

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

NEWSLETTER

March 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 February 1, 2011 - February 28, 2011.

PHYSICIANS/SURGEONS

***CRUMP, Kenneth Lyle, MD**

License Nos. 275282-1205/8905

Docket No. 2009-76

Reinstatement Order:

Respondent has successfully completed all conditions required in the March 2009 Stipulation and Order and his licenses were reinstated with full privileges as of this date.

Date:

February 7, 2011

***FINNEGAN, Robert Franklin, MD**

License Nos. 5306448-1205/8905

Docket No. 2011-39

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct by failing to document controlled substances prescribed in patient medical records; failing to keep accurate records of issued prescriptions in patient medical records; prescribing controlled substances in quantities in excess of what a patient may safely be prescribed and failing to disclose information to the Division in a September 2009 renewal application.

Order:

Respondent's licenses to practice as a physician/surgeon 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:

February 2, 2011

***MORGAN, Lisa Ann, MD**

License Nos. 3083575-1205/8905

Docket No. 2011-27

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct as the result of her addiction/abuse problem.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were revoked with a stay of enforcement on the revocation. Respondent's license to administer and prescribe controlled substances was suspended until conditions outlined in the Order have been successfully completed. Respondent's license to practice as a physician/surgeon is placed on probation for five years with conditions and restrictions.

Date:

February 2, 2011

DENTISTS/DENTAL HYGIENISTS

None in February 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***CORMIER, Sarah Jane**

License Nos. 218332-4405/8900

Docket No. 2011-54

Tooele, Utah

Cause of Action:

Respondent's license had previously been disciplined by the Division in 2007 and 2008.

Order:

Licenses to practice as an advanced practice registered nurse and to administer and prescribe controlled substances were reissued to Respondent. Said licenses were revoked with a stay of enforcement on the revocation. Said licenses are placed on probation for two years with conditions and restrictions.

Date:

February 14, 2011

***DEAHL, Susan Arlean**

License No. N/A

Docket No. 2011-57

Mount Pleasant, Utah

Cause of Action:

Respondent has a history of alcohol and controlled substance abuse.

Memorandum of Understanding and Order:

Once Respondent successfully passes the NCLEX-RN examination within six months of this Order date, a Utah license to practice as a registered nurse will be issued to her and said license will be placed on probation for five years with conditions and restrictions.

Date:

February 14, 2011

***FREDRICKSON, Jennifer Nicole**

License No. 6450262-3102

Docket No. 2011-44

Cottonwood Heights, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct that affects her license to practice as a registered 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:

February 8, 2011

***JUDD, Terri Rae**

License No. 201882-3102

Docket No. 2011-55

Salt Lake City, Utah

Cause of Action:

Respondent is not able to comply with the probationary conditions that exist on her license.

Order:

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

Date:

February 14, 2011

***SCHMIDT, Tricia Lynn**

License No. 216153-3102

Docket No. 2011-41

South Jordan, Utah

Cause of Action:

Respondent failed to comply with probationary conditions and restrictions that exist on her license.

Order:

Respondent's license to practice as a registered nurse is suspended for at least six months and until Respondent has successfully completed conditions identified in this Order. Following the period of suspension, said license will be placed on probation for five years subject to the conditions and restrictions identified in the May 2, 2007 Order in Case No. 2007-97.

Date:

February 3, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***WHITTEMORE, Nancy M.**

License No. 200276-3102

Docket No. OSC-2010-178

North Ogden, Utah

Cause of Action:

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

Order:

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

Date:

February 7, 2011

LICENSED PRACTICAL NURSES

***NILSSON, Torri Lee**

License No. 351973-3101

Docket No. 2011-34

Ogden, Utah

Cause of Action:

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

Order:

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

Date:

February 2, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

None in February 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***ABSOLUTE POWER, LLC**

License No. 5110184-5501

Docket No. OSC-2010-65

Ogden, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent failed to comply with probationary conditions that existed on its license.

Order:

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

Date:

February 3, 2011

***APPROVED PAINTING, LLC**

License No. 5304810-5501

Docket No. 2010-465

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:

February 23, 2011

***CURRANT CREEK METALS, LC**

License No. 4776489-5501

Docket No. 2010-127

West Jordan, 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:

February 23, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***CURTIS, Nathan Andrew**

Apprentice Electrician
License No. 6752847-5505
Docket No. 2011-60
Clearfield, Utah
Cause of Action:

Respondent engaged in unprofessional conduct that relates to his license to practice as an apprentice electrician.

Order: Respondent's license to practice as an apprentice electrician was revoked with a stay of enforcement on the revocation. Said license was placed on probation with conditions and restrictions.

Date: February 23, 2011

***DEJARNATT, Mitchell Kevin**

Apprentice Electrician
License No. 7845768-5505
Docket No. 2011-72
Tremonton, Utah
Cause of Action:

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

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: February 23, 2011

***DIAZ, Maynor Fernando**

Master Plumber
License No. 278304-5518
Docket No. 2011-40
West Jordan, Utah
Cause of Action:

Respondent engaged in unprofessional conduct which affects his license to practice as a master plumber.

Order: Respondent's license to practice as a master plumber was revoked with a stay of enforcement on the revocation. Said license was placed on probation with conditions and restrictions.

Date: February 23, 2011

***GORDON C. ORTON CONSTRUCTION COMPANY, INC.**

License No. 252513-5501
Docket No. 2010-396
Ogden, Utah
Cause of Action:

Respondent has failed to maintain financial responsibility and Respondent made a misrepresentation in its January 2010 reinstatement application regarding judgments and tax liens.

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

Date: February 23, 2011

***GSV CONSTRUCTION, INC.**

License No. 5835657-5501
Docket No. 2011-63
Stockton, Utah
Cause of Action:

Respondent has failed to maintain financial responsibility.

Order: Respondent's license to practice as a contractor was renewed and said license was placed on probation for six years with conditions.

Date: February 23, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***IKON STEEL SYSTEMS, INC.**

License No. 5960420-5501

Docket No. 2010-467

Riverton, Utah

Cause of Action:

Respondent has 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.

Date:

February 23, 2011

***KEEPING IT GREEN MAINTENANCE, INC.**

License No. 7420077-5501

Docket No. 2011-69

Salt Lake City, Utah

Cause of Action:

Respondent's owner, Daniel Robert Jensen, engaged in unprofessional 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 three years with conditions.

Date:

February 23, 2011

***M & R CONSTRUCTION SERVICES, INC.**

License No. 6130461-5501

Docket No. 2011-7

Santaquin, 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:

February 23, 2011

***MONUMENT SETTERS, LLC**

License No. 6736109-5501

Docket No. 2011-74

Farmington, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when its qualifier, Weston Lawrence, did not meet statutory requirements for a qualifier.

Order:

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

Date:

February 23, 2011

***NEUBAU FRAMERS, LLC**

License No. 6431015-5501

Docket No. 2010-450

Draper, 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:

February 23, 2011

***QUICKSILVER PAINTING, INC.**

License No. 7140248-5501

Docket No. 2011-70

Park City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when its qualifier, Mark Hancey, did not meet statutory requirements for a qualifier.

Order:

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

Date:

February 23, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***SHELDON PALMER CONSTRUCTION, LLC**

License No. 2021503-5501

Docket No. 2011-10

Ogden, Utah

Cause of Action:

Respondent Sheldon Palmer failed to perform the duties of a qualifier as required by statute for contractor licensee Rogelio Ramos, Jr. and then failed to notify the Division of his disassociation from that licensee.

Order:

Respondent was given a public reprimand for the above conduct and Sheldon Palmer is prohibited from being a qualifier on another contractor license other than for Sheldon Palmer Construction LLC for a period of two years.

Date:

February 23, 2011

***STUART AWNING, INC.**

License No. 4818516-5501

Docket No. 2010-237

St. George, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility and Respondent made a misrepresentation in his September 2009 renewal application regarding outstanding judgments and tax liens.

Order:

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

Date:

February 23, 2011

***SUNDOWN CONSTRUCTION, LLC**

License No. 7893597-5501

Docket No. 2011-78

South Ogden, Utah

Cause of Action:

Respondent's owners, Jacob David Wayman and Jason Clements Toone, had engaged in unprofessional conduct prior to submitting an application for licensure to the Division.

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:

February 23, 2011

OTHER REGULATED PROFESSIONS

***APO, Heather Roselani**

Certified Substance Abuse Counselor

License No. 7853503-6005

Docket No. 2011-31

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:

February 2, 2011

OTHER REGULATED PROFESSIONS - continued

***BRIMHALL, Dallin Ross**

Massage Apprentice

License No. 7167922-4702

Docket No. 2011-49

Provo, Utah

Cause of Action:

Allegations Respondent engaged in conduct that resulted in him being convicted of a crime that, when considered with the functions and duties of a massage apprentice, bears a reasonable relationship to his ability to safely and/or competently practice as a massage apprentice. **Without either admitting nor denying the Division's allegations, Respondent agreed to the following:**

Order:

Respondent voluntarily surrendered his license to practice as a massage apprentice. Respondent may not reapply for a massage therapy type license for a period of five years.

Date:

February 8, 2011

***BROWN, R. Craig**

Professional Structural Engineer/Professional Engineer

License No. 165099-2203/2202

Docket No. 2011-43

Sandy, Utah

Cause of Action:

Respondent engaged in unprofessional conduct by practicing beyond the scope of his competence, abilities and education in designing structures, used building codes that were out of date and submitted incomplete final plans to building inspectors.

Order:

Respondent's license to practice as a professional structural engineer was revoked. Respondent's license to practice as a professional engineer was reissued, revoked with a stay of enforcement on the revocation and said license was placed on probation for three years with conditions.

Date:

February 2, 2011

***CLARK, Jaide**

Burglar Alarm Company Agent

License No. 7813611-6502

Docket No. 2011-42

Lehi, 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 burglar alarm company agent was issued and said license was placed on probation for three years with conditions and restrictions.

Date:

February 23, 2011

***EMMETT, David W.**

Licensed Clinical Social Worker

License No. 128918-3501

Docket No. 2011-29

Vernal, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when he claimed reimbursement for non-business related use of state vehicles and per diem for which he was not entitled.

Order:

Respondent's license to practice as a licensed clinical social worker is conditionally renewed until April 30, 2011. Respondent's license to practice as a licensed clinical social worker will then be voluntarily surrendered as of May 1, 2011 for a period of 20 years.

Date:

February 2, 2011

OTHER REGULATED PROFESSIONS - continued

***GURNETT, Margaret A.**

Physical Therapist

License No. 117919-2401

Docket No. 2011-61

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting a reinstatement application to the Division. Respondent's license to practice as a physical therapist in Arizona has also been disciplined.

Memorandum of Understanding and Order:

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

Date:

February 15, 2011

***GREEN, Terry Lynn**

Certified Public Accountant/CPA Firm

License Nos. 125343-2601 & 7428620-2603

Kaysville, Utah

Cause of Action:

Respondent engaged in unprofessional conduct which bears a reasonable relationship to his ability to safely practice as a certified public accountant and as a CPA firm.

Order:

Respondent's licenses to practice as a certified public accountant and as a CPA firm were renewed and both licenses were placed on probation for three years with conditions.

Date:

February 28, 2011

***MACKIE, Lance L.**

Professional Engineer

License No. 4858827-2202

Docket No. 2011-62

Cottonwood Heights, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to his license as a professional engineer.

Order:

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

Date:

February 14, 2011

***MCGEE, Joel Robert**

Armed Private Security Officer

License No. 7171411-6302

Docket No. 2011-28

Farmington, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that affects his license to 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 type license for a period of five years.

Date:

February 2, 2011

***NACKOS, James Charles**

Physical Therapist

License No. 5133156-2401

Docket No. 2011-65

Springville, Utah

Cause of Action:

Respondent's license to practice as a physical therapist had previously been disciplined by the Division in 2008.

Memorandum of Understanding and Order:

A license to practice as a physical therapist was reissued to Respondent and said license was placed on probation with conditions and restrictions.

Date:

February 16, 2011

OTHER REGULATED PROFESSIONS - continued

***RADER, Clinton R.**

Burglar Alarm Company Agent

License No. 7447094-6502

Docket No. 201-66

Lehi, 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 burglar alarm company agent was renewed and said license was placed on probation for two years with conditions and restrictions.

Date:

February 23, 2011

***RIGGIN, Lilia January**

Certified Substance Abuse Counselor

License No. 7850597-6005

Docket No. 2011-30

Layton, 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:

February 2, 2011

***STRINGHAM, James Richard**

Licensed Clinical Social Worker

License No. 308476-3501

Docket No. 2011-46

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a licensed clinical social worker with respect to the MMPI 2RF mental health examination.

Order:

Respondent's license to practice as a licensed clinical social worker will remain subject to the probationary conditions/restrictions identified in the January 8, 2009 Order in Case No. DOPL-2008-168. Respondent's probationary period is extended one additional year until January 8, 2013 with additional restrictions on his license.

Date:

February 8, 2011

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.