lake City, Utah

Amended Order:

The condition requiring Respondent to complete 10 additional continuing education hours within three months from the December 22, 2008 Order date is amended to allow Respondent to complete those additional hours by September 30, 2009.

Date:

April 6, 2009

***CARVER, Andrea**

Unlicensed Massage Therapist

Fruit Heights, Utah

Cause of Action:

Respondent engaged in practice as a massage therapist when she was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in the practice of massage therapist until she is properly licensed to do so.

Date:

April 14, 2009

***CORNELL, Robyn Spring**

Private Probation Provider

License No. 6010467-5001

Bluffdale, Utah

Cause of Action:

Respondent engaged in unprofessional conduct by doctor shopping to seek prescription drugs from more than one physician in order to obtain amounts of prescription drugs in excess of what would normally be prescribed to one person.

Order:

Respondent voluntarily surrendered her license to practice as a private probation provider. Respondent may not reapply for this type of licensure for a period of three years.

Date:

April 20, 2009

***DODD, David Nelson**

Radiology Technologist

License No. 4885191-5401

Draper, Utah

Reinstatement Order:

The probation on Respondent's license to practice as a radiology technologist was terminated and said license was reinstated with full privileges.

Date:

April 6, 2009

OTHER REGULATED PROFESSIONS - continued

***DODD, David Nelson**

Physician Assistant
License No. 4885191-1206
Draper, Utah
Amended Order:

A license to administer and prescribe Schedule II-V controlled substances was reissued to Respondent and said license was placed on probation for the remainder of the probationary period that currently exists on his physician assistant license with conditions.

Date: April 9, 2009

***FERGUSON, Jace Harvey, DC**

Chiropractic Physician
License No. 5242118-1202
Hyde Park, Utah
Reinstatement Order:

The probation on Respondent's license to practice as a chiropractic physician was terminated and said license was reinstated with full privileges.

Date: April 14, 2009

***FONGER, Charles Baily**

Armed and Unarmed Private Security Officer
License Nos. 7066639-6302/6303
South Jordan, Utah
Cause of Action:

Respondent engaged in unprofessional conduct by impersonating a police officer and operation of an improperly equipped vehicle.

Order: Respondent voluntarily surrendered his licenses to practice as an armed and unarmed private security officer. Respondent may not reapply for a security guard license for a period of five years.

Date: April 15, 2009

***HANSEN, Gary Scott**

Unarmed/Armed Private Security Officer
License No. 6142777-6303 & 6302
Roosevelt, Utah
Cause of Action:

Respondent failed to comply with probationary conditions that existed on his licenses.

Order: Respondent's licenses to practice as an armed and unarmed private security officer were revoked effective the date of the Order.

Date: April 30, 2009

***HANSEN, Somer Camille**

Unarmed Private Security Officer
License No. 7258123-6303
Taylorsville, Utah
Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure.

Memorandum of Understanding and Order: A license to practice as an unarmed private security officer was issued and said license was placed on probation for two years with conditions and restrictions.

Date: April 1, 2009

***HOFELING, Tanya Lee**

Nail Technician
License No. 7280627-1112
West Valley City, Utah
Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure.

Memorandum of Understanding and Order: A license to practice as a nail technician was issued to Respondent and said license was placed on probation for three years with conditions.

Date: April 15, 2009

OTHER REGULATED PROFESSIONS - continued

***LUNA, Jason Robert**

Armed Private Security Officer

License No. 331233-6302

Orem, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as a result of actions that bear a reasonable relationship to his ability to safely and competently practice as an armed private security officer.

Order:

Respondent's license to practice as an armed private security officer was revoked effective the date of the Order.

Date:

April 15, 2009

***MARSHALL, Art J.**

Deception Detection Examiner

License No. 326330-6402

Albuquerque, New Mexico

Cause of Action:

Respondent engaged in unprofessional conduct when he failed to make and maintain audio recordings of polygraph examinations which he conducted and he conducted more than five deception detection examinations in one day on various occasions.

Order:

Respondent's license to practice as a deception detection examiner was revoked effective the date of the Order.

Date:

April 22, 2009

***MORTENSEN, Steven L.**

Professional Engineer

License No. 168966-2202

Glendale, Arizona

Reinstatement Order:

The probation on Respondent's license to practice as a professional engineer was terminated and said license was reinstated with full privileges.

Date:

April 2, 2009

***PALOMIN, Londo Miguel**

Unarmed Private Security Officer

License No. 6982411-6303

Clearfield, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license.

Order:

Respondent's license to practice as an unarmed private security officer was revoked effective the date of the Order.

Date:

April 22, 2009

***PEARSON, Kyle Vance**

Temporary Unarmed Private Security Officer

License No. 7264952-8012

Springville, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of a positive drug analysis test conducted as a condition of his employment as an unarmed private security officer.

Order:

Respondent voluntarily surrendered his temporary license to practice as an unarmed private security officer. Respondent may not reapply for a security guard license for a period of five years.

Date:

April 22, 2009

OTHER REGULATED PROFESSIONS - continued

***SHUMWAY, Helen Marie**

Licensed Clinical Social Worker

License No. 4785776-3501

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in her practice as a clinical social worker as a result of Respondent engaging in an inappropriate relationship with a former client.

Order:

Respondent's license to practice as a clinical social worker was revoked effective the date of the Order.

Date:

April 28, 2009

***SIMPER, Dallin**

Cosmetologist/Barber

License No. 7182971-1101

North Logan, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure.

Memorandum of Understanding and Order:

A license to practice as a cosmetologist/barber was issued and said license was placed on probation for two years with conditions.

Date:

April 22, 2009

***SIMPSON, David Kenneth**

Unarmed Private Security Officer

License No. 6396764-6303

Ogden, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in August 2008 and said conduct justifies disciplinary action against his license.

Order:

Respondent voluntarily surrendered his license to practice as an unarmed private security officer. Respondent may not reapply for a security guard license for a period of five years.

Date:

April 1, 2009

***ZAHN, Melissa Gay**

Licensed Substance Abuse Counselor

License No. 5047492-6006

South Jordan, Utah

Reinstatement Order:

The probation on Respondent's license to practice as a licensed substance abuse counselor was terminated and said license was reinstated with full privileges.

Date:

April 13, 2009

***ZYLKS, Byron L.**

Unarmed Private Security Officer

License No. 304674-6303

Sandy, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license.

Order:

Respondent voluntarily surrendered his license to practice as an unarmed private security officer. Respondent may not reapply for a security guard license for a period of five years.

Date:

April 13, 2009

This newsletter is now published monthly. Your comments and suggestions are welcomed. If you need further information on any material contained in the newsletter, please contact Kimberley L. at (801) 530-6088 or Carol I. at (801) 530-6626.