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

NEWSLETTER

May 1, 2010

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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 April 1, 2010 - April 30, 2010.
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PHYSICIANS/SURGEONS

*BEDELL, Raymond Louis, DO
License No. 329116-1204
Docket No. 2008-32
Cause of Action: Respondent engaged in unprofessional conduct in his practice as an osteopathic physician/surgeon.
Order: Respondent's license to practice as an osteopathic physician/surgeon is suspended until certain conditions outlined in the Order have been completed by him. Respondent was also ordered to pay a $500 fine within 30 days.
Date: April 8, 2010

*CANFIELD, Charles Olin, MD
License Nos. 182809-1205/8905
Docket No. 2010-140
American Fork, Utah
Cause of Action: Respondent engaged in unprofessional conduct with respect to his prescribing practices.
Order: Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were given a public reprimand for improper prescribing practices. Respondent was also ordered to pay a $1,000 fine within 90 days and ordered to cease and desist from engaging in the unprofessional conduct described in the Stipulation and Order.
Date: April 26, 2010

*CANNON, Max Kent, MD
License Nos. 347228-1205/8905
Docket No .2009-302
Salem, Utah
Cause of Action: Respondent engaged in unprofessional conduct in his practice of medicine.
Order: Respondent's July 2009 request to reinstate his licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was denied.
Date: April 26, 2010

*JONES, Aaron Wilson, MD
License Nos. 6592169-1205/8905
Docket No. 2008-256
Providence, 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: April 21, 2010
DENTISTS/DENTAL HYGIENISTS

*CHRISTENSEN, Louis R.
License Nos. 138056-9922/8903
Docket No. 2010-139
St. George, Utah
Cause of Action:

Respondent admitted to a history of substance abuse and admitted prescribing controlled substances to himself for medical conditions.

Order:
Respondent voluntarily surrendered his license to administer and prescribe controlled substances. Respondent may not reapply for a controlled substance license for a period of three years. Respondent's license to practice as a dentist is revoked with a stay of enforcement on the revocation. Said license is suspended for at least three months with conditions to be completed during the suspension period. Following the period of suspension, said license will be placed on probation for 5 years with conditions and restrictions. Respondent was also ordered to pay a $1,000 fine within 90 days.

Date: April 26, 2010

*POULTER, John S.
License No. 3082639-9921
Docket No. 2009-165
Salt Lake City, Utah
Amended Order:

The probationary condition requiring Respondent to participate in a professional support group is amended to allow Respondent to attend either two (2) PIR meetings and two (2) AA meetings per month or four (4) AA meetings per month.

Date:
April 19, 2010

*SLATER, Rodney John
License No. 5686807-9922
Docket No. 2007-27
Lehi, Utah
Reinstatement Order:

The probation on Respondent's license to practice as a dentist-anesthesia Class II permit was terminated and said license was reinstated with full privileges.

Date:
April 19, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES

*ARIGOT, Kimberlee W.
License No. 224823-3102
Docket No. 2009-408
Syracuse, Utah
Cause of Action:

Respondent engaged in unprofessional conduct that relates to her nursing 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.

Date:
April 21, 2010

*BLOYER, Gretchen L.
License No. 216514-3102
Docket No. 2010-116
Salt Lake City, Utah
Cause of Action:

Respondent engaged in unprofessional conduct that relates to her license as a registered nurse.

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.

Date:
April 13, 2010
*GARDNER, Heather L.*  
License No. 271201-3102  
Docket No. 2010-88  
Provo, Utah  
Cause of Action: Respondent engaged in unprofessional and unlawful conduct in her practice as a nurse by falsely obtaining a controlled substance.  
Order: Respondent was given a public reprimand for the above conduct and ordered to pay a $400 fine within 180 days.  
Date: April 8, 2010

*JOHNSON, Michelle Deon*  
License No. 6819302-3102  
Docket No. 2010-124  
St. George, Utah  
Cause of Action: Respondent practiced beyond the scope of her license and beyond her abilities, competence and education.  
Order: Respondent was given a public reprimand.  
Date: April 19, 2010

*PAULSEN, John S.*  
License No. 197776-4406  
Docket No. 2010-125  
Hooper, Utah  
Cause of Action: Respondent had surrendered his CRNA license in Utah in August 2004 due to substance abuse and theft while working as a CRNA.  
Memorandum of Understanding and Order: A license to practice as a registered nurse was issued to Respondent and said license was placed on probation for five years with conditions and restrictions.  
Date: April 19, 2010

*POPE, Gaylynn V.*  
License No. 201458-3102  
Docket No. 2010-113  
Salt Lake City, Utah  
Cause of Action: Respondent has failed to comply with probationary conditions that existed on her license due to health issues.  
Order: Respondent voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license until she is able to comply with conditions outlined in the Stipulation/Order.  
Date: April 8, 2010

*SWANK, Eve Joanna*  
License No. 5922527-3102  
Docket No. 2010-135  
Cedar City, Utah  
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 voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license until conditions identified in the Stipulation and Order have been successfully completed by Respondent.  
Date: April 26, 2010
LICENSED PRACTICAL NURSES

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

*BIO PHARMACEUTICS
Class A pharmacy
License Nos. 7069683-1703/8913
Docket No. 2010-107
Orem, Utah
Cause of Action: Respondent engaged in unprofessional and unlawful conduct in its practice as a Class A pharmacy.
Order: Respondent voluntarily surrendered its licenses to practice as a Class A pharmacy and to dispense controlled substances. Respondent may not reapply for a pharmacy or controlled substance license for a period of five years.
Date: April 5, 2010

*CORDOVA, William Benjamin, Sr.
License Nos. 5794197-1701/8911
Docket No. 2010-130
Heber City, Utah
Cause of Action: Respondent has engaged in unprofessional and unlawful conduct in his practice as a pharmacist.
Order: Respondent was ordered to pay a $1,000 fine within 120 days. Respondent's licenses to practice as a pharmacist and to dispense controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation for three years with conditions and restrictions. Respondent shall also cease and desist from representing himself as a "doctor" to pharmacy customers unless Respondent clearly explains to the customer that he is not a medical doctor but received a doctorate degree in pharmacy.
Date: April 21, 2010

*MESSINEO, Richard Martin
License Nos. 153694-1701/8911
Docket No. 2010-133
Midvale, Utah
Cause of Action: Respondent has engaged in alleged unprofessional and unlawful conduct that represents an immediate and significant danger to the public health, safety and welfare.
Emergency Order: Respondent's licenses to practice as a pharmacist and to dispense controlled substances are immediately suspended until further Order of the Division.
Date: April 26, 2010

*MONTANO, Alfonso Mark
Pharmacy Technician
License No. 6987025-1717
Docket No. 2008-101
Salt Lake City, Utah
Reinstatement Order: The probation on Respondent's license to practice as a pharmacy technician was terminated and said license was reinstated with full privileges.
Date: April 5, 2010
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

*A & J STONEMASON
License No. 269456-5501
Docket No. 2010-141
West Valley City, Utah
Cause of Action:
Respondent engaged in unprofessional conduct by misrepresenting in an application to the Division that a judgment had been entered against him. Respondent has also failed to maintain financial responsibility as the result of a delinquent real estate loan.

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

Date: April 29, 2010

*ACME CONTRACTORS, INC.
License No. 268353-5501
Docket No. 2010-115
Salt Lake City, Utah
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: April 29, 2010

*ALPINE DESIGN GENERAL CONTRACTORS, LLC
License No. 5658286-5501
Docket No. 2010-134
Park City, Utah
Cause of Action:
Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its license qualifier, William Troy Riddell.

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

Date: April 29, 2010

*BIG SKY DESIGN, INC.
Docket No. 2010-136
Springville, Utah
Cause of Action:
Respondent has engaged in practice as a contractor without being licensed to do so. Respondent was ordered to pay a $500 fine within 90 days. Respondent was also ordered to cease and desist from engaging in the unlicensed practice as a contractor. It should be noted that a license to practice as a contractor was issued to Respondent on April 26, 2010.

Date: April 29, 2010

*CAMBRIDGE BUILDERS, INC.
License No. 349844-5501
Docket No. 2010-137
South Jordan, Utah
Cause of Action:
Respondent has failed to maintain financial responsibility as the result of a delinquency with the Utah State Tax Commission.

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

Date: April 29, 2010
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

*CENTERLINE DEVELOPMENT, LLC
License No. 7628996-5501
Docket No. 2010-129
Fruit Heights, Utah
Cause of Action: Respondent engaged in practice as a contractor without being licensed to do so.
Memorandum of Understanding and Order: A license to practice as a contractor was issued and said license was placed on probation for two years with conditions.
Date: April 29, 2010

*CURLANT CREEK METALS, LC
License No. 4776489-5501
Docket No. 2010-127
West Jordan, Utah
Cause of Action: Respondent has failed to maintain financial responsibility as the result of a delinquency with the IRS.
Order: Respondent's license to practice as a contractor was placed on probation for five years with conditions.
Date: April 29, 2010

*DOC OC CLEANER & MAINTENANCE SERVICES, INC.
dba PYRAMID STONE MASONRY
License No. 6857412-5501
Docket No. 2008-72
West Valley City, 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: April 29, 2010

*ELITE AIR, LLC
License No. 5633929-5501
Docket No. 2010-126
American Fork, Utah
Cause of Action: Respondent has failed to maintain financial responsibility as a the result of a judgment.
Order: Respondent's license to practice as a contractor was placed on probation for three years with conditions.
Date: April 19, 2010

*GARY KUMMER CONSTRUCTION, LLC
License No. 7611446-5501
Docket No. 2010-109
Orem, Utah
Cause of Action: Respondent engaged in unprofessional and unlawful conduct in his practice as a contractor.
Order: Respondent's license to practice as a contractor was given a public reprimand for his conduct. Respondent was also ordered to pay a $500 fine within 90 days.
Date: April 29, 2010
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

*GUTTER BROTHERS, LLC
License No. 7485968-5501
Docket No. 2010-98
Salt Lake City, Utah
Cause of Action: Concerns regarding financial responsibility as the result of Respondent's qualifier, Spencer C. Halvorsen, had civil judgments entered against another contractor license (M & M Gutters LLC) in which Mr. Halvorsen was previously a manager.

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: April 5, 2010

*MITCHELL EXCAVATION, INC.
License No. 346087-5501
Docket No. 2010-110
Lindon, Utah
Cause of Action: Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its qualifier, Donald Lyster.

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

Date: April 29, 2010

*PERKS DIAMOND CONSTRUCTION, INC.
License No. 6061658-5501
Docket No. 2010-138
Orem, Utah
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 three years with conditions.

Date: April 29, 2010

*SILVERCREEK LANDSCAPING, INC.
License No. 6542032-5501
Docket No. 2010-143
Layton, Utah
Cause of Action: Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its prior license qualifier, Brad Jackson.

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

Date: April 29, 2010

*TREVOR W. BLACK
License No. 7576430-5501
Docket No. 2010-142
St. George, Utah
Cause of Action: Respondent has engaged in unprofessional conduct as the result of Respondent's qualifier, Jason K. Black, previously having civil judgments against another contractor license for which he was the qualifier and then Jason K. Black subsequently filed for bankruptcy.

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

Date: April 29, 2010
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

**VIVID CONSTRUCTION, LLC**
License No. 6054153-5501
Docket No. 2006-101
St. George, 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: April 29, 2010

**WASATCH VALLEY CONSTRUCTION, LLC**
License No. 5599985-5501
Docket No. 2010-128
Ogden, Utah
Cause of Action: Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its license qualifier, Cliffton Bell.

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

Date: April 29, 2010

**WOODSIDE HOMES CORPORATION**
License No. 248788-5501
Docket No. 2010-111
North Salt Lake, Utah
Cause of Action: The Division alleges Respondent has failed to maintain financial responsibility due to a bankruptcy filing. **Without admitting or denying the Division's allegations, Respondent agreed to the following.**

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

Date: April 6, 2010

**OTHER REGULATED PROFESSIONS**

**BAKER, Tyler J.**
Limited Building Inspector
License No.6849816-5602
Docket No. 2008-3
Taylorsville, Utah
Reinstatement Order: The probation on Respondent's license to practice as a limited building inspector was terminated and said license was reinstated with full privileges.

Date: April 12, 2010

**BENSON, Allan Robert**
Limited Building Inspector
License No. 6849822-5602
Docket No. 2008-16
West Jordan, Utah
Reinstatement Order: The probation on Respondent's license to practice as a limited building inspector was terminated and said license was reinstated with full privileges.

Date: April 12, 2010
**OTHER REGULATED PROFESSIONS - continued**

*ELEY, Chris*
Docket No. 2010-92
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 engaging in the practice of veterinary medicine until he is properly licensed to do so.

Date: April 6, 2010

*ELEY, David*
Docket No. 2010-91
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 engaging in the practice of veterinary medicine until he is properly licensed to do so.

Date: April 6, 2010

*FUTRELL, Gregory Deforest, DC*
Chiropractic Physician
License No. 289783-1202
Docket No. 2007-94
Salt Lake City, Utah
Reinstatement Order: The probation on Respondent's license to practice as a chiropractic physician was terminated and said license was reinstated with full privileges.

Date: April 13, 2010

*HANSEN, L. Delynn, DC*
Chiropractic Physician
License No. 165911-1202
Docket No. 2010-119
Orem, Utah
Cause of Action: Respondent engaged in unprofessional and unlawful conduct by selling prescription strength HCG in his chiropractic practice.

Order: Respondent's license to practice as a chiropractic physician was given a public reprimand for the above conduct. Respondent was also ordered to cease and desist from selling the prescription drug. Respondent was ordered to pay a $1500 fine within 90 days (paid in full on 4-7-2010).

Date: April 13, 2010

*JONES, Joanie Lynn*
Licensed Substance Abuse Counselor
License No. 5858793-6006
Docket No. 2010-132
Sunset, Utah
Cause of Action: Respondent failed to comply with probationary conditions that existed on her license. Respondent's license to practice as a licensed substance abuse counselor was revoked with a stay of enforcement on the revocation. Said license is placed on probation for another three year period with conditions and restrictions.

Order:

Date: April 20, 2010
*JULIAN, Michael Wynn  
Certified Substance Abuse Counselor  
License No. 6820388-6005  
Docket No. 2007-251  
Orem, 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: April 28, 2010

*LOWE, David Asay  
Massage Therapist  
License No. 7376371-4170  
Docket No. 2010-121  
Las Vegas, Nevada  
Cause of Action: Respondent failed to provide additional information to the Division concerning a criminal record.  
Order: Respondent's conditional license to practice as a massage therapist was immediately revoked.  
Date: April 13, 2010

*NIELSON, Bruce C., DC  
Chiropractic Physician  
License No. 365045-1202  
Docket No. 2007-212  
Midvale, Utah  
Reinstatement Order: The probation on Respondent's license to practice as a chiropractic physician was terminated and said license was reinstated with full privileges.  
Date: April 13, 2010

*PAPPAS, Leslie  
Docket No. 2010-93  
Murray, Utah  
Cause of Action: Respondent engaged in the practice of veterinary medicine when she was not licensed to do so.  
Order: Respondent was ordered to cease and desist from engaging in the practice of veterinary medicine until she is properly licensed to do so.  
Date: April 6, 2010

*PETERSON, Matthew Edward  
Massage Therapist  
License No. 7341322-4170  
Docket No. 2010-120  
Salt Lake City, Utah  
Cause of Action: Respondent failed to provide additional information to the Division concerning outstanding warrants.  
Order: Respondent's conditional license to practice as a massage therapist was immediately revoked.  
Date: April 13, 2010
OTHER REGULATED PROFESSIONS - continued

*POLLAK, Brian  
Docket No. 2010-106  
St. George, Utah  
Cause of Action: Respondent engaged in practice as a hearing instrument specialist when he was not licensed to do so.
Order: Respondent was ordered to cease and desist from engaging in practice as a hearing instrument specialist until he is properly licensed to do so.  
Date: April 5, 2010

*ROBISON, Irina Yevgenyevna  
Massage Therapist  
License No. 6940216-4701  
Docket No. 2010-108  
Cause of Action: Respondent engaged in unprofessional and unlawful conduct when she touched the genitals of a male 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 two years.  
Date: April 6, 2010

*SCHUBACH, Theresa  
Certified Social Worker  
License No. 6316503-3502  
Docket No. 2007-227  
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.  
Date: April 7, 2010

*TURNER, Brad Glen  
Outfitter  
License No. 7620601-7500  
Docket No. 2010-123  
Elk Ridge, 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 an outfitter was issued to Respondent and said license was placed on probation for five years with conditions.  
Date: April 19, 2010

*WEBB, Kelsee K.  
Unarmed Private Security Officer  
License NO. 7570749-6303  
Docket No. 2010-131  
Heber 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 an unarmed private security officer was issued and said license was placed on probation for two years with conditions and restrictions.  
Date: April 21, 2010
OTHER REGULATED PROFESSIONS - continued

*ZARIT, Matthew Ian, DC
Chiropractic Physician
License No. 369436-1202
Docket No. 2009-276
Anthony, Texas

Cause of Action: Respondent engaged in unprofessional conduct that bears a relationship to his license to practice as a chiropractic physician.

Order: Respondent voluntarily surrendered his license to practice as a chiropractic physician. Respondent may not reapply for a license to practice chiropractic physician for a period of five years.

Date: April 28, 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 L. at (801) 530-6626.