

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

NEWSLETTER

September 1, 2013

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, 2013 - August 31, 2013.

NOTE: The Division has an "Agency and Disciplinary Action Search" function now available on DOPL website (www.dopl.utah.gov) in which you can search and print scanned agency and disciplinary action documents.

PHYSICIANS/SURGEONS

***RILEY, Nicola Irene, MD**

License Nos.566-5820-1205/8905

Docket No. 2013-247

Salt Lake City, Utah

Cause of Action:

Respondent has been disciplined by the Maryland State Board of Physicians in May 2013.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances in Utah were given a public reprimand. Respondent was also given a \$5,000 fine which is stayed for a period of three years.

Date:

August 23, 2013

***WILSON, David Ford, DO**

License Nos. 8006131-1204/8904

Docket No. 2013-363

Morgan, Utah

Cause of Action:

Respondent has engaged in behavior that represents an immediate and significant danger to the public health, safety and welfare.

Emergency Order:

Respondent's licenses to practice as an osteopathic physician/surgeon and to administer and prescribe controlled substances were immediately suspended effective the date of the Emergency Order and until an additional Order is issued by the Division.

Date:

August 27, 2013

DENTISTS/DENTAL HYGIENISTS

***HEMMERT, Jared Wynn, DDS**

License Nos. 5346167-9922

Docket No. 2013-315

Orem, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct and has violated probationary conditions that exist on his license.

Order:

Respondent agreed to immediately cease treatment of any and all patients and shall not treat any patient again until Respondent successfully completes conditions outlined in this Order. The probationary terms and conditions contained in Case No. DOPL-2009-341 shall remain in effect and the probationary period identified in that Order shall be extended so that Respondent's probationary period shall run for a period of five years from the date Respondent is once again allowed to treat patients.

Date:

August 5, 2013

ADVANCED PRACTICE NURSES

None in August 2013

REGISTERED NURSES

***BOOTH, Steven Kent**

License No. 195902-3102

Docket No. 2013-65

Taylorsville, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a registered nurse was revoked effective the date of the Order. Respondent may not reapply for a nursing license for a period of five years.

Order:

August 20, 2013

Date:

***DRIGGS, Rachel Therese**

License No. 5674232-3102

Docket No. 2013-242

Spokane, Washington

Cause of Action:

Respondent has engaged in unprofessional conduct that relates to her nursing license. Respondent's license to practice as a registered nurse is suspended until Respondent returns from the state of Washington and informs the Division in writing that she is now living in Utah and ready to work in Utah. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Order:

August 2, 2013

Date:

***GILLINGHAM, Julia Dianne**

License No. 367953-3102

Docket No. 2013-186

Salt Lake City, Utah

Amended Order:

The probationary condition restricting Respondent's practice to duties and surroundings that do not allow Respondent access to, or require Respondent to account for controlled substances was terminated effective the date of the Amended Order.

Date:

August 6, 2013

REGISTERED NURSES - continued

***HYATT, Camille**

License No. 332327-3102

Docket No. 2013-180

Layton, 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.

Date:

August 6, 2013

***LARSON, Karrie Jean**

License No. 324328-3102

Docket No 2013-317

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she failed to comply with probationary conditions that existed on her 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 three years and completion of conditions outlined in this Order.

Date:

August 6, 2013

***NAU, Amy Nichole**

License No. 322162-3102

Docket No. 2012-210

Orem, Utah

Amended Order:

The probationary condition restricting Respondent's practice to working no more than 80 hours within any 14-day period is amended to allow Respondent to work up to 50 hours per week. Also the probationary condition requiring Respondent to practice only under the direct supervision of a registered nurse or licensed physician in good standing with the Division is amended to allow Respondent to practice only under the GENERAL supervision of a registered nurse, licensed physician or licensed health facility administrator in good standing with the Division.

Date:

August 16, 2013

***VINE, Kathleen Ann**

RN pursuant to nurse licensure compact

Docket No. 2013-319

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she diverted quantities of controlled substances from patients at a Utah hospital for her own use without authorization or a valid prescription.

Order:

Respondent voluntarily surrendered her privilege to practice as a registered nurse under the nurse licensure compact in Utah. Respondent also agreed not to work in Utah again until she is licensed in Utah as a nurse. Respondent may not apply for a nursing license for a period of five years.

Date:

August 8, 2013

LICENSED PRACTICAL NURSES

None in August 2013

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS

***ALLERGYCHOICES PHARMACY**

Class D out of state pharmacy

License No. 7926878-1708

Docket No. 2013-313

Onalaska, Wisconsin

Cause of Action:

Respondent engaged in unprofessional conduct when its pharmacy license was disciplined by the Wisconsin Pharmacy Examining Board in December 2012.

Order:

Respondent was given a public reprimand for the conduct described in the Order. Respondent was also ordered to pay a \$1,000 fine of which \$500 is stayed. The remaining \$500 fine is due within 90 days.

Date:

August 1, 2013

***DALE, Colton Richard**

Pharmacy Technician

License No. 8090676-1717

Docket No. 2012-231

Salt Lake City, Utah

Amended Order:

The probationary condition requiring Respondent to abstain from the personal use or possession of alcohol in any form was terminated effective the date of the Order.

Date:

August 6, 2013

***HURRICANE FAMILY PHARMACY**

Class A pharmacy

License Nos. 7274007-1703/8913

Docket No. 2013-137

Hurricane, Utah

Amended Order:

The probationary condition requiring Respondent to submit an audit report by January 1st of each year was amended to allow Respondent to submit the required audit report by May 1st of each year until Respondent's probation is terminated.

Date:

August 6, 2013

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***3 PETE CONSTRUCTION LLC**

License No. 4765617-5501

Docket No. 2013-356

Sandy, Utah

Cause of Action:

During 2012 Respondent hired an unlicensed contractor to engage in construction activities for which a license is required.

Order:

Respondent was ordered to pay a \$800 fine within 30 days. Respondent was also ordered to cease and desist from hiring unlicensed persons to engage in construction activities for which a license is required.

Date:

August 28, 2013

***A CUT ABOVE LAWN CARE AND FERTILIZING**

SAMUEL D. ROBINSON

License No. 6033781-5501

Docket No. 2013-283

Salt Lake City, Utah

Cause of Action:

Respondent has 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:

August 28, 2013

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***BURBY CONSTRUCTION LLC**

License No. 7669621-5501

Docket No. 2013-276

Spanish Fork, Utah

Cause of Action:

Respondent has allowed a financial responsibility license bond to be cancelled.

Order:

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

Date:

August 28, 2013

***CLH, INC.**

License No. 5054071-5501

Docket No. OSC-2012-89

Ogden, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license in a timely manner. Respondent has also failed to demonstrate and maintain financial responsibility due to a new judgment and tax liens.

Order:

Respondent's license to practice as a contractor was given a public reprimand. Respondent's license to practice as a contractor shall continue on probation with strict compliance with the February 4, 2013 Order.

Date:

August 28, 2013

***DEVORE, Duane M.**

Master Electrician

License No. 140050-5502

Docket No. 2013-362

Farmington, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct that affects his license to practice as a master electrician.

Order:

Respondent's license to practice as a master electrician was revoked with a stay of enforcement on the revocation. Said license was placed on probation for two years with conditions. Respondent was also ordered to pay a \$500 fine within 90 days.

Date:

August 28, 2013

***GO GLASS LLC**

License No. 8672643-5501

Docket No. 2013-318

Woods Cross, Utah

Cause of Action:

Respondent has failed to demonstrate financial responsibility due to an outstanding delinquent amount.

Order:

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

Date:

August 28, 2013

***KEVIN B. CORWELL**

Unlicensed contractor

Docket No. 2013-246

Draper, Utah

Cause of Action:

Respondent has engaged in unlicensed practice as a contractor

Order:

Respondent was ordered to pay a \$1,000 fine within 30 days. Respondent was also ordered to cease and desist from practicing in the construction trades without a license.

Date:

August 28, 2013

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***LAKEVIEW CABINS LLC**

License No. 6058967-5501

Docket No. 2013-279

Garden City, Utah

Cause of Action:

Respondent has failed to demonstrate and maintain financial responsibility and also 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:

August 28, 2013

***LARIOS, Roberto**

Apprentice Electrician

License No. 8451884-5505

Docket No. OSC-2012-477

Lindon, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that exist on his license in a timely manner.

Order:

Respondent's license to practice as an apprentice electrician shall continue on probation with strict compliance with the November 28, 2012 Order. Respondent was also issued a public reprimand.

Date:

August 28, 2013

***MAT COMMUNICATION AND CONSTRUCTION INC.**

License No. 3089836-5501

Docket No. 2013-278

Bountiful, Utah

Cause of Action:

Respondent has failed to demonstrate and maintain financial responsibility and also 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:

August 28, 2013

***MERRILL, Christopher J.**

Unlicensed contractor

Docket No. 2013-361

Highland, Utah

Cause of Action:

Respondent has engaged in construction activities without a license to do so.

Order:

Respondent was ordered to pay a \$6,000 fine of which \$3,000 is suspended if the remaining \$3,000 fine is paid within 30 days. Respondent was also ordered to cease and desist from engaging in construction activities without a license to do so.

Date:

August 28, 2013

***MICHAEL R GARRETT**

License No. 361364-5501

Docket No. 2013-254

South Jordan, Utah

Cause of Action:

Respondent has failed to demonstrate and maintain financial responsibility and also 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:

August 28, 2013

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***O & M QUALITY STUCCO LLC**

License No. 6094160-5501

Docket No. 2013-355

Salt Lake City, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility due to outstanding delinquent amounts. Respondent also misrepresented in a renewal application that all judgments and tax liens 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 three years with conditions.

Date:

August 28, 2013

***ODOBASIC, Aladin**

Apprentice Plumber

License No. 8648706-5509

Docket No. 2013-351

Taylorsville, Utah

Cause of Action:

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

Order:

A license to practice as an apprentice plumber was issued and said license was placed on probation for three years with conditions and restrictions.

Date:

August 28, 2013

***PRESCOTT, Ryan Andrew**

Apprentice Electrician

License No. 8515006-5505

Docket No. OSC-2013-81

Hill AFB, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order.

Date:

August 28, 2013

***PROVIDENT BUILDING & CONSTRUCTION INC.**

License No. 7963273-5501

Docket No. 2013-273

St. George, Utah

Cause of Action:

Respondent has allowed a financial responsibility license bond to be cancelled.

Order:

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

Date:

August 28, 2013

***RAM CONSTRUCTORS INC.**

License No. 5116178-5551

Docket No. 2013-188

Orem, Utah

Cause of Action:

Respondent has failed to demonstrate and maintain financial responsibility and also 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:

August 28, 2013

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***ROSS, Trevor William**

Apprentice Electrician
License No. 8339510-5505
Docket No. 2012-338
Ogden, Utah
Reinstatement Order:

The probation on Respondent's license to practice as an apprentice electrician was terminated and said license was reinstated with full privileges.
August 28, 2013

***SEIPEL, Angelo Daniel**

Apprentice Electrician
License No. 7431727-5505
Docket No. 2013-352
West Jordan, Utah
Cause of Action:

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

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

Date: August 28, 2013

***TOWNSEND, Mathew Steven**

Apprentice Electrician
License No. 4871652-5505
Docket No. 2013-314
Murray, Utah
Cause of Action:

Respondent has engaged in unprofessional conduct prior to submitting a reinstatement application to the Division.

Order: Respondent's license to practice as an apprentice electrician was reinstated. Said license was revoked with a stay of enforcement on the revocation. Said license was placed on probation for four years with conditions.

Date: August 28, 2013

***WILLIAMS CONSTRUCTION & DEVELOPMENT COMPANY, INC.**

License No. 5654458-5501
Docket No. 2013-237
Salt Lake City, Utah
Cause of Action:

Respondent engaged in unlawful conduct when it hired two unlicensed individuals.

Order: Respondent was ordered to pay a \$800 fine within 30 days.

Date: August 28, 2013

OTHER REGULATED PROFESSIONS

***CARTISANO, Catherine Michelle**

Licensed Substance Use Disorder Counselor
License No. 8069790-6006
Docket No. 2011-281
Salt Lake City, Utah
Reinstatement Order:

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

Date: August 9, 2013

OTHER REGULATED PROFESSIONS - continued

***EDWARDS, Camille Eileen**

Master Esthetician

License No. 8182647-1109

Docket No. 2013-350

Ogden, 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 master esthetician was issued and said license was placed on probation for two years with conditions and restrictions.

Date:

August 21, 2013

[REDACTED]

[REDACTED]

***HYMAS, Season Heather**

Cosmetologist/Barber

License No. 8096931-1101

Docket No. 2013-304

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 a cosmetologist/barber was issued and said license was placed on probation for three years with conditions and restrictions.

Date:

August 13, 2013

***JOHNSTON, Sherry**

Esthetician Instructor, Master Esthetician, Nail Technician

License Nos. 5024690-1110, 1112, 1109

Docket No. 2013-321

Holladay, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she provided false information to the Division in a renewal application and a new application for licensure.

Order:

Respondent voluntarily surrendered her license to practice as an esthetician instructor. Respondent's licenses to practice as a master esthetician and nail technician were revoked with a stay of enforcement on the revocations. Both licenses were placed on probation for four years with conditions and restrictions.

Date:

August 8, 2013

OTHER REGULATED PROFESSIONS - continued

***STOHEL, Jason Scott**

Physical therapist assistant

License No. 7945960-2402

Docket No. 2013-316

Mapleton, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure. Respondent also practiced as a physical therapist assistant without a license from July 2009 to March 2011.

Order:

A license to practice as a physical therapist assistant 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 and restrictions.

Date:

August 30, 2013

***SUEL TZ, Garret Arthur**

Massage Therapist

License No. 297220-4701

Docket No. 2013-293

Draper, Utah

Cause of Action:

Allegations Respondent had given a sexually inappropriate massage to a client in May 2012. While neither admitting nor 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 therapist license for a period of five years.

Date:

August 27, 2013

***THORN, Susan Michelle**

Licensed Clinical Social Worker

License No. 7046059-3501

Docket No. 2012-48

Salt Lake City, Utah

Reinstatement Order:

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

Date:

August 9, 2013

***VENTURE SECURITY GROUP LLC**

Contract Security Company

License No. 8233757-6301

Docket No. 2013-284

Lehi, Utah

Cause of Action:

Respondent failed to replace it qualifier.

Order:

Respondent's license to practice as a contract security company was revoked effective the date of the Order. Respondent may not reapply for a contract security company license for a period of five years.

Date:

August 27, 2013

This newsletter is 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.