

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

NEWSLETTER

**September 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 August 1, 2010 - August 31, 2010.  
-----

**PHYSICIANS/SURGEONS**

None in August 2010

**DENTISTS/DENTAL HYGIENISTS**

**\*MCARTHUR, John V., DDS**

License No. 142586-9922/8903

Docket No. 2010-225

St. George, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct by failing to maintain records for controlled substances purchased for use in his dental practice and by ingesting some of the controlled substances himself for an ongoing injury and by administering some of the controlled substances to his wife and an adult child for non-dental related conditions.

Order:

Respondent shall not be issued a license to administer/prescribe controlled substances until the Drug Enforcement Administration (DEA) informs the Division that they are willing to grant him a DEA registration certificate. If and when Respondent is issued a license to administer/prescribe controlled substances, said license will be revoked with a stay of enforcement on the revocation and said license will be placed on probation for three years. Respondent's license to practice as a dentist was revoked with a stay of enforcement on the revocation. Said dentist license is placed on probation for three years with conditions and restrictions.

Date:

August 3, 2010

**\*WHITNEY, Hal Preston**

License No. 6909497-9921/8903

Docket No. 2010-244

Aurora, Colorado

Cause of Action:

Respondent's license to practice as a dentist in Colorado was disciplined in March 2010.

Order:

Respondent's licenses to practice as a dentist and to administer and prescribe controlled substances were renewed. Both licenses were revoked with a stay of enforcement on the revocation. Both licenses are suspended until the State of Colorado lifts the suspension on his license to practice in that state. Once the suspension is lifted in Colorado and subsequently in Utah, said licenses will be placed on probation for three years with conditions and restrictions.

Date:

August 19, 2010

**REGISTERED NURSES/ADVANCED PRACTICE NURSES**

**\*BAUER, Roy Keith**

License No. 330357-3102

Docket No. 2010-243

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 his ability to practice safely as a nurse.

Order:

Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license is suspended until such time as conditions outlined in the Order are completed by Respondent. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Date:

August 19, 2010

NOTE: Mr. Bauer passed away on August 28, 2010

**\*BISHOP, Sharon Morse**

License No. 197562-3102

Docket No. 2010-238

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct by continuing to use alcohol which was in violation of a September 2009 diversion agreement.

Order:

Respondent voluntarily surrendered her license to practice as a registered nurse and her participation in the URAP/diversion program was terminated. Respondent has certain conditions outlined in the Order to meet before a new application for licensure will be considered by the Division.

Date:

August 12, 2010

**\*KILGROW, Debbie Joan**

License No. 215159-3102

Docket No. 2010-229

West Valley City, Utah

Cause of Action:

Respondent had been issued a non-restricted license by the Division when a probationary license should have been issued to her based on her prior unprofessional conduct.

Order:

Respondent's license to practice as a registered nurse was placed on probation for two years with conditions and restrictions.

Date:

August 9, 2010

**\*MILLER, Tyler Kay**

License No. 370746-3102

Docket No. 2010-227

Manti, 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 his ability to practice safely as a nurse. Respondent has failed to comply with probationary conditions and restrictions that exist on his license.

Order:

Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license is suspended for a period of at least 90 days with conditions to be met during the period of suspension. Following the period of suspension, said license will be placed on probation on probation for five years with conditions and restrictions.

Date:

August 9, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

**\*VENEGAS, Victor Fabian**

License No. 7689207-3102

Docket No. 2010-248

San Antonio, Texas

Cause of Action:

Respondent's Texas nursing license has been disciplined by the Texas Board of Nurse Examiners.

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 18 months with conditions and restrictions.

Date:

August 23, 2010

LICENSED PRACTICAL NURSES

**\*STODDARD, Julie Janee**

License No. 6483562-3101

Docket No. 2010-228

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of a misrepresentation on her January 2010 nursing renewal form and as a result of her behavior which put the safety of her patients at risk.

Order:

Respondent was given a public reprimand for the above conduct and ordered to pay a \$700 fine within one year.

Date:

August 9, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

**\*BOYLE, Jeremy**

Pharmacy Technician

License No. 5673230-1717

Docket No. OSC-2009-366

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 a pharmacy technician was revoked effective the date of the Order.

Date:

August 3, 2010

**\*CATES, Mary Jo**

License Nos. 144128-1701/8911

Docket No. 2007-64

Centerville, Utah

Amended Order:

The probationary condition requiring Respondent to practice only under the on-site supervision of a licensed pharmacist in good standing with the Division was amended to allow Respondent to practice under the general supervision of a pharmacist licensed in good standing with the Division. Also the probationary condition restricting Respondent from contacting by telephone or other manner, any pharmacy or drug supplier for the purposes of filling a prescription order was terminated.

Date:

August 2, 2010

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES - continued

**\*FACER, Heidi Ziella**

Pharmacy Technician  
License No. 6772818-1717  
Docket No. 2010-188  
Centerfield, Utah  
Cause of Action:

Respondent engaged in unlawful conduct in her practice as a pharmacy technician by procuring or attempting to procure a drug for herself by fraud, deceit or misrepresentation.

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

Date: August 19, 2010

**\*HODGES, Joseph Michael**

License Nos. 139431-1701/8911  
Docket No. 2008-69  
South Jordan, 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: August 2, 2010

**\*JARMAN, Michael C.**

Pharmacy Technician  
License No. 7132265-1717  
Docket No. OSC-2009-277  
Fairview, Utah  
Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license. Respondent voluntarily surrendered his license to practice as a pharmacy technician. Respondent may not reapply for a pharmacy type license for a period of five years.  
Order: August 17, 2010

Date:

**\*MADSEN, Wendy Susanne**

Pharmacy Technician  
License No. 272996-1717  
Docket No. 2010-246  
South Jordan, Utah  
Cause of Action:

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

Order: Respondent's license to practice as a pharmacy technician was revoked with a stay of enforcement on the revocation. Said license was placed on probation for five years with conditions and restrictions.

Date: August 19, 2010

**\*PALMER, Heather K.**

License Nos. 152267-1701/8911  
Docket No. 2010-222  
Clinton, Utah  
Cause of Action:

Respondent has engaged in conduct, including the use of intoxicants, drugs, narcotics, or similar chemicals to the extent that the conduct might reasonably be considered to impair Respondent's ability to practice safely as a pharmacist and to dispense controlled substances.

Order: Respondent was ordered to pay a \$1,000 fine within 90 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 five years with conditions and restrictions.

Date: August 2, 2010

**CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS**

**\*ENVIROSCAPE, INC.**

License No. 7688740-5501

Docket No. 2010-249

Salt Lake City, Utah

Cause of Action:

Respondent failed to demonstrate financial responsibility as the result of a bankruptcy.

Order:

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

Date:

August 26, 2010

**\*FREELAND CONSTRUCTION BILLY FREELAND, INC.**

License No. 7693254-5501

Docket No. 2010-224

Lehi, Utah

Cause of Action:

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

Memorandum of Understanding and Order:

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

Date:

August 26, 2010

**\*MONTGOMERY CONSTRUCTION MANAGEMENT, LC**

License No. 7321833-5501

Docket No. 2009-251

Reinstatement Order:

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

Date:

August 26, 2010

**\*RED MOUNTAIN BUILDERS, LLC**

License No. 3097599-5501

Docket No. 2010-250

Draper, Utah

Cause of Action:

judgment.

Respondent has failed to maintain financial responsibility due to an outstanding

Order:

Respondent's license to practice as a contractor was renewed and said license was placed on probation for one year with conditions.

Date:

August 26, 2010

**\*SEAN FOOTE CONSTRUCTION LLC**

License No. 7607484-5501

Docket No. 2010-226

Highland, Utah

Cause of Action:

Respondent has failed to establish, maintain and demonstrate financial responsibility.

Order:

A license to practice as a contractor was issued to Respondent. Said license was revoked with a stay of enforcement on the revocation. Said license was placed on probation for three years with conditions.

Date:

August 4, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

**\*SIMPLY TOPZZ LLC**

License No. 7310537-5501

Docket No. 2010-190

Magna, Utah

Cause of Action:

Order:

Date:

Respondent failed to replace its qualifier.

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

August 26, 2010

**\*THOMAS JOHN ROUNDY**

License No. 7552025-5501

Docket No. 2010-247

St. George, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

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

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

August 26, 2010

**OTHER REGULATED PROFESSIONS**

**\*BEUTLER, Rochelle Berry**

Certified Substance Abuse Counselor

License No. 7703925-6005

Docket No. 2010-245

Orem, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

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

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.

August 19, 2010

**\*BOLEY, Jennifer Anna**

Massage Therapist

License No. 7590911-4701

Docket No. 2010-242

Layton, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

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

A license to practice as a massage therapist was issued and said license was placed on probation for two years with conditions and restrictions.

August 19, 2010

OTHER REGULATED PROFESSIONS - continued

**\*DOBSON, Yoeny Calas, DVM**

Veterinarian

License Nos. 271240-2801/8910

Docket No. 2010-239

Provo, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct by dispensing refill prescriptions without Respondent having established a bona-fide veterinarian-client-patient relationship.

Order:

Respondent's licenses to practice as a veterinarian and to administer and prescribe controlled substances were given a public reprimand for her conduct above. Respondent was also ordered to pay a \$1750 fine within 180 days. Respondent was also ordered to cease and desist from engaging in the unprofessional and unlawful conduct identified above.

Date:

August 12, 2010

**\*DODDS, James E.**

Radiology Technologist

License No. 109966-5401

Docket No. 2010-240

Springville, Utah

Cause of Action:

Respondent engaged in unprofessional conduct by touching a female patient in an inappropriate manner during an x-ray procedure.

Order:

Respondent voluntarily surrendered his license to practice as a radiology technologist. Respondent may not reapply for a radiology technologist license for a period of five years.

Date:

August 12, 2010

**\*GREEN, Cory Newt**

Armed Private Security Officer

License No. 360252-6302

Docket No. 2010-186

Woods Cross, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to 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 license for a period of five years.

Date:

August 3, 2010

**\*GREGG, David Willard**

Unarmed Private Security Officer

License No. 7645707-6303

Docket No. 2010-270

West Haven, 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:

August 30, 2010

OTHER REGULATED PROFESSIONS - continued

**\*JONES, Larry Dashawn**

Unarmed Private Security Officer

License No. 7734664-

Docket NO. 2010-252

Pleasant Grove, 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:

August 26, 2010

**\*KANE, Christy Peck**

Associate Professional Counselor

License No. 5716781-6009

Docket No. 2007-190

Highland, Utah

Cause of Action:

Respondent's license has previously been subject to disciplinary action.

Order:

A license to practice as an associate professional counselor was reissued and said license was placed on probation for one year with conditions.

Date:

August 23, 2010

**\*ODEKIRK, Corinne Kay**

Massage Therapist

License No. 6822690-4701

Docket No. 2010-262

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 massage therapist was issued and said license was placed on probation for two years with conditions.

Date:

August 31, 2010

**\*OGDEN, Barbara**

Psychologist

License No. 4998315-2501

Docket No. 2007-35

Salt Lake City, Utah

Amended Order:

The probationary condition restricting Respondent from working as a private practitioner was amended to allow Respondent to work as a private practitioner under conditions outlined in the Order.

Date:

August 2, 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.