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 September 1, 2011 - September 30, 2011.

**PHYSICIANS/SURGEONS**

None in September 2011

**DENTISTS/DENTAL HYGIENISTS**

*HEMMERT, Jared Wynn, DDS*  
License Nos. 5346167-9922/8903  
Docket No. 2009-341  
Orem, Utah  
Amended Order:  
The suspension on Respondent's license to administer and prescribed controlled substances was terminated and said license was placed on probation subject to the same conditions and restrictions that currently exist on his license to practice as a dentist.  
Date: September 26, 2011

**REGISTERED NURSES/ADVANCED PRACTICE NURSES**

*GARCIA, Cesar Enrique*  
License No. 6613495-3102  
Docket No. 2008-90  
Orem, 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: September 6, 2011

*KEETCH, Jana Lyn*  
License No. 286170-3102  
Docket No. 2011-294  
American Fork, Utah  
Cause of Action:  
Respondent has engaged in unprofessional conduct due to substance dependence issues.  
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Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation.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: September 20, 2011

*MCINNIS, Rebecca Ann*  
Certified Nurse Midwife  
License No. 4747378-4402/8902  
Docket No. 2011-293  
Salt Lake City, Utah  
Cause of Action:  
Respondent engaged in unprofessional conduct when she administered Cytotec to a patient and failed to document the administration of that prescriptive drug in the patient's medical record.  
Order:  
Respondent was given a public reprimand for the above conduct. Respondent was also ordered to pay a $1,000 fine within 90 days.  
Date: September 13, 2011
*PANTER, Vaiola Jean
License No. 356948-3102
Docket No. 2011-194
Perry, Utah
Amended Order:

The suspension on Respondent's license to practice as a registered nurse was
terminated and said license was placed on probation for five years with conditions
and restrictions identified in the June 13, 2011 Stipulation and Order.

Date: September 20, 2011

*PETERSON, Michelle Bates
License No. 340912-3102
Docket No. 2011-305
South Jordan, Utah
Cause of Action:

Respondent engaged in unprofessional conduct when she fraudulently accepted
money for nursing shifts she did not work.
Respondent was given a public reprimand for the above conduct and the following
restriction: Respondent shall not work for a nursing registry, traveling nurse agency,
nursing float pool, home health agency, temporary employment agency, school of
nursing, or any other practice setting in which nursing supervision is unavailable.

Date: September 21, 2011

*RAYMOND-HICKS, Barbara Ann
License No. 7132501-3102
Docket No. 2011-291
Las Vegas, Nevada
Cause of Action:

Respondent engaged in unprofessional conduct when her nursing license in Nevada
was disciplined in April 2011.
Respondent's license to practice as a registered nurse was placed on probation for
three years with conditions.

Date: September 13, 2011

*STALEY, Shannon Lee
License No. 199267-3102
Docket No. 2011-311
Salt Lake City, Utah
Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she took a
Schedule II controlled substance from her place of employment for her own use.
Respondent was not lawfully prescribed or administered the controlled substance by
a prescribing practitioner.
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 the Order.

Date: September 22, 2011

*THOMAS, Stephanie Jean
License No. 336416-3102
Docket No. 2009-248
Ogden, Utah
Amended Order:

The probationary condition restricting Respondent to practicing only under the on-
site supervision of a registered nurse in good standing with the Division or a licensed
physician in good standing with the Division was amended to allow Respondent to
practice only under the general supervision of a registered nurse in good standing
with the Division or a licensed physician in good standing with the Division.

Date: September 20, 2011
*THOMPSON, Kaylyn  
License No. 5012584-3102  
Docket No. 2007-238  
Milford, Utah  
Amended Order:  
The probationary condition restricting Respondent's practice to duties and surroundings that do not allow her access to or require Respondent to account for controlled substances was amended to allow Respondent to pass ADHD medications while working at Painted Hills Academy only.  
Date: September 20, 2011

*VENEGAS, Victor Fabian  
License No. 7689207-3102  
Docket No. 2010-248  
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: September 20, 2011

LICENSED PRACTICAL NURSES

*BULLOCH, Christine Ashby  
License No. 196624-3101  
Docket No. 2011-320  
Cedar City, Utah  
Cause of Action:  
Respondent engaged in unprofessional and unlawful conduct when she submitted false and misleading information to the Division on license renewal forms with respect to continuing nursing education classes which she did not complete.  
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 five years.  
Date: September 28, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

*ASHER, Cynthia A.  
Pharmacist  
License Nos. 148647-1701/8911  
Docket No. 2011-292  
Holladay, Utah  
Cause of Action:  
Respondent engaged in unprofessional and unlawful conduct when she failed to accurately complete a Division renewal application in August 2009; failed to abide by pharmacist-in-charge standards which require that drugs be labeled and dispensed accurately and safely as prescribed; and diverted drugs from her pharmacy employer on more than one occasion.  
Order:  
Respondent's licenses to practice as a pharmacist and to dispense controlled substances were suspended with conditions to be met during the period of suspension. Following the period of suspension, said license will be placed on probation for five years with conditions. Respondent was also ordered to pay a $1,000 fine within six months.  
Date: September 13, 2011
**PHARMACISTS/PARTY TECHNICIANS/PARTIES - continued**

*AXIOM THERAPEUTICS, LLC  
dba AXIOM SPECIALTY RX  
Unlicensed Pharmacy  
Docket No. 2011-317  
South Jordan, Utah  

**Cause of Action:**
Between 2007 and 2010, when Respondent was not licensed as a pharmacy, Respondent contracted with a licensed Utah pharmacy to order certain prescription medications for Respondent's customers. Those prescription medications were at times received by Respondent from the licensed Utah pharmacy, held by Respondent and subsequently dispensed by Respondent directly to Respondent's customers or at time given to the customer's authorized representatives who then delivered the medications to the customers. The Utah licensed pharmacy would then submit the insurance claims to the insurance company. **Respondent, while neither admitting nor denying the Division's findings of fact, agreed to the following:**

**Order:**
Respondent was ordered to cease and desist from the following: (1) engaging in the conduct described in this Stipulation and Order to the extent prohibited by Subsections 58-1-501(2)(a) and 58-17b-502(2); (2) allowing excess supplies of prescription drugs to be ordered by customers; (3) providing compensation in any form to customers for claims submitted on the customers insurance, although this provision shall not limit payments to owners of Respondent who may also be patients, so long as such payments are based upon the ownership in Respondent company, as recorded with the Division, and not for claims submitted; and (4) allowing prescription medication to be held outside his pharmacy or at a third party location for subsequent dispensing to the customer. The delivery of prescription medication by a representative of Respondent is permissible.

**Date:** September 27, 2011

*BOWCUT, Brittany  
Pharmacy Technician  
License No. 6983935-1717  
Docket No. 2011-318  
Ogden, Utah  

**Cause of Action:**
Respondent engaged in unprofessional and unlawful conduct when she filled prescriptions for her own use that provided for refills of the prescriptions, when in fact the prescribing practitioner had not authorized refills of the prescriptions. **Respondent, without admitting or denying the Division's findings of fact, agreed to the following:**

**Order:**
Respondent voluntarily surrendered her license to practice as a pharmacy technician. Respondent may not reapply for a pharmacy type license for a period of five years.

**Date:** September 27, 2011

*CAREMARK FLORIDA MAIL PHARMACY, LLC  
dba CVS CAREMARK  
Class D pharmacy  
License Nos. 6235241-1708/8913  
Docket No. 2011-298  
Miramar, Florida  

**Cause of Action:**
Respondent engaged in unprofessional and unlawful conduct when it dispensed Schedule II controlled substances to Utah residents that were in excess of a 30 day supply. **While neither admitting or denying the Division's findings of fact, Respondent agreed to the following:**

**Order:**
Respondent was ordered to pay a $10,000 fine within 90 days.

**Date:** September 16, 2011
*CAREMARK ILLINOIS MAIL PHARMACY, LLC
dba CVS CAREMARK
Class D pharmacy
License Nos. 5814415-1708/8913
Docket No. 2011-297
Mount Prospect, Illinois
Cause of Action: Respondent engaged in unprofessional and unlawful conduct when it dispensed Schedule II controlled substances to Utah residents that were in excess of a 30 day supply. While neither admitting or denying the Division's findings of fact, Respondent agreed to the following:
- Respondent was ordered to pay a $5,000 fine within 90 days.
Date: September 16, 2011

*CAREMARK PCS PENNSYLVANIA MAIL PHARMACY, LLC
dba CVS CAREMARK
Class D pharmacy
License Nos. 5882592-1708/8913
Docket No. 2011-296
Wilkes Barre, Pennsylvania
Cause of Action: Respondent engaged in unprofessional and unlawful conduct when it dispensed Schedule II controlled substances to Utah residents that were in excess of a 30 day supply. While neither admitting or denying the Division's findings of fact, Respondent agreed to the following:
- Respondent was ordered to pay a $3,000 fine within 90 days.
Date: September 16, 2011

*STREBEL, Thomas Evan
Pharmacist
License Nos. 139989-1701/8911
Docket No. 2009-5
Park 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: September 6, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS
*BERCICH CONSTRUCTION, INC.
License No. 7253589-5501
Docket No. 2011-257
Lehi, 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: September 28, 2011

*COOPER CREEK CONSTRUCTION, INC.
License No. 6945273-5501
Docket No. OSC-2-2008-132
Taylorsville, Utah
Cause of Action: Respondent failed to comply with probationary conditions that existed on its license. Respondent also 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: September 28, 2011
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

*C W CONSTRUCTION, LLC
License No. 5724944-5501
Docket No. 2011-199
Provo, Utah

Cause of Action: Respondent engaged in unprofessional and unlawful conduct with respect to financial responsibility.

Order: Respondent was ordered to pay a $500 fine within 30 days. Respondent voluntarily surrendered its B100 classification and a R100 classification was issued. Respondent is required to maintain a $50,000 contractor license bond until Respondent can demonstrate financial responsibility to the satisfaction of the Division and Commission. Respondent may in the future apply to reinstate the B100 classification along with a $150,000 license bond or otherwise demonstrate financial responsibility to the satisfaction of the Division or Commission.

Date: September 28, 2011

*DAVID BENTON
dba PREMIER FLOOR COVERINGS
License No. 7341675-5501
Docket No. 2011-312
Manti, Utah

Cause of Action: Respondent failed to comply with probationary conditions that existed on his license.

Order: Respondent's license to practice as a contractor was revoked with a stay of enforcement on the revocation. Said license was placed on probation for two years with conditions.

Date: September 28, 2011

*DAVID NEALE PYPER
License No. 4746389-5501
Docket No. 2011-256
Ivins, 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: September 28, 2011

*EARNshaw ENTERPRISES, INC.
License No. 360971-5501
Docket No. 2011-247
Salt Lake City, 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: September 28, 2011

*HFP SYSTEMS, INC.
License No. 5222715-5501
Docket No. 2011-258
Mapleton, 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: September 28, 2011
*HOPKINSON, Bradley John  
Apprentice Plumber and Residential Journeyman Plumber  
License Nos. 261806-5509/5510  
Docket No. 2011-282  
Layton, Utah  
Cause of Action: Respondent has engaged in unprofessional conduct that affects his licenses to practice as an apprentice plumber and residential journeyman plumber.  
Order: Respondent's licenses to practice as an apprentice plumber and as a residential journeyman plumber were revoked with a stay of enforcement on the revocations and both licenses were placed on probation for three years with conditions.  
Date: September 28, 2011

*JASER CONSTRUCTION, INC.  
License No. 6089200-5501  
Docket No. 2011-266  
Sandy, 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: September 28, 2011

*JC'S CUSTOM FINISH CARPENTRY, LLC.  
License No. 5619979-5501  
Docket No. 2011-245  
Payson, 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: September 28, 2011

*LAMB, Jeremy Alan  
Apprentice Electrician  
License No. 368336-5505  
Docket no. 2011-300  
South Jordan, Utah  
Cause of Action: Respondent has engaged in unprofessional conduct that bears a reasonable relationship 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 for five years with conditions.  
Date: September 28, 2011

*SMITH, Daniel Adam  
Apprentice Electrician  
License No. 8026045-5505  
Docket No. 2011-307  
American Fork, 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 apprentice electrician was issued and said license was placed on probation for five years with conditions.  
Date: September 28, 2011
CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

*TAYLORS TREE SERVICE, INC.
License No. 6890088-5501
Docket No. 2011-191
Bluffdale, Utah
Cause of Action: Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.
Order: Respondent's expired 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. September 28, 2011

THE ART OF FIXING, INC.
License No. 6009497-5501
Docket No. 2001-267
Salem, 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. September 28, 2011

THE MITCHELL COMPANY, LLC
License No. 356768-5501
Docket No. 2011-175
Eagle Mountain, Utah
Cause of Action: Respondent has engaged in unprofessional conduct with respect to financial responsibility.
Order: Respondent's license to practice as a contractor was placed on probation for three years with conditions. September 28, 2011

OTHER REGULATED PROFESSIONS

*BATES, Hugh H.
Licensed Clinical Social Worker
License No. 120595-3501
Docket No. 2011-290
Salt Lake City, 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 licensed clinical social worker. Respondent may not reapply for a social worker type license for a period of two years.
Order: September 13, 2011

*BIRCH, Amy Lee
Cosmetologist/Barber
License No. 364480-1101
Docket No. 2011-289
Herriman, Utah
Cause of Action: Respondent engaged in unprofessional conduct since the last renewal of her license. Respondent's license to practice as a cosmetologist/barber was renewed and said license was placed on probation for two years with conditions and restrictions.
Memorandum of Understanding and Order: September 13, 2011
*BOLEY, Jennifer Anna
Massage Therapist
License No. 750911-4701
Docket No. 2010-242
Layton, Utah
Amended Order: The probationary condition requiring Respondent to practice as a massage therapist during the probationary period for at least 8 hours per week and no more than 48 hours per week was amended to allow "practicing" in her profession to be defined as working at least 20 hours per month.
Date: September 26, 2011

*BOYD, Nichole C.
Cosmetologist/Barber
License No. 332616-1101
Docket No. 2010-454
Amended Order: The probationary condition requiring Respondent to practice as a cosmetologist/barber during the probationary period was amended to include time during which is working with the Department of Workforce Services in their "Work Success Program". The time spent seeking employment, with documentation to be provided to the Division, will also be considered "practicing" her profession in order to be counted towards the duration of the effective period of the Memorandum of Understanding and Order.
Date: September 22, 2011

*CARTER, Noelle Nicole
Certified Substance Abuse Counselor
License No. 318154-6005
Docket No. 2011-315
Salt Lake City, Utah
Cause of Action: Respondent is no longer able to comply with probationary conditions that exist on her license.
Order: Respondent voluntarily surrendered her license to practice as a certified substance abuse counselor. Respondent may not reapply for a substance abuse counselor type license for a period of two years.
Date: September 22, 2011

*CARTISANO, Catherine Michell
Substance Abuse Counselor Intern
License No. 8069790-6004
Docket No. 2011-281
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 substance abuse counselor intern was issued and said license was placed on probation for two years with conditions and restrictions.
Date: September 8, 2011

*FERRON, Hernan/Herman
Unlicensed Substance Abuse Counselor
Docket No. 2011-314
Lehi, Utah
Cause of Action: Respondent engaged in the practice of substance abuse counseling when he was not properly licensed to do so.
Order: Respondent was ordered to cease and desist from engaging in the unlicensed practice of substance abuse counseling until he is properly licensed to do so.
Date: September 22, 2011
*HILL, Dennis Wayne*
Burglar Alarm Company Agent  
License No. 8067406-6502  
Docket No. 2011-295  
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 a burglar alarm company agent was issued and said license was placed on probation for two years with conditions and restrictions.  
Date:  
September 28, 2011

*JENKINS, Jan Pearson*
Certified Dietitian  
License No. 106082-4901  
Docket No. 2011-309  
Sandy, Utah  
Cause of Action:  
Respondent engaged in unprofessional and unlawful conduct when she forged prescriptions for controlled substances, submitted the forged prescriptions to Utah pharmacies and obtained the controlled substances for her own use.  
Order:  
Respondent voluntarily surrendered her license to practice as a certified dietician.  
Respondent may not reapply for licensure as a dietician for a period of five years and completion of conditions outlined in the Order.  
Date:  
September 22, 2011

*LOHRMEYER, Janice Marie*
Certified Substance Abuse Counselor  
License No. 6034478-6005  
Docket No. 2011-316  
St. George, Utah  
Cause of Action:  
Respondent is no longer able to comply with probationary conditions that exist on her license.  
Order:  
Respondent voluntarily surrendered her license to practice as a certified substance abuse counselor. Respondent may not reapply for a substance abuse counselor type license for a period of five years.  
Date:  
September 22, 2011

*RICKETTS, Larry Allen*
Massage Therapist  
License No. 3084529-4701  
Docket No. 2011-299  
Washington, Utah  
Cause of Action:  
Respondent engaged in unprofessional conduct when he touched the breasts of a female client with his arms while performing a breathing exercise while performing a professional massage at his place of employment. Respondent did not have permission or authorization of any kind to touch the female client's breasts. While neither admitting or denying the Division's findings of fact, Respondent agreed to the following:  
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 five years.  
Date:  
September 16, 2011
*TIMOTHY, Zachary Scott  
Massage Therapist  
License No. 7467350-4701  
Docket No. 2011-321  
Price, 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 and restrictions.  
Date: September 28, 2011

*TURNER, Christopher Jay  
Cosmetologist/Barber  
License No. 8041071-1101  
Docket No. 2011-319  
North Salt Lake, 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 three years with conditions and restrictions.  
Date: September 27, 2011

*WEIDLER, Cari Lynn  
Burglar Alarm Company Agent  
License No. 88069433-6502  
Docket No. 2011-306  
Provo, 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 two years with conditions and restrictions.  
Date: September 28, 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.