

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

NEWSLETTER

April 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 March 1, 2010 - March 31, 2010.

PHYSICIANS/SURGEONS

***CURRIER, Nathan Robert, MD**

License Nos. 173575-1205/8905

Docket No. 2009-48

Amended Order:

The probationary condition requiring Respondent's interaction and treatment of any female patient under age 50 to be observed by a third party at all times was amended to allow Respondent to treat female patients age 35 and older without a chaperone. Respondent must continue to have a chaperone/third party present when treating female patients ages 18 through 34.

Date:

March 23, 2010

***SELLERS, Terrell Lee, MD**

License Nos. 293281-1205/8905

Docket No. OSC-2-2002-45

Orem, Utah

Amended Order:

The probationary condition requiring Respondent to submit to random drug testing was terminated.

Date:

March 23, 2010

DENTISTS/DENTAL HYGIENISTS

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***ADAMS, Robert Lynn**

License No. 344349-3102

Docket No. 2007-188

Highland, Utah

Amended Order:

The probationary condition requiring Respondent to practice nursing only 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 work under the general supervision of the financial officer at Midtown Manor. It was also noted that hours worked as a health facility administrator shall not count as work hours to reduce the probation on Respondent's registered nurse license.

Date:

March 1, 2010

REGISTERED NURSES/ ADVANCED PRACTICE NURSES - continued

***BALL, Sarah C.**

License No. 328554-3102

Docket No. 2010-56

Bountiful, Utah

Cause of Action:

Order:

Respondent failed to comply with provisions of a diversion agreement.

Respondent's November 2006 diversion agreement was terminated and her license to practice as a registered nurse was suspended with a stay of enforcement on the suspension. Said license is placed on probation for five years subject to the conditions and restrictions identified in the November 2006 diversion agreement.

Date:

March 1, 2010

***DEERING, Ann Heather**

License No. 6428940-3102

Docket No. 2008-57

Provo, Utah

Amended Order:

The probationary condition restricting Respondent's access to controlled substances and her ability to account for controlled substances was terminated.

Date:

March 31, 2010

***FRITTS, Rocky Blue**

License No. 5375055-3102

Docket No. 2007-178

St. George, 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:

March 30, 2010

***HOWELL, Lillian L.**

License No. 214155-3102

Docket No. OSC-2001-169

Alpine, Utah

Amended Order:

The probationary condition requiring Respondent's nursing practice to be directly supervised by a nurse or physician licensed in good standing with the Division is amended to allow Respondent to seek employment at the Utah State Hospital and if she is employed by that facility, Respondent may practice nursing under the general supervision of a registered nurse or physician in good standing with the Division. The probationary condition restricting Respondent from working for a nursing float pool is also amended to allow Respondent to work for a nursing float pool limited to the Utah State Hospital only.

Date:

March 1, 2010

Amended Order:

The probationary condition restricting Respondent's access to controlled substances and her ability to account for controlled substances is terminated. Also the probationary condition restricting Respondent from contacting any pharmacy or drug supplier for the purposes of filling a prescription order was terminated.

Date:

March 3, 2010

REGISTERED NURSES/ ADVANCED PRACTICE NURSES - continued

***JONES, Tamara Elizabeth**

License No. 5577941-3102

Docket No. 2010-55

Draper, Utah

Cause of Action:

Charges: Respondent failed to comply with terms and conditions of a April 2007 diversion agreement.

Order:

Respondent's April 2007 diversion agreement was terminated and her license to practice as a registered nurse was suspended with a stay of enforcement on the suspension. Said license was placed on probation for five years subject to the terms and conditions in the April 2007 diversion agreement. However, it should be noted that Respondent's license to practice as a registered nurse expired on January 31, 2009 and the diversion statute (58-1-404(14)) provides that the probationary period shall be tolled while the individual does not have a current license. If Respondent reapplies for licensure, said license will be placed on probation subject to the March 3, 2010 Order.

Date:

March 3, 2010

***LARSON, Michele Marie**

License No. 375534-3102

Docket No. 2008-51

Tooele, 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:

March 16, 2010

***PANTER, Vaiola Mackay**

License No. 356948-3102

Docket No. 2005-117

Perry, 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:

March 30, 2010

***PETERSON, Stacy**

License No. 294298-3102

Docket No. 2009-384

Mona, Utah

Amended Order:

The length of Respondent's probationary period was changed from three years to two years and four months from the date of the December 8, 2009 Stipulation and Order.

Date:

March 1, 2010

***WILLIAMS, Teresa Y.**

License No. 194986-3102

Docket No. 2006-120

Hyrum, Utah

Amended Order:

The probationary condition requiring Respondent to receive prescriptions from only one prescribing practitioner was amended to allow Respondent to have two prescribing practitioners.

Date:

March 31, 2010

LICENSED PRACTICAL NURSES

***CLARKE, Krista Lynn**

License No. 5346902-3101

Docket No. 2010-54

St. George, Utah

Cause of Action:

Charges: Respondent failed to comply with terms and conditions of a September 2006 diversion agreement.

Order:

Respondent's September 2006 diversion agreement was terminated and her license to practice as a licensed practical nurse was suspended with a stay of enforcement on the suspension. Said license was placed on probation for five years subject to the terms and conditions in the April 2007 diversion agreement. However, it should be noted that Respondent's license to practice as a licensed practical nurse expired on January 31, 2010 and the diversion statute (58-1-404(14)) provides that the probationary period shall be tolled while the individual does not have a current license. If Respondent reapplies for licensure, said license will be placed on probation subject to the March 3, 2010 Order.

Date:

March 3, 2010

***WRIGHT, Kelley M.**

License No. 174480-3101

Docket No. 2010-67

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 participation in the Utah Recovery Assistance Program ("diversion") was terminated. Respondent's license to practice as a licensed practical 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:

March 1, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***BARROW, David William**

License Nos. 336674-1701/8911

Docket No 2009-261

Riverton, Utah

Amended Order:

The suspension on Respondent's license to dispense controlled substances was terminated and said controlled substance license was placed on the same probation that currently exists on his pharmacist license.

Date:

March 1, 2010

***STAPLEY PHARMACY**

License Nos. 5683021-1703/8913

Docket No. 2005-194

St. George, Utah

Reinstatement Order:

The probation on the Respondent's licenses to practice as a pharmacy and as a dispensary of controlled substances was terminated and said licenses were reinstated with full privileges.

Date:

March 31, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACISTS - continued

***TOLLEY, Cameron Drew**

License Nos. 5797362-1701/8911

Docket No. 2006-205

Stansbury Park, Utah

Reinstatement Order:

The probation on Respondent's licenses to practice as a pharmacist and to dispense controlled substances was terminated and said licenses were reinstated with full privileges.

Date: March 30, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***ASPEN ELECTRICAL SERVICE**

License No. 6656208-5501

Docket No. 2010-86

Cause of Action:

Respondent has failed to maintain financial responsibility due to delinquent amounts.

Order:

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

Date: March 31, 2010

***BOARDWALK CUSTOM FRAMING, LLC**

License No. 6124614-5501

Docket No. 2010-70

Logan, Utah

Cause of Action:

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

Order:

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

Date: March 31, 2010

***EDDY L. SHAW CONSTRUCTION COMPANY, INC.**

License No. 231363-5501

Docket No. 2010-2

Ogden, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility due to judgments.

Order:

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

Date: March 31, 2010

***FULLMER, Lucas Osden**

Apprentice Electrician

License No. 6434637-5505

Docket No. 2010-83

Cause of Action:

Respondent engaged in unprofessional conduct in October 2002 and June 2007, which conduct relates to his license to practice as an apprentice electrician.

Memorandum of Understanding and Order:

Respondent's license to practice as an apprentice electrician was reinstated and said license was placed on probation for five years with conditions.

Date: March 31, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***HERMANSEN CONSTRUCTION, INC.**

License No. 5078863-5501

Docket No. 2010-85

Taylorsville, Utah

Cause of Action:

Respondent does not currently meet the requirements to be licensed as a contractor as a result of the continued failure to maintain financial responsibility. However, Respondent had contracted to perform construction activities on a home prior to the expiration date on his license. Since November 30, 2009 Respondent continued to work on the project without a current license.

Memorandum of Understanding and Order:

A restricted license to practice as a contractor for 30 days only was issued to Respondent. Respondent may only work as a contractor in order to complete the work Respondent previously agreed to perform for MA located at 4176 South 3320 East, Salt Lake City, Utah. If Respondent has not completed the previously agreed upon work for Mr MA within the 30 day period, Respondent shall cease work immediately. Respondent shall not work as a contractor on any project or work site or for any other person during the 30 day period when the restricted license is in effect.

Date:

March 4, 2010

***INTERMOUNTAIN ELECTRIC SIGNS, INC.**

License No. 251472-5501

Docket No. 2010-89

Ogden, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a judgment. Respondent's license to practice as a contractor was placed on probation for four years with conditions.

Order:

Date:

March 31, 2010

***JCS CONSTRUCTION, INC.**

License No. 5877133-5501

Docket No. 2010-97

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a tax delinquency.

Order:

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

Date:

March 31, 2010

***MATCO TILE, INC.**

License No. 5378283-5501

Docket No. 2010-87

Cause of Action:

Respondent, Matthew D. Folkerson, has engaged in conduct that resulted in convictions for crimes of moral turpitude and when considered with the functions and duties of a contractor bears a reasonable relationship to his ability to practice safely as a contractor.

Order:

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

Date:

March 31, 2010

***RANDAL IVERSON PROPERTY DEVELOPMENT, INC.**

License No. 311274-5501

Docket No. 2010-95

St. George, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when it misrepresented information relating to a civil judgment in its September 2009 renewal application.

Order:

Respondent's license to practice as a contractor was placed on probation for six years with conditions. Respondent was also ordered to pay a \$500 fine within 90 days.

Date:

March 31, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***RHT HOMES, INC.**

License No. 1244105-5501

Docket No. 2010-76

Lindon, Utah

Cause of Action:

In March 2007 Respondent engaged in unlawful conduct by knowingly entering into an agreement with an unlicensed individual which allowed the unlicensed individual to use Respondent's contractor license in applying for building permits and/or entering into contracts with customers.

Order:

Respondent was ordered to pay a \$500 fine within 90 days. Respondent was also ordered to cease and desist from engaging in the above conduct.

Date:

March 31, 2010

***SKYLAKE ENTERPRISES, LC**

License No. 5077663-5501

Docket No. 2010-96

Cause of Action:

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

Order:

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

Date:

March 31, 2010

***STONEWORX, INC.**

License No. 6103545-5501

Docket No. 2010-84

Cause of Action:

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

Order:

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

Date:

March 31, 2010

OTHER REGULATED PROFESSIONS

***ADAMS, Robert Lynn**

Health Facility Administrator

License No. 344349-1501

Docket No. 2010-82

Highland, Utah

Cause of Action:

Respondent's nursing license is presently on probation under Case No. DOPL-2007-188

Memorandum of Understanding and Order:

A license to practice as a health facility administrator was issued and said license was placed on probation for three years with conditions and restrictions.

Date:

March 18, 2010

***ALEXANDER, Trudy Gail**

Massage Therapist

License No. 6538256-4701

Docket No. 2010-75

Cody, Wyoming

Cause of Action:

Respondent engaged in unprofessional conduct by engaging in a personal and sexual relationship with a client.

Order:

Respondent voluntarily surrendered her license to practice as a massage therapist.

Respondent may not reapply for a massage therapy license for a period of three years.

Date:

March 16, 2010

OTHER REGULATED PROFESSIONS - continued

***AUBUCHON, Janice Marie**

Certified Substance Abuse Counselor

License No. 6034478-6004

Docket No. 2010-69

Washington, 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 and said license was placed on probation for two years with conditions and restrictions.

Date:

March 1, 2010

***BAILEY, Maria Ximena**

Cosmetologist/Barber

License No. 5309182-1101

Docket No. 2010-73

Cause of Action:

Respondent engaged in unprofessional conduct since the last renewal cycle.

Memorandum of Understanding and Order:

Respondent's license to practice as a cosmetologist/barber was renewed and said license was placed on probation for three years with conditions and restrictions.

Date:

March 15, 2010

***BARLOW, Jethro Jessop**

Certified Public Accountant

License No. 128468-2601

Docket No. 2008-48

Reinstatement Order:

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

Date:

March 9, 2010

***BLACK, David E.**

Licensed Substance Abuse Counselor

License No. 4830397-6006

Docket No. 2010-68

Vernal, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that bears a reasonable relationship to his ability to safely and competently practice as a licensed substance abuse counselor. Respondent's license to practice as a licensed substance abuse counselor was revoked with a stay of enforcement on the revocation. Said license was placed on probation for three years with conditions and restrictions.

Order:

Date:

March 1, 2010

***BRYANT, Aaron Bruce**

Certified Substance Abuse Counselor

License No. 7079669-6005

Docket No. 2009-33

Taylorsville, Utah

Reinstatement Order:

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

Date:

March 1, 2010

OTHER REGULATED PROFESSIONS - continued

***BRYANT, Shahri Kay**

Nail Technician

License No. 7492368-1112

Docket No. 2009-399

Amended Order:

The probationary condition identified in paragraph (5)j. is temporarily discontinued until such time as Respondent becomes employed as a nail technician. Respondent is to notify the Division upon employment as a nail technician.

Date:

March 9, 2010

***HELQUIST, Linda Marie**

Marriage and Family Therapist

License No. 117395-3902

Docket No. 2008-159

Cedar City, Utah

Reinstatement Order:

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

Date:

March 16, 2010

***HURTY, Timothy William**

Massage Therapist

License No. 7317188-4701

Docket No. OSC-2009-171

Salt Lake City, Utah

Cause of Action:

Order:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a massage therapist was revoked effective the date of the Order.

Date:

March 31, 2010

***JOHNSON, Derick Richard**

Armed Private Security Officer

License No. 6324300-6302

Docket No. 2007-200

Reinstatement Order:

The probation on Respondent's license to practice as an armed private security officer was terminated and said license was reinstated with full privileges.

Date:

March 8, 2010

***LAMON, Michael Richard**

Clinical Social Worker

License No. 275412-3501

Docket No. 2010-94

Fruit Heights, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that when considered with the functions and duties of a licensed clinical social worker bears a reasonable relationship to his ability to safely or competently practice.

Order:

Respondent voluntarily surrendered his license to practice as a licensed clinical social worker. Respondent may not reapply for any mental health therapy license for a period of three years.

Date:

March 31, 2010

OTHER REGULATED PROFESSIONS - continued

***MARSHALL, Barry Louis**

Armed Private Security Officer

License No. 6768501-6302

Docket No. 2010-77

Cedar City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that bears a reasonable relationship on his ability to safely and competently practice as an armed private security officer.

Order:

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

Date:

March 16, 2010

***MCNEIL, Rebecka Esther**

Certified Substance Abuse Counselor

License No. 290675-6005

Docket No. 2010-81

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 and said license was placed on probation for two years with conditions and restrictions.

Date:

March 18, 2010

***ROBERTS, Jason D.**

Cosmetologist/Barber

License No. 289518-1101

Docket No. 2010-71

Provo, Utah

Cause of Action:

Respondent engaged in unprofessional conduct since the last renewal of his license.

Memorandum of Understanding and Order:

Respondent's license to practice as a cosmetologist/barber was renewed and said license was placed on probation for three years with conditions and restrictions.

Date :

March 8, 2010

***SABEY, Laine Earl**

Physical Therapist

License No. 360023-2401

Docket No. 2007-45

Herriman, Utah

Reinstatement Order:

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

Date:

March 1, 2010

***SESSIONS, Rebecca E.**

Cosmetologist/Barber

License No. 331928-1101

Docket No. 2010-72

Cause of Action:

Respondent engaged in unprofessional conduct since the last renewal cycle.

Memorandum of Understanding and Order:

Respondent's license to practice as a cosmetologist/barber was renewed and said license was placed on probation for two years with conditions and restrictions.

Date:

March 15, 2010

OTHER REGULATED PROFESSIONS - continued

***SNOW, Barbara W.**

Clinical Social Worker

License No. 121053-3501

Docket No. 2007-7

Salt Lake City, Utah

Reinstatement Order:

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

Date:

March 1, 2010

***VELASQUEZ, Francisco Javi**

Massage Therapist

License No. 350250-4701

Docket No. 2007-173

West Valley City, 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:

March 23, 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.