

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

NEWSLETTER

February 1, 2010

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 January 1, 2010 -January 31, 2010.

PHYSICIANS/SURGEONS

***BIEG, Susan Elmore, MD**

License Nos. 181352-1205/8905
Molalla, Oregon

NOTE:

Licenses to practice as a physician/surgeon and to administer and prescribe controlled substances Schedules II-V were reissued/reinstated to active in good standing to Dr. Bieg as of October 9, 2008.

Date:

January 4, 2010

***ELLSWORTH, Randal Nylan, MD**

License Nos. 274205-1205/8905
Orem, Utah

Reinstatement Order:

The probation on Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was terminated and said licenses were reinstated with full privileges.

Date:

January 21, 2010

DENTISTS/DENTAL HYGIENISTS

***HEMMERT, Jared Wynn**

License No. 5346167-9922
Docket No. 2009-341
Spanish Fork, Utah

Amended Order:

The suspension on Respondent's license to practice as a dentist/anesthesia Class II permit was terminated and said license was placed on probation for five years subject to the conditions and restrictions identified in the November 2, 2009 Stipulation and Order and January 21, 2010 Amended Stipulation and Order. Respondent's license to administer and prescribe controlled substances shall remain suspended until further Order of the Division.

Date:

January 21, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***BANKS, Veronica**

License No. 5812823-3102
Docket No. 2009-90
Salina, Utah

Amended Order:

The probationary conditions requiring Respondent to participate in professional support group (PIR) meetings and to attend 12-Step program meetings was amended to allow Respondent to attend either professional support group meetings or 12-Step program meetings provided she attend at least one (1) support group meeting per week.

Date:

January 11, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***THOMPSON, Kaylyn**

License No. 5012584-3102

Docket No. 2010-15

Milford, Utah

Cause of Action:

Respondent has been unable to comply with probationary conditions that exist on her license due to health issues.

Order:

Respondent's license to practice as a registered nurse is indefinitely suspended until such time requests the suspension be terminated and has completed conditions outlined in the Stipulation and Order. Following the period of suspension, said license will be returned to probationary status subject to the conditions and restrictions identified in the November 2007 Order in Case No. 2007-238.

Date:

January 21, 2010

***VERSTEEG, Julie A.**

License No. 215842-3102

Docket No. 2010-7

Salt Lake City, Utah

Cause of Action:

Respondent had surrendered her nursing license in July 2004 as a result of disciplinary action.

Memorandum of Understanding and Order:

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

Date:

January 11, 2010

LICENSED PRACTICAL NURSES

***WILKINSON, Kent**

License No. 161054-3101

Docket No. 2006-232

Salt Lake City, Utah

Reinstatement Order:

The probation and restrictions/conditions on Respondent's license to practice as a licensed practical nurse were terminated and said license was reinstated with full privileges.

Date:

January 11, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***NIELSON, Kenneth J.**

License Nos. 150250-170/8911

Docket No. 2007-220

Murray, Utah

Amended Order:

The probationary conditions requiring Respondent to attend a 12-Step program (AA/NA) and to participate in a professional support group (PIR) was amended to allow Respondent to attend either Professionals in Recovery (PIR) or a 12-Step program (AA/NA). Respondent must attend at least six support group meetings per month.

Date:

January 20, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES - continued

***MESSINEO, Richard Martin**

License Nos. 153694-1701/8911

Docket No. 2010-25

Midvale, Utah

Cause of Action:

In July 2009 Respondent, in renewing his pharmacist licenses, failed to acknowledge an arrest and deferred prosecution agreement by the Pinellas County Attorneys Office in May 2009.

Order:

Respondent was given a public reprimand for failing to acknowledge a criminal proceeding in his 2009 renewal application. Respondent was also ordered to pay a \$1500 fine within 60 days. Respondent was also required to complete six additional continuing education hours focused on medical/pharmacy law and ethics. The additional CE hours are required to be completed within six months from the Order date.

Date:

January 26, 2010

***WILLIAMS, Catherine**

Pharmacy Technician

License No. 345463-1717

Docket No. 2010-10

Grantsville, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in her practice as a pharmacy technician and co-owner of Williams Family Video & Variety as a result of several pharmacy violations.

Order:

Respondent's license was given a public reprimand for the conduct and Respondent was ordered to complete an additional four hours of continuing professional education focusing on laws/ethics within one year.

Date:

January 20, 2010

***WILLIAMS, Waseland Scott**

License No. 146927-1701/8911

Docket No. 2010-9

Grantsville, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in his practice as a pharmacist-in-charge at Williams Family Video & Variety as a result of several pharmacy violations.

Order:

Respondent's licenses were given a public reprimand for the conduct and Respondent was ordered to complete an additional six hours of continuing professional education focusing on laws/ethics within one year.

Date:

January 13, 2010

***WELLS, Craig Merlin**

Pharmacy Technician

License No. 6127204-1717

Docket No. 2010-8

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unlawful conduct by diverting controlled substances from his pharmacy place of employment.

Order:

Respondent voluntarily surrendered his license to practice as a pharmacy technician. Respondent may not reapply for licensure as a pharmacy technician for a period of five years.

Date:

January 11, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES - continued

***WILLIAMS FAMILY VIDEO & VARIETY**

Class A pharmacy

License Nos. 6124609-1703/8913

Docket No. 2010-11

Grantsville, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct as a result of several violations in the pharmacy.

Order:

Respondent's licenses to practice as a Class A pharmacy and as a dispensary of controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation for two years with conditions. Respondent was also ordered to pay a \$10,000 fine of which \$7,000 is suspended upon compliance with laws/rules governing pharmacies. The remaining \$3,000 is due within 90 days of the Order date.

Date:

January 13, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***BECKER ELECTRIC, LLC**

License No. 5665567-5501

Docket No. 2010-28

Midvale, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of delinquent taxes.

Order:

Respondent's license to practice as a contractor was placed on probation for four years with conditions.

Date:

January 27, 2010

***CLEAN BUILT, LLC**

License No. 7514354-5501

Docket No. 2010-18

Salt Lake City, Utah

Cause of Action:

Respondent's owner, Jason T. Jeffries, engaged in unprofessional conduct by abusing alcohol or drugs 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 five years with conditions.

Date:

January 27, 2010

***DMLP RESOURCES, LLC**

License No. 5988440-5501

Docket No. 2009-368

Ogden, Utah

Amended Order:

The suspension on Respondent's license to practice as a contractor was terminated effective January 13, 2010 and said license was placed on probation for five years subject to the conditions identified in the November 30, 2009 Stipulation and Order.

Date:

January 14, 2010

***INKLEY BROTHER'S CORPORATION**

License No. 6080026-5501

Docket No. 2010-30

Riverton, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of judgments and a tax lien.

Order:

Respondent's license to practice as a contractor was placed on probation for three years with conditions.

Date:

January 27, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***JACOBSEN PLUMBING & HEATING, INC.**

License No. 345960-5501

Docket No. 2009-388

Park City, Utah

Cause of Action:

Respondent's owner, Merlin Jacobsen, engaged in unprofessional and unlawful conduct when he has repeatedly violated fire codes and failed to obtain building permits and on several occasions Respondent has started fires by not following hot work requirements.

Order:

Respondent's license to practice as a contractor was revoked with a stay of enforcement on the revocation. Said license was placed on probation for two years with conditions.

Date:

January 27, 2010

***J. NELSON PLUMBING, INC.**

License No. 4855291-5501

Docket No. 2010-31

Cedar City, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of judgments.

Order:

Respondent's license to practice as a contractor was placed on probation for three years with conditions.

Date:

January 27, 2010

***LARSEN, Dustin Keith**

Unlicensed Contractor

Docket No. 2010-17

Manila, Utah

Cause of Action:

During 2008 Respondent unlawfully performed construction activities for which he did not have a contractor license nor was the work performed exempted from licensure.

Order:

Respondent was ordered to pay a \$1,000 fine within 90 days. Respondent was also ordered to cease and desist from practicing as a contractor until such time as he is properly licensed to do so.

Date:

January 27, 2010

***LARSEN, Dustin Keith**

License No. 7460492-5501

Docket No. 2010-20

Manila, Utah

Cause of Action:

Respondent made misrepresentations to the Division in his application for licensure.

Memorandum of Understanding and Order:

A license to practice as a contractor was issued to Respondent and said license was placed on probation for three years with conditions.

Date:

January 27, 2010

***LEADING EDGE ELECTRIC, LLC**

License No. 6785862-5501

Docket No. 2010-29

Riverton, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of a judgment.

Order:

Respondent's license to practice as a contractor was license was placed on probation for three years with conditions.

Date:

January 27, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***NICKLE, Justin K./STRIKER ELECTRIC**

License No. 5233200-5501

docket No. 2010-33

Murray, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of a judgment.

Order:

Respondent's license was placed on probation for three years with conditions.

Date:

January 27, 2010

***POL, Aaron J.**

Unlicensed Contractor

Docket No. 2010-23

South Jordan, Utah

Cause of Action:

In April 2009 Respondent engaged in unlicensed practice as a contractor

Order:

Respondent was ordered to pay a \$500 fine within 90 days. Respondent was also ordered to cease and desist from practicing as a contractor until he properly licensed to do so.

Date:

January 27, 2010

***PORTFOLIO BUILDERS, LLC**

License No. 7416160-5501

Docket No. 2009-364

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:

January 14, 2010

***RESTAURANT SPECIALISTS, INC.**

License No. 250060-5501

Docket No. 2009-135

West Jordan, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of delinquent tax payments.

Order:

Respondent's license to practice as a contractor was placed on probation for five years with conditions.

Date:

January 27, 2010

***ROBBINS HOMES, INC.**

License No. 5265474-5501

Docket No. 2009-331

Layton, Utah

Reinstatement Order:

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

Date:

January 13, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***ROBISON CONSTRUCTION, INC.**

License No. 5334394-5551

Docket No. 2010-22

Roosevelt, Utah

Cause of Action:

During 2008 Respondent hired and employed unlicensed persons to perform construction activities. These persons were not licensed nor exempted from licensure.

Order:

Respondent was ordered to pay a \$800 fine within 90 days. Respondent was also ordered to cease and desist from hiring and employing unlicensed persons.

Date:

January 27, 2010

***SOUTHWEST INDUSTRIES, INC.**

License No. 5852895-5501

Docket No. 2010-19

Sandy, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of delinquent taxes.

Order:

Respondent's license to practice as a contractor was placed on probation for six years with conditions.

Date:

January 27, 2010

***STAR MOUNTAIN CONSTRUCTION, INC.**

License No. 5358090-5501

Docket No. 2010-34

Park City, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a result of judgments.

Order:

Respondent's license to practice as a contractor was placed on probation for five years with conditions.

Date:

January 27, 2010

OTHER REGULATED PROFESSIONS

***BROWN, Trevor Mackley**

Radiology Technologist

License No. 5012723-5401

Docket No. 2006-17

Syracuse, Utah

Reinstatement Order:

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

Date:

January 14, 2010

***COLTON, Wendy D.**

Private Probation Provider

License No. 75 24910-5001

Docket No. 2010-24

Provo, 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 private probation provider was issued and said license was placed on probation for three years with conditions.

Date:

January 26, 2010

OTHER REGULATED PROFESSIONS - continued

***COOKE, Carlon John**

Certified Social Worker
License No. 117906-3502
Docket No. 2010-26
Cause of Action:

Respondent has engaged in the unsupervised, private practice of mental health therapy without the required supervision from a clinical social worker since approximately 1998. Respondent also utilized cranial sacral therapy in his private practice which therapy is not a generally accepted methodology in the field of social work.

Order: Respondent voluntarily surrendered his license to practice as a certified social worker. Respondent may not reapply for a social work license for a period of five years.

Date: January 26, 2010

***HAUPT, Howard G.**

Physical Therapist
License No. 3539792-2401
Docket No. 2010-16
Springville, Utah
Cause of Action:

Respondent engaged in unprofessional conduct as a result of an offense involving moral turpitude which bears a reasonable relationship on his ability to practice safely as a physical therapist.

Order: Respondent voluntarily surrendered his license to practice as a physical therapist. Respondent may not reapply for a physical therapy license for a period of two years.

Date: January 21, 2010

***KOPAUNIK-BERG, Julie Anne**

Substance Abuse Counselor Intern
License No. 370114-6004
Docket No. 2010-32
Salt Lake City, Utah
Cause of Action:

Respondent has engaged in unprofessional conduct with respect to drugs prior to submitting an application for licensure.

Memorandum of Understanding and Order: A license to practice as a certified substance counselor intern will be issued upon receipt of a \$70 application fee. Upon receipt of the fee, said license will be placed on probation for three years with conditions and restrictions.

Date: January 28, 2010

***PETERSON, Robert Leslie**

Certified Substance Abuse Counselor
License No. 7505260-6005
Docket No. 2010-14
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 a certified substance abuse counselor was issued to Respondent and said license was placed on probation for two years with conditions and restrictions.

Date: January 19, 2010

OTHER REGULATED PROFESSIONS - continued

***TUITAVUKI, Carol Ann**

Licensed Substance Abuse Counselor

License No. 6755652-6006

Docket No. 2010-12

St. George, Utah

Cause of Action:

Respondent engaged in an intimate, personal relationship with two of her former clients.

Order:

Respondent voluntarily surrendered her license to practice as a licensed substance abuse counselor. Respondent may not reapply for any type of mental health therapy license for a period of five years.

Date:

January 13, 2010

***YAKIWCHUK, Ryan K.**

Massage Therapist

License No. 320950-4701

Docket No. 2008-40

Midvale, Utah

Reinstatement Order:

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

Date:

January 21, 2010

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.