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**BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING  
OF THE DEPARTMENT OF COMMERCE  
OF THE STATE OF UTAH**

—

IN THE MATTER OF THE LICENSE OF	)	
<b>LYNN GREENHOUSE</b>	)	<b>STIPULATION AND ORDER</b>
TO PRACTICE AS A	)	
PHYSICIAN/SURGEON	)	CASE NO DOPL 2012- 325
IN THE STATE OF UTAH	)	

—

**LYNN GREENHOUSE** (“Respondent”) and the **DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah (“Division”) stipulate and agree as follows

- 1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action
- 2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the State of Utah's Physician Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing Respondent understands that by signing this document Respondent waives all rights to any administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405 and Utah Administrative Code R156-46b-12 through R156-46b-15 Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann § 63G4-102(4)

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent understands that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's license, to other persons and entities

7 Respondent neither admits nor denies the following, but agrees that the Division shall make the following findings of fact

- a Respondent was first licensed to practice as a physician/surgeon in the State of Utah on or about August 19, 1993 Respondent is not licensed to administer and prescribe controlled substances in the State of Utah
- b On or about February 7, 2012 Respondent voluntarily entered into a Consent Agreement with the Nevada Board of Medical Examiners ("Nevada Board"), a copy of which is incorporated by reference into this Stipulation and Order and attached as Exhibit A, publicly reprimanding Respondent's license to practice as a physician in the State of Nevada and placing terms and conditions on Respondent's Nevada license
- c Respondent surrendered her DEA registration certificate in about October 2010

8 Respondent, while neither admitting nor denying the findings of facts above, agree that the findings of fact described above constitute unprofessional conduct as defined in Utah Code Ann § 58-1-501(2)(a) and (d) Respondent agrees by engaging in such conduct the Division is justified in taking disciplinary action against Respondent's license pursuant to Utah Code Ann § 58-1-401(2)(a) Respondent agrees that an Order, which constitutes disciplinary action against Respondent's license by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann § 58-1-401(2), may be issued in this matter providing for the following action against Respondent's license

- (a) Respondent's Utah license shall be publicly reprimanded for the conduct described in Exhibit A Respondent's license shall be subject to a term of probation in Utah for the same period that that Respondent's Nevada physician license is on probation
- (b) Respondent shall fully and timely comply all the terms and conditions of Exhibit A

- (c) Respondent shall promptly provide copies to the Division and Board of all documents submitted to the Nevada Board regarding Exhibit A  
Respondent shall promptly and on an ongoing basis submit documentation to the Division and Board verifying that Respondent is complying with the terms and conditions of Exhibit A
- (d) Respondent shall meet with the Board at the next scheduled Board meeting, either in person or telephonically as directed by the Division or Board  
Respondent shall meet telephonically with a Division staff person prior to Respondent's first meeting with the Board to review this agreement  
For the remainder of the duration of probation, Respondent shall meet with the Board or with the Division, either in person or telephonically as directed by the Division or Board, annually, or at such other greater or lesser frequency as the Division and Board may direct
- (e) Respondent shall not be issued a license to administer and prescribe controlled substances in the State of Utah until Nevada issues Respondent a controlled substance license and DEA issues Respondent a DEA registration certificate
- (f) If Respondent works in the State of Utah, Respondent shall practice only under the supervision of a Division and Board pre-approved supervisor, who is licensed and in good standing with the Division, during the term of Respondent's probation  
Respondent's supervisor shall submit reports to the Division and Board on a form pre-approved by the Division and Board at a frequency set forth by the Division and Board  
Any changes in supervision may be made only with the consent of the Division and Board  
Respondent shall deliver a copy of this Stipulation and Order to Respondent's supervisor (within ten days of the establishment of the supervisory relationship) and cause Respondent's supervisor to notify the Division and Board in writing that a copy has been received, that the supervisor is willing to accept the responsibilities and obligations of acting as Respondent's supervisor, and submit a copy of the supervisor's curriculum vitae to the Division and Board  
The receipt of an unfavorable report may be considered to be a violation of probation
- (g) If Respondent practices in the State of Utah, Respondent shall meet weekly, or at a frequency determined by the Division and Board, with Respondent's supervisor  
Supervision goals shall include concurrent management, oversight of clinical services, prescribing practices, and professional relationships and practices  
The supervisor shall review 20% of Respondent's current patient files  
The supervisor shall choose which files shall be reviewed  
The supervisor shall address issues the supervisor

determines are pertinent to professional and ethical practice Respondent shall cause Respondent's supervisor to meet with the Division and Board, either in person or telephonically, to discuss oversight issues the responsibilities of a supervising physician

- (h) If Respondent is self-employed in private practice. Respondent shall hire a supervisor, pre-approved by the Board and Division
- (i) Respondent shall maintain an active license at all times during the period of this agreement
- (j) Respondent shall immediately notify the Division in writing of any change in Respondent's residential or business address
- (k) Respondent shall submit reports on the date they are due and shall appear at scheduled meetings with the Division and Board promptly Failure to do so shall be considered a violation of this Stipulation and Order

9 Upon approval by the Director of the Division, this Stipulation and Order shall be the final compromise and settlement of this non-criminal administrative matter Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and the Respondent waive any claim of bias or prejudice they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification

10 Respondent shall abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12 The accompanying Order becomes effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order. Respondent shall comply with and timely complete all the terms and conditions of probation. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board or Division. Failure to comply with and timely complete a term or condition shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's license, or other appropriate sanction.

13 Respondent understands that the disciplinary action taken by the Division in this

Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state

14 Respondent has read each and every paragraph contained in this Stipulation and Order Respondent understands each and every paragraph contained in this Stipulation and Order Respondent has no questions about any paragraph or provision contained in this Stipulation and Order

DIVISION OF OCCUPATIONAL &  
PROFESSIONAL LICENSING

RESPONDENT

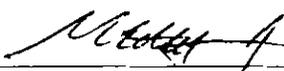
BY   
**NOEL TAXIN**  
Bureau Manager

BY   
**LYNN GREENHOUSE**  
Respondent

DATE 7-17/12

DATE 7/17/12

MARK L. SHURTLEFF  
ATTORNEY GENERAL

BY   
**L. MITCHELL JONES**  
Counsel for the Division

DATE 19 July 2012

**ORDER**

THE ABOVE STIPULATION, in the matter of **LYNN GREENHOUSE**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 23<sup>rd</sup> day of July, 2012

DIVISION OF OCCUPATIONAL AND  
PROFESSIONAL LICENSING

  
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**MARK B. STEINAGEL**  
Director

Investigator Noel Tavira