

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

NEWSLETTER

June 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 May 1, 2011 - May 31, 2011.

PHYSICIANS/SURGEONS

***MORGAN, Lisa Ann, MD**

License No. 3083575-1205

Docket No. 2011-171

Salt Lake City, Utah

Cause of Action:

Respondent no longer wanted to comply with probationary conditions that existed on her license.

Order:

Respondent's license to practice as a physician/surgeon is suspended until such time as she complies with conditions outlined in this Order.

Date:

May 17, 2011

DENTISTS/DENTAL HYGIENISTS

None in May 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***ADAMS, Robert Lynn**

License No. 344349-3102

Docket No. 2007-188

Highland, 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:

May 19, 2011

***ALLEMAN, Anjanette**

License No. 261489-3102

Docket No. 2007-117

Springville, 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:

May 19, 2011

***DECKER, Andrew**

License No. 6266250-3102

Docket No. 2007-252

West Valley 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:

May 19, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***GARDNER, Joseph Arch**

License No. 6970570-3102

Docket No. 2011-128

South Weber, Utah

Amended Order:

The probationary conditions requiring Respondent to participate in professional support group (PIR) meetings and 12-step program meetings was amended to allow Respondent to attend either four 12-step program meetings or four PIR meetings per month.

Date:

May 31, 2011

***HANCOCK, Marc Charles**

License Nos. 4938158-4405/8900

Docket No. 2011-162

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to his license to practice as an advanced practice registered nurse with respect to unauthorized drug use.

Order:

Respondent's licenses to practice as an APRN and to administer and prescribe 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:

May 10, 2011

***JENSEN, Cheryl Anne**

License No. 191838-3102

Docket No. 2011-157

South Jordan, 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 Respondent's 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 was placed on probation for five years with conditions and restrictions.

Date:

May 4, 2011

***THOMPSON, Kaylyn**

License No. 5012584-3102

Docket No. 2007-238

Milford, Utah

Cause of Action:

The probationary condition requiring Respondent to fill prescriptions at only one pharmacy was amended to allow Respondent to fill prescriptions at two separate pharmacies; however all controlled substance medications must be filled at one pharmacy.

Date:

May 31, 2011

***VERSTEEG, Julie A.**

License No. 215842-3102

Docket No. 2010-7

Salt Lake City, Utah

Amended Order:

The probationary condition requiring Respondent to practice 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:

May 31, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***WILSON, Emily Manuela**

License No. 161671-3102

Docket No. 2011-47

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful 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 is suspended until conditions have been completed which are outlined in the Stipulation/Order. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Date:

May 18, 2011

LICENSED PRACTICAL NURSES

***DAVENPORT, Debra Ann**

License No. 4951529-3101

Docket No. 2010-427

American Fork, Utah

Amended Order:

The probationary restricting Respondent from working 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 was amended to allow Respondent to work at Solace Home Health only under the supervision of a registered nurse and in compliance with Medicare and Medicaid regulations.

Date:

May 31, 2011

***JENSEN, Michelle Marie**

License No. 107358-3101

Docket No. 2008-242

Elsinore, Utah

Reinstatement Order:

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

Date:

May 19, 2011

***KILLIAN, Linda Ann**

License No. 165828-3101

Docket No. 2007-117

Springville, Utah

Reinstatement Order:

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

Date:

May 19, 2011

***KIVALU, Taniela Fakalolo**

License No. 4794528-3101

Docket No. 2010-348

Orem, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that affects his license to practice as a licensed practical nurse and failed to notify the Division of such conduct in his March 2010 renewal application to the Division.

Order:

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

Date:

May 4, 2011

LICENSED PRACTICAL NURSES - continued

***SCHMIDT, Gena J.**

License No. 375846-3101
Docket No. 2011-176
Cottonwood Heights, Utah
Cause of Action:

Respondent engaged in unprofessional conduct by administering microdermabrasion treatments to clients in Utah. Respondent was not licensed as a master esthetician or any other type of cosmetologist at the time.

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 three years.
Date: May 23, 2011

***SMUIN, Damion T.**

License No. 296320-3101
Docket No. 2011-71
Grand Junction, Colorado
Cause of Action:

Respondent engaged in unprofessional conduct that affects his license to practice as a LPN.

Order: Respondent's license to practice as a licensed practical nurse was suspended with a stay of enforcement on the suspension. Said license was placed on probation for 30 months with conditions and restrictions.
Date: May 18, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***CORDOVA, William Benjamin, Sr.**

License Nos. 5794197-1701/8911
Docket No. 2010-130
Heber City, Utah
Amended Order:

The probationary condition requiring Respondent to work at least 16 hours per week and no more than 50 hours per week to be considered "practicing" in his profession was amended to allow Respondent to work a minimum of four (4) hours per week to be considered "practicing" in his profession.

Date: May 10, 2011

***LEDET, Sheryl A.**

License Nos. 148108-1701/8911
Docket No. 2005-240
Layton, Utah
Amended Order:

The probationary conditions requiring Respondent to participate in professional support group meetings (PIR) and to attend 12-step program meetings was amended to allow Respondent to attend one (1) support group meeting per week for a total attendance of four (4) support group meetings per month. Respondent can determine if she wants to attend either a PIR meeting or a 12-step program meeting.

Date: May 10, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***CHADWICK, Jay Clark**

Apprentice Plumber
License No. 6844098-5509
Docket No. 2008-82
American Fork, Utah
Reinstatement Order:

The probation on Respondent's license to practice as an apprentice plumber was terminated and said license was reinstated with full privileges.

Date: May 25, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***DELAND DRYWALL DESIGN, INC.**

License No. 380061-5501

Docket No. 2011-115

Ivins, 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:

May 25, 2011

***HARDY, Nathaniel Ryan**

Apprentice Plumber

License No. 6643929-5509

Docket No. 2008-55

Layton, Utah

Reinstatement Order:

The probation on Respondent's license to practice as an apprentice plumber was terminated and said license was reinstated with full privileges.

Date:

May 25, 2011

***HC CONSTRUCTION, LLC**

License No. 6017430-5501

Docket No. 2011-130

Ogden, 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:

May 25, 2011

***JACOBS, Todd Glenn**

Apprentice Electrician

License No. 5759610-5505

Docket No. 2011-177

Herriman, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of his history of alcohol or drug abuse.

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:

May 25, 2011

***JARED BERGER EXCAVATING, LLC**

License No. 6822816-5501

Docket No. 2011-159

St. George, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct as the result of outstanding judgments and misrepresenting to the Division in October 2010 that all judgments had been paid.

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 four years with conditions.

Date:

May 25, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***KLEINFELDER WEST, INC.**

License No. 313281-5551

Docket No. 2011-131

Salt Lake City, Utah

Cause of Action:

Respondent failed to replace the qualifier on its license

Order:

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

Date:

May 25, 2011

***MATCO TILE, INC.**

License No. 5378383-5501

Docket No. OSC-2010-87

Hurricane, Utah

Cause of Action:

Respondent's qualifier failed to comply with probationary conditions that existed on the license.

Order:

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

Date:

May 25, 2011

***MOUNTAIN TOP CABINETS, LLC**

License No. 6109913-5501

Docket No. 2011-136

Layton, 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:

May 25, 2011

***S & S ROOFING, INC.**

License No. 5262380-5501

Docket No. 2011-75

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct as the result of outstanding liens and misrepresenting to the Division in 2009 that all judgments and tax liens had been paid.

Order:

Respondent's license to practice as a contractor was placed on probation for ten years with conditions. Respondent was also ordered to pay a \$500.00 fine within 90 days.

Date:

May 25, 2011

***SALLE, Bruce Winter**

Apprentice Plumber

License No. 7913938-5509

Docket No. 2011-146

Kearns, 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 plumber was issued and said license was placed on probation for four years with conditions.

Date:

May 25, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***SIMPSON, Robin Lee**

Residential Journeyman Plumber

License No. 156971-5510

Docket No. 2011-158

Hyrum, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of his history of alcohol or substance abuse.

Order:

Respondent's license to practice as a residential journeyman plumber was reissued and said license was suspended until Respondent has obtained employment under the supervision of a master plumber and has provided the Division with the identity of his employer and supervisor. Following the period of suspension, said license will be placed on probation for four years with conditions.

Date:

May 25, 2011

***SUPERIOR ELECTRIC, INC.**

License No. 1461309-5501

Docket No. 2011-116

Lehi, 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:

May 25, 2011

OTHER REGULATED PROFESSIONS

***BAKER, Michael Parley**

Massage Therapist

License No. 7164749-4701

Docket No. 2011-161

Centerville, Utah

Cause of Action:

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

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:

May 10, 2011

***BOUVIER, Lisa Ann**

Massage Therapist

License No. 6959733-4701

Docket No. 2008-115

Heber City, Utah

Reinstatement Order:

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

Date:

May 26, 2011

OTHER REGULATED PROFESSIONS - continued

***DORIGATTI, Richard Lee**

Certified Public Accountant

License No. 159434-2601

RICHARD L. DORIGATTI CONSULTING, INC.

CPA Firm

License No. 5992062-2603

Docket No. 2010-371

Logan, Utah

Cause of Action:

Respondent (Richard Lee Dorigatti) has engaged in unprofessional and unlawful conduct due to his consumption of alcohol in a manner which resulted in the impairment of his practice as a CPA.

Order:

Respondent agreed to voluntarily surrender his license to practice as a CPA and the license to practice as a CPA firm Respondent may not reapply for a CPA license or CPA firm license for a period of 18 months and successful completion of conditions outlined in the Stipulation/Order. Also, Respondent agreed to immediately cease and desist from advertising or operating Richard L. Dorigatti & Associates, LLC.

Date:

May 2, 2011

***FOSTER, Jackie Sue**

Cosmetologist/Barber

License No. 6885089-1101

Docket No. 2011-172

Bryce, Utah

Cause of Action:

Respondent engaged in unprofessional conduct since the last renewal of her license.

Memorandum of Understanding and Order:

Respondent's license to practice as a cosmetologist/barber was renewed/reinstated and said license was placed on probation for two years with conditions and restrictions.

Date:

May 17, 2011

***HENRIOD, Aimee Lynn**

Massage Therapist

License No. 7780768-4701

Docket No. 2011-169

Salt Lake City, Utah

Cause of Action:

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

Order:

Respondent voluntarily surrendered her license to practice as a massage therapist.

Date:

May 11, 2011

***LINDSTROM, Michael K., DC**

Chiropractic Physician

License No. 6360775-1202

Docket No. 2010-397

Bountiful, Utah

Amended Order:

The probationary condition requiring Respondent to complete a continuing professional education course focusing on cognitive restructuring and improving social interaction within six months of the Order date was amended to allow Respondent to complete the course within nine months of the Order date.

Date:

May 19, 2011

OTHER REGULATED PROFESSIONS - continued

***NACKOS, James Charles**

Physical Therapist

License No. 5133156-2401

Docket No. 2011-65

Springville, Utah

Amended Order:

The probationary condition requiring Respondent to practice under the supervision of a licensed physical therapist during the probationary period was amended to allow Respondent's practice to be supervised by a licensed physical therapist or as otherwise approved by the Board and Division.

Date:

May 3, 2011

***NELSON, Colette**

Licensed Substance Abuse Counselor

License No. 6754445-6006

Docket No. 2008-201

Holladay, Utah

Reinstatement Order:

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

Date:

May 10, 2011

***NORTHSTAR ACCOUNTING RESOURCES, LLC**

Unlicensed CPA firm

Docket No. 2011-165

Salt Lake City, Utah

Cause of Action:

Allegations Respondent has never been licensed as a CPA firm; Respondent engaged in unlawful conduct when it represented that it was composed of one or more CPAs even though it was not licensed as a CPA firm; Respondent prepared compilation financial statements for clients in violation of Utah statute; and Respondent represented to the clients for which financial statements were prepared that the firm had expert knowledge in auditing and accounting in violation of Utah statute. **While neither admitting nor denying the Division's allegations,** Respondent agreed to the following:

Order:

Within 30 days of the Order date, Respondent shall send a notice to all of its clients, which notice is attached to this Stipulation and Order as Exhibit A. Respondent shall not make any statements to contradict the notice to clients or the contents of this Stipulation and Order. Also, within 45 days of the effective date of this Order, Respondent shall provide to the Division a copy of the notice sent to all of Respondent's clients along with a list of the client's names, addresses, and telephone numbers.

Date:

May 10, 2011

***RIOS, Anthony Esequiel**

Unarmed private security officer

License No. 7867975-6303

Docket No. 2011-170

West Jordan, 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:

May 16, 2011

OTHER REGULATED PROFESSIONS - continued

***SHELTON, Stacy M.**

Certified Public Accountant

License No. 161502-2601

Docket No. 2011-166

Salt Lake City, Utah

Cause of Action:

Allegations Respondent engaged in unlawful and unprofessional conduct in her practice as a CPA when she was an employee of a firm that was not licensed as a CPA firm and represented the company was composed of one or more CPAs to clients even though the company was not licensed as a CPA firm; Respondent, on behalf of Northstar, prepared compilation financial statements for clients in violation of Utah statute; and Respondent Northstar represented to the clients for which financial statements were prepared that the firm had expert knowledge in auditing and accounting in violation of Utah statute. Respondent also aided and abetted Northstar in engaging in unlawful conduct violative of Utah statute. **While neither admitting nor denying the Division's allegations**, Respondent agreed to the following:

Order:

Respondent was ordered to cease and desist from engaging in the conduct noted above. Within 30 days of the Order date, Respondent shall cause Northstar to send a notice to all of its clients, which notice is attached to this Stipulation and Order as Exhibit A. Respondent shall not make any statements to contradict the notice to clients or the contents of this Stipulation and Order.

Date:

May 10, 2011

***TURPIN, Khommone**

Cosmetologist/Barber

License No. 379943-1101

Docket No. 2011-8

Cottonwood Heights, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for renewal of licensure to the Division as the result of her real estate license being disciplined and being required to pay a fine in that proceeding.

Order:

The renewal of Respondent's license to practice as a cosmetologist/barber was approved and said license was placed on probation for two years with conditions and restrictions.

Date:

May 3, 2011

***YEAGER-CLARK, Thea**

Unlicensed naturopathic medicine,

chiropractic medicine and acupuncture

Docket No. 2011-160

Logan, Utah

Cause of Action:

Respondent engaged in the practice of naturopathic and chiropractic medicine when she was not licensed to do so. Respondent also engaged in the practice of acupuncture when she was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in the practice of naturopathic medicine, the practice of chiropractic and the practice of acupuncture until Respondent is properly licensed to do so.

Date:

May 9, 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.