

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

NEWSLETTER

January 1, 2011

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 December 1, 2010 -December 31, 2010.

PHYSICIANS/SURGEONS

***HARLINE, Donald Neal, MD**

License Nos. 3088035-1205/8905

Docket No. 2010-274

Orem, Utah

Amended Order:

The suspension on Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was terminated and said licenses were placed on probation for three years subject to the conditions identified in the September 7, 2010 Stipulation and Order.

Date:

December 14, 2010

Amended Order:

The December 14, 2010 Amended Order was set aside and a new Amended Order entered. The suspension on Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was terminated retroactive to December 8, 2010 and said licenses were placed on probation for three years subject to the conditions identified in the September 7, 2010 Stipulation and Order.

Date:

December 16, 2010

DENTISTS/DENTAL HYGIENISTS

***COLEMAN, John Scott, DDS**

License No. 7825472-9921

Docket No. 2010-461

Gilbert, Arizona

Cause of Action:

Respondent had been disciplined in Arizona in February 2009 before he submitted an application for licensure as a dentist in Utah.

Order:

A license to practice as a dentist with class I anesthesia permit was issued to Respondent and said license was placed on probation for three years with conditions.

Date:

December 30, 2010

***COLEMAN, Jonathan Flanagan, DDS**

License No. 264646-9923/8903

Docket No. 2010-445

Park City, Utah

Cause of Action:

Respondent has engaged in conduct, including the use of intoxicants, to the extent the conduct might reasonably be considered to impair his ability to safely practice dentistry.

Order:

Respondent's licenses to practice as a dentist and to administer and prescribe controlled substances were placed on probation for five years with conditions.

Date:

December 14, 2010

DENTISTS/DENTAL HYGIENISTS - continued

***POULTER, John S., DDS**

License Nos. 3082639-9921/8903

Docket No. 2009-165

Salt Lake City, Utah

Reinstatement Order:

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

Date: December 23, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***BREWER, Theresa L.**

License No. 283985-3102

Docket No. 2009-28

Helper, Utah

Amended Order:

The probationary condition requiring Respondent to practice only under the on-site supervision of a licensed 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 a licensed nurse in good standing with the Division or a licensed MD/DO in good standing with the Division.

Date: December 21, 2010

***COOK, Donna Jarman**

License No. 193859-3102

Docket No. OSC-2-2002-171

Salt Lake City, 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: December 2, 2010

***HOWELL, Lillian L.**

License No. 214-155-3102

Docket No. OSC-2001-169

Alpine, Utah

Amended Order:

The probationary condition requiring Respondent to attend professional support group meetings was terminated.

Date: December 21, 2010

***KENDALL, Lisa Gay**

License No. 162329-3102

Docket No. 2010-434

Salt Lake City, Utah

Cause of Action:

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

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: December 7, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***PARKER, Marie Amanda**

License No. 7205862-3102

Docket No. 2010-455

American Fork, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to her nursing license and admits she has a substance abuse problem.

Order:

Respondent voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license for a period of two years and the completion of conditions outlined in the Stipulation and Order.

Date:

December 22, 2010

***YEAGLE, Mark Eugene**

License No. 5550903-3102

Docket No. 2010-459

Bountiful, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his nursing practice when he failed to complete documentation, falsifying patient records, failure to complete admission paperwork, failure to properly discharge a patient, incomplete patient assessment and failure to follow patient plan for medication administration.

Order:

Respondent was given a public reprimand for the above conduct and ordered to pay a \$500 fine within 90 days.

Date:

December 28, 2010

LICENSED PRACTICAL NURSES

***DAVENPORT, Debra Ann**

License No. 4951529-3101

Docket No. 2010-427

American Fork, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in her nursing practice when she administered the wrong medication to patients, failed to respond to a patient and left a medication cart unlocked.

Order:

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

Date:

December 2, 2010

***ROBERTS, Stacy L.**

License No. 180660-3101

Docket No. OSC-2004-76

Salt Lake City, Utah

Reinstatement Order:

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

Date:

December 2, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***IRONS, Kathryn A.**

License Nos. 145886-1701/8911

Docket No. 2009-29

Salt Lake City, 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:

December 21, 2010

***LOWE, Richard A.**

License Nos. 148220-1701/8911

Docket No. 2008-275

Salt Lake City, 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:

December 21, 2010

***MARTZ, Paul Jacob**

License Nos. 5836234-1701/8911

Docket No. 2010-275

Herriman, Utah

Amended Order:

The suspension on Respondent's licenses to practice as a pharmacist and to dispense controlled substances was terminated and said licenses were placed on probation for five years subject to the conditions and restrictions identified in the September 7, 2010 Stipulation and Order.

Date:

December 2, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***ALL SERVE HEATING AND AIR CONDITIONING LLC**

License No. 6230364-5501

Docket No. 2010-449

Sandy, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when its qualifier Christopher Suter was not employed as a W-2 employee of the company and was not an owner of the company and did not exercise material authority over the conduct of the business as required in Utah statute.

Order:

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

Date:

December 29, 2010

***AMERICAN PRESTIGE CONSTRUCTION LLC**

License No. 7263158-5501

Docket No. 2010-456

Clearfield, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility due to an outstanding judgment.

Order:

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

Date:

December 29, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***BOOTH FIRE PROTECTION, INC.**

License No. 6833695-5501

Docket No. 2010-261

Helper, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent was ordered to pay a \$500 fine within 30 days. It should also be noted that Respondent voluntarily surrendered its license to practice as a contractor as of November 24, 2010.

Date:

December 29, 2010

***BURNS CONSTRUCTION AND REMODELING**

License No. 6833780-5501

Docket No. 2010-356

Layton, 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:

December 29, 2010

***CDM HEATING & COOLING INC.**

License No. 5875377-5501

Docket No. 2010-383

Salt Lake City, Utah

Cause of Action:

Respondent failed to replace its S210 classification qualifier.

Order:

Respondent's S210 classification was revoked effective the date of the Order.

Date:

December 29, 2010

***CLARK, Taylor Armstrong**

Apprentice Electrician

License No. 5216551-5505

Docket No. OSC-2009-103

Lehi, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order.

Date:

December 15, 2010

***DANIEL WILLIAM STRONG**

License No. 7780756-5501

Docket No. 2010-418

Hooper, Utah

Cause of Action:

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

Order:

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

Date:

December 30, 2010

***DISTINGUISHED HOMES LLC**

License No. 6684285-5501

Docket No. 2010-355

Bountiful, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

December 29, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***EURO CRAFT CABINETRY & DESIGN, INC.**

License No. 5129842-5501

Docket NO. 2010-352

West Valley City, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

December 29, 2010

***GARY R. DENT**

License No. 5893234-5501

Docket No. 2010-303

Highland, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility.

Order:

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

Date:

December 29, 2010

***GRANT MACKAY COMPANY, INC.**

License No. 340818-5501

Docket No. 2010-339

Salt Lake City, Utah

Cause of Action:

Respondent failed to replace the qualifier on its B100 and E100 license classifications.

Order:

Respondent's license to practice as a contractor in the B100 and E100 classifications were revoked effective the date of the Order.

Date:

December 29, 2010

***HERBERT, Charles Edward**

Master Plumber

License No. 273977-5518

Docket No 2010-423

West Jordan, Utah

Cause of Action:

Respondent has a history of alcohol or substance abuse.

Memorandum of Understanding and Order:

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

Date:

December 29, 2010

***NORMAN, Michael George**

Apprentice Plumber

License No. 699261-5509

Docket No. OSC-2008-141

Salt Lake City, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice plumber was revoked effective the date of the Order.

Date:

December 15, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***RANCHO TOOELE DEVELOPMENT LC**

License No. 280972-5501

Docket No. 2010-233

Tooele, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility.

Order:

Respondent's license to practice as a contractor will be revoked effective JANUARY 31, 2011. The December 29, 2010 Order may be set aside if Respondent submits additional information to the Division or posts a license bond prior to January 31, 2011.

Date:

December 29, 2010

***RYAN QUILTER CONSTRUCTION**

License No. 332631-5501

Docket No. 2010-307

Provo, Utah

Order Setting Aside Default Order:

The Division's November 29, 2010 Default Order which was entered against Respondent's license has been set aside based on the fact that Respondent did file a written response to the Division's notice. Further proceedings will now continue in this matter.

Date:

December 8, 2010

***SIX D EXCAVATION, INC.**

License No. 6543942-5501

Docket No. 2009-186

Lehi, 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:

December 29, 2010

***SUNCREST ELECTRIC CORPORATION**

License No. 5819157-5501

Docket No. 2010-381

Provo, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

December 29, 2010

***SWAN VALLEY CONSTRUCTION LLC**

License No. 5785127-5501

Docket No. 2010-361

Roy, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

December 29, 2010

***WOODBIDGE DEVELOPMENT, INC.**

License No. 5060378-5501

Docket No. 2010-391

Ogden, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

December 29, 2010

OTHER REGULATED PROFESSIONS

***ARCHIBALD, Keith**

Unlicensed veterinarian

Docket No. 2010-452

Salt Lake City, Utah

Cause of Action:

Respondent engaged in the practice of veterinary medicine when he was not licensed to do so.

Order:

Respondent was ordered to cease and desist from practicing as a veterinarian.

Date:

December 20, 2010

***BOYD, Nichole C.**

Cosmetologist/Barber

License No. 332616-1101

Docket No. 2010-454

Layton, Utah

Cause of Action:

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

Memorandum of Understanding and Order:

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

Date:

December 21, 2010

***BURDETT, Stacy**

Unlicensed massage therapy

Docket No. 2010-416

Murray, Utah

Cause of Action:

Respondent engaged in the practice of massage therapy when she was not licensed to do so.

Order:

Respondent was ordered to cease and desist from practicing massage therapy until she is lawfully licensed to do so.

Date:

December 1, 2010

***BURTENSHAW, Stevie Noel**

Cosmetologist/Barber

License No. 6627175-1101

Docket No. OSC-2008-187

West Point, Utah

Cause of Action:

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

Order:

Respondent's license to practice as a cosmetologist/barber will remain on probation for another three year period from this Order date subject to conditions in the September 2008 Order and as supplemented by the December 8, 2010 Order.

Date:

December 8, 2010

***CLOYD, James Henry**

Psychologist

License No. 6021200-2501

Docket No. 2010-457

Provo, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a psychologist by engaging in a dual relationship.

Order:

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

Date:

December 28, 2010

OTHER REGULATED PROFESSIONS - continued

***ELMORE, Natasha Diane**

Cosmetologist/Barber

License No. 7803119-1101

Docket No. 2010-463

Ogden, 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 and restrictions.

Date:

December 30, 2010

***FORTIE, Thomas William**

Temporary Unarmed and Temporary Armed Private Security Officer

License Nos. 7090116-8011/8012

Docket No. 2010-464

South Jordan, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a temporary unarmed and temporary armed private security officer.

Order:

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

Date:

December 30, 2010

***GEORGE, Samantha Jean**

Unlicensed massage therapy

Docket No. 2010-437

Salt Lake City, Utah

Cause of Action:

Respondent engaged in the practice of massage therapy when she was not licensed to do so.

Order:

Respondent was ordered to cease and desist from practicing massage therapy until she is lawfully licensed to do so.

Date:

December 14, 2010

***GREEN, William Mack**

Licensed Clinical Social Worker

License No. 4932942-3501

Docket No. 2008-98

Centerville, Utah

Reinstatement Order:

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

Date:

December 30, 2010

***HANRATTY, Michelle Eileen**

Cosmetologist/Barber

License No. 6364164-1101

Docket No. OSC-2009-407

Panguitch, Utah

Cause of Action:

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

Order:

Respondent voluntarily surrendered her license to practice as a cosmetologist/barber. Respondent may not reapply for a cosmetologist/barber license for a period of two years.

Date:

December 14, 2010

OTHER REGULATED PROFESSIONS - continued

***HARRISON, David Steele**

Massage Therapist
License No. 7327120-4701
Docket No. 2010-338
Midvale, Utah

Cause of Action: Respondent engaged in unprofessional and unlawful conduct in his practice as a massage therapist.
Order: Respondent's license to practice as a massage therapist was revoked effective the date of the Order.
Date: December 15, 2010

***KEEL, Cassandra**

Unlicensed massage therapy
Docket No. 2010-417
Murray, Utah

Cause of Action: Respondent engaged in the practice of massage therapy when she was not licensed to do so.
Order: Respondent was ordered to cease and desist from practicing massage therapy until she is lawfully licensed to do so.
Date: December 1, 2010

***KENDALL, Lisa Gay**

Cosmetologist/Barber
License No. 162329-1101
Docket No. 2010-433
Salt Lake City, Utah

Cause of Action: Respondent has engaged in the use of drugs, narcotics, intoxicants, or similar chemicals to the extent that the conduct might reasonably be considered to impair her ability to practice safely.
Order: Respondent's license to practice as a cosmetologist/barber was revoked with a stay of enforcement on the revocation. Said license was placed on probation for five years with conditions and restrictions.
Date: December 7, 2010

***LOOMIS, Eva May**

Unarmed Private Security Officer
License No. 372063-6303
Docket No. 2010-430
West Valley City, Utah

Cause of Action: Respondent engaged in unprofessional conduct since the last renewal of her license.
Memorandum of Understanding and Order: Respondent's license to practice as an unarmed private security officer was renewed and said license was placed on probation for two years with conditions and restrictions.
Date: December 6, 2010

***MARTINEZ, Maria Ivonne**

Burglar Alarm Company Agent
License No. 7106487-6502
Docket No. 2010-432
American Fork, Utah

Cause of Action: Respondent engaged in unprofessional conduct since the last renewal period.
Memorandum of Understanding and Order: Respondent's license to practice as a burglar alarm company agent was renewed and said license was placed on probation for two years with conditions and restrictions.
Date: December 7, 2010

OTHER REGULATED PROFESSIONS - continued

***MELBY, Yvette Ruth**

Certified Social Worker
License No. 7505002-3502
Docket No. 2009-383
Salt Lake City, Utah
Reinstatement Order:

The probation on Respondent's license to practice as a certified social worker was terminated and said license was reinstated with full privileges.
December 20, 2010

Date:

***PONTIOUS, Dave Eric**

Physician Assistant
License Nos. 360484-1206/8906
Docket No. 2010-436
Alpine, Utah
Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when he: (1) practiced as a physician assistant while not under the supervision of a supervising physician or substitute supervising physician; (2) exceeded the scope of his lawful practice by administering and prescribing quantities of controlled substances when the delegation of services agreement between Respondent and his supervisor expressly stated that Respondent was prohibited from administering or prescribing "pain killers" or "like substances"; and (3) exceeded the scope of his lawful practice by providing aesthetic services, such as cosmetic injections, that were outside the scope of both his own scope of practice and education and his supervising physician's scope of practice.

Order: Respondent's licenses to practice as a physician assistant and to administer and prescribe controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation for three years with conditions.

Date: December 8, 2010

***PRUITT, Marcy M.**

Cosmetologist/Barber, Cosmetologist/Barber Instructor
and Master Esthetician
License No. 218200
Docket No. 2008-46
Lehi, Utah
Cause of Action:

Respondent failed to comply with probationary conditions that exist on her licenses. Respondent's licenses were placed on probation for an additional three years with conditions and restrictions.

Order: December 20, 2010

***ROBINSON, James Blane**

Massage Therapist
License No. 7817044-4701
Docket NO. 2010-462
Lehi, Utah
Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in his practice as a massage therapist.

Order: Respondent voluntarily surrendered his license to practice as a massage therapist. Respondent may not reapply for a massage therapy license for a period of 10 years.

Date: December 30, 2010

OTHER REGULATED PROFESSIONS - continued

***SESSIONS, Rebecca E.**

Cosmetologist/Barber
License No. 331928-1101
Docket No. OSC-2010-72
Cause of Action:

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

Order:

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

Date:

December 20, 2010

***SIPES, Michael**

Barber
License No. 7107168-1115
Docket No. OSC-2008-281
Centerville, Utah
Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a barber is suspended until at least March 7, 2011 at which time Respondent will meet with the Board. If the Board determines full compliance at the March 2011 meeting, a decision will be made regarding the termination of the suspension and possibly returning the license to probationary status.

Order:

Date:

December 8, 2010

***WHITE, Charles Cody**

Armored car security officer
4768007-6310
Docket No. 2010-451
West Valley City, Utah
Cause of Action:

Respondent engaged in unprofessional conduct since the last renewal of his license. Respondent's license to practice as an armored car security officer was renewed and said license was placed on probation for two years with conditions and restrictions.

Memorandum of Understanding and Order:

Date:

December 20, 2010

***WIESE, Christina Kay**

Respiratory Care Practitioner
License No. 6579371-5701
Docket No. 2009-247
Amended Order:

The probationary conditions requiring Respondent to attend two professional support group meetings (PIR) and two 12-Step meetings per month were amended to allow Respondent to attend four support group meetings of her choice per month.

Date:

December 30, 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.