

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

NEWSLETTER

December 1, 2009

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 November 1, 2009 - November 30, 2009.

PHYSICIANS/SURGEONS

***VAN WAGONER, Joseph D., MD**

License No. 155828-1205/8905

Docket No. 2009-349

St. George, Utah

Cause of Action:

Allegations: Respondent ingested controlled substances which he ordered and had delivered. Respondent did not have a valid prescription for the controlled substances nor did a prescribing practitioner lawfully administer or prescribe the controlled substances to Respondent. Respondent failed to keep records of the purchase and disposition of the controlled substances described above. Respondent has not practiced medicine since the late 1990s due to health concerns. **Respondent neither admits nor denies the Division's findings of fact, but agreed to the following.**

Order:

Respondent voluntarily surrendered his licenses to practice as a physician/surgeon and to administer and prescribe controlled substances. Respondent may not reapply for licensure as a physician/surgeon or to administer and prescribe controlled substances for a period of five years.

Date:

November 10, 2009

***VENGER, Benjamin H., MD**

License No. 336427-1205/8905

Docket No. 2009-361

Las Vegas, Nevada

Cause of Action:

Respondent was disciplined by the Nevada Board of Medical Examiners in May 2009.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were given a public reprimand. Respondent also has conditions to meet in Utah while he is on probation in Nevada.

Date:

November 23, 2009

DENTISTS/DENTAL HYGIENISTS

***HEMMERT, Jared Wynn**

License No. 5346167-9922/8903

Docket No. 2009-341

Spanish Fork, 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 his ability to practice safely as a dentist.

Order:

Respondent's participation in the URAP/diversion program was terminated. Respondent's licenses to practice as a dentist and to administer and prescribe controlled substances were revoked with a stay of enforcement on the revocation. Said licenses are immediately suspended until Respondent successfully completes an out of state drug treatment program. Following the period of suspension, said licenses will be placed on probation for five years with conditions and restrictions.

Date:

November 2, 2009

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***CARTER, Synthia**

License No. 223958-3102

Docket No. 2009-355

Salt Lake 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's license to practice as a registered nurse was revoke with a stay of enforcement on the revocation. Said license is suspended until certain conditions have been successfully completed. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Date:

November 16, 2009

***DAVIS, Rebecca Elizabeth**

License No. 276284-3102

Docket No. 2009-61

Ogden, Utah

Amended Order:

The probationary conditions requiring Respondent to attend professional support group (PIR) meetings and 12-step program meetings was amended to require Respondent to attend either PIR or AA meetings a minimum of at least one support group meeting per week.

Date:

November 19, 2009

***DAWSON, Tyson Dean**

License No. 5645170-3102

Docket No. 2007-219

Midvale, 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:

November 12, 2009

***FRITCHEN, Michael W.**

License No. 224940-3102

Docket No. 2009-329

North Salt Lake, Utah

Cause of Action:

Respondent failed to inform the Division of past criminal convictions even though he renewed his license to practice as a registered nurse in Utah multiple times between 1993 and 2008.

Order:

Respondent voluntarily surrendered his license to practice as a registered nurse. Respondent may not reapply for a nursing license for a period of ten years.

Date:

November 2, 2009

***LAIRD, Lori J.**

License No. 192996-3102

Docket No. 2009-315

Orem, Utah

Cause of Action:

Respondent has previously been disciplined by the Division in 2006 and her license expired in 2007 while it was on a suspended status.

Memorandum of Understanding and Order:

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

Date:

November 16, 2009

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***MURRY, Ryan Anthony**

License No. 287131-3102

Docket No. 2009-342

West Jordan, Utah

Cause of Action:

Respondent continued to work as a registered nurse during at time his license was suspended. Respondent has failed to comply with terms and conditions that exist on his license.

Order:

Respondent voluntarily surrendered his license to practice as a registered nurse. Respondent may not reapply for a nursing license for a period of three years.

Date:

November 2, 2009

***NIVEN, Lori E.**

License No. 332521-3102

Docket No. 2009-357

Salt Lake City, Utah

Cause of Action:

Respondent has failed to comply with probationary conditions that exist 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 two years.

Date:

November 19, 2009

***NORMAN, Bryn**

License No. 208792-3102

Docket No. 2009-340

North Salt Lake, Utah

Cause of Action:

Respondent's license to practice as a registered nurse in Utah has been revoked since 2004 as a result of past substance abuse problems. Disciplinary action was also taken against Respondent's nursing license in California in 2007.

Memorandum of Understanding and Order:

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

Date:

November 2, 2009

***ROONEY, Ann**

License No. 5034349-3102

Docket No. 2009-352

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she took controlled substances from her place of employment for her own personal use without authorization or a valid prescription.

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:

November 12, 2009

***SIMMONS, Taylor**

License No. 372851-3102

Docket No. 2009-359

Bountiful, 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's participation in the URAP (diversion) program was terminated. Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license is placed on probation for five years with conditions and restrictions.

Date:

November 23, 2009

LICENSED PRACTICAL NURSES

***HULLINGER, Terryl Dale**

License No. 355927-3101

Docket No. 2009-358

Sandy, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a licensed practical nurse was revoked with a stay of enforcement on the revocation. Said license is suspended for three months. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Order:

Date:

November 23, 2009

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***BOYLE, Jeremy**

Pharmacy Technician

License No. 5673230-1717

Docket No. 2009-366

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 the ability of Respondent 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:

November 25, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***1 STOP CONSTRUCTION, INC.**

License No. 6877236-5501

Docket No. 2009-207

Sandy, Utah

Order:

The Division's August 26, 2009 Default Order in which Respondent's license to practice as a contractor was revoked is set aside and further proceedings will continue in this matter.

Date:

November 19, 2009

Cause of Action:

Respondent engaged in unprofessional conduct as a result of outstanding judgments.

Order:

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

Date:

November 30, 2009

***A.K. & R. WHIPPLE PLUMBING & HEATING COMPANY, INC.**

License No. 265658-5501

Docket No. 2005-246

Salt Lake 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:

November 30, 2009

***ALL TRADES HVAC LLC**

License No. 6985719-5501

Docket No. 2009-291

West Valley City, Utah

Cause of Action:

Respondent failed to replace its qualifier.

Order:

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

Date:

November 23, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***BEEHIVE ROOFING, LLC**

License No. 6363282-5501

Docket No. 2009-369

Kearns, Utah

Cause of Action:

Order:

Date:

Respondent engaged in unprofessional conduct due to an outstanding judgment. Respondent's license to practice as a contractor was placed on probation for three years with conditions.
November 30, 2009

***DIRICKSON, Kitty Karlene**

Apprentice Electrician

License No. 4552000-5505

Docket No. 2009-346

St. George, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

Respondent engaged in unprofessional conduct prior to submitting an application to reinstate her license. Respondent's license to practice as an apprentice electrician was reinstated and said license was placed on probation for two years with conditions.
November 30, 2009

***DMLP RESOURCES LLC**

License No. 598840-5501

Docket No. 2009-368

Ogden, Utah

Cause of Action:

Order:

Date:

Respondent has engaged in unprofessional and unlawful conduct by failing to comply with probationary conditions that exist on its license and by failing to maintain financial responsibility. Respondent's license to practice as a contractor is suspended until such time as Respondent has demonstrated that Respondent has a qualifier who meets the statutory requirements. Respondent was also ordered to cease and desist from hiring unlicensed persons who are not considered employees for wages to engage in a construction trade for which licensure is required. Respondent was also ordered to pay a \$800 fine within 60 days. Following the period of suspension, said license will be placed on probation for five years with conditions.
November 30, 2009

***FOOTING SPECIALISTS, INC.**

License No. 6145707-5501

Docket No. 2009-360

West Point, Utah

Cause of Action:

Order:

Date:

Respondent engaged in unprofessional conduct as a result of a judgment. Respondent's license to practice as a contractor was placed on probation for two years with conditions.
November 30, 2009

***HOTLINE EXCHANGE, INC.**

License No. 265095-5501

Docket No. 2009-363

St. George, Utah

Cause of Action:

Order:

Date:

Respondent's roofing qualifier, Scott Hirschi, engaged in unprofessional conduct. Respondent's license to practice as a contractor was placed on probation for a period of five years with conditions.
November 30, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***JOHANSEN, George W. Construction Co.**

License No. 233690-5551

Docket No. 2009-356

Mount Pleasant, Utah

Cause of Action:

Respondent's owner, George W. Johansen, engaged in unprofessional conduct. Respondent neither admits nor denies the Division's allegations, but agreed to the following.

Order:

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

Date:

November 30, 2009

***LAGUNA CONSTRUCTION COMPANY, INC.**

License No. 5041678-5501

Docket No. 2009-309

Laguna, New Mexico

Cause of Action:

Respondent failed to replace its qualifier

Order:

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

Date:

November 19, 2009

***LLOYD'S CUSTOM CABINETS, INC.**

License No. 2722109-5501

Docket No. 2009-371

Midvale, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct due to outstanding state taxes.

Order:

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

Date:

November 30, 2009

***MANI, Henele Kolo DBA MANI CONSTRUCTION**

License No. 250450-5501

Docket No. 2009-157

West Jordan, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as a result of outstanding judgments.

Order:

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

Date:

November 30, 2009

***PICASSO CUSTOM HOMES, LLC**

License No. 7464077-5501

Docket No. 2009-351

Saratoga Springs, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure as a result of Respondent's owner, Steven Ray Peterson, having outstanding judgments relating to a former contractor license for Columbus Homes, LLC.

Memorandum of Understanding and Order:

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

Date:

November 30, 2009

***RAVAGE CONSTRUCTION, INC.**

License No. 6054055-5501

Docket No. 2009-136

Grantsville, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct as a result of outstanding judgments.

Order:

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

Date:

November 30, 2009

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***SIX PENCE, INC.**

License No. 366328-5501

Docket No. 2009-208

Richfield, Utah

Cause of Action:

Respondent engaged in unprofessional conduct due to outstanding judgments.

Order:

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

Date:

November 30, 2009

***STRUCTURE DESIGN, INC.**

License No. 364699-5501

Docket No. 2009-370

Bountiful, Utah

Cause of Action:

Respondent engaged in unprofessional conduct due to an outstanding judgment.

Order:

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

Date:

November 30, 2009

***TREVIZO, Carlos**

License No. 371220-5501

Docket No. 2009-303

West Valley City, Utah

Cause of Action:

Respondent failed to replace its qualifier on its B100 and E100 license classifications.

Order:

Respondent's B100 and E100 license classifications only were revoked effective the date of the Order.

Date:

November 4, 2009

***TWIN PEAKS PAINT CONTRACTING LLC**

License No. 6758772-5501

Docket No. 2009-362

Ogden, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct as a result of outstanding IRS obligations.

Order:

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

Date:

November 30, 2009

***WADSWORTH BUILDERS, LLC**

License No. 5881934-5501

Docket No. 2009-348

Murray, Utah

Cause of Action:

Respondent's owner, Jon F. Wadsworth, has engaged in unprofessional conduct as a result of driving under the influence of alcohol and/or drugs.

Order:

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

Date:

November 30, 2009

OTHER REGULATED PROFESSIONS

***BAIRD, Vera I.**

Cosmetologist/Barber
License No. 204378-1101
Docket No. DOPL-2009-354
Roy, Utah

Cause of Action:
Memorandum of Understanding and Order:

Date:

Respondent engaged in unprofessional conduct during the last renewal period. 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.
November 16, 2009

***HARDY, Lauren Elizabeth**

Cosmetologist/Barber
License No. 5738327-1101
Docket No. 2009-350
Pleasant Grove, Utah

Cause of Action:
Memorandum of Understanding and Order:

Date:

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.
November 10, 2009

***HERNANDEZ, Julieta**

Massage Therapist
License No. 269740-4701
Docket No. 2007-239
Salt Lake City, Utah

Reinstatement Order:

Date:

The probation on Respondent's license to practice as a massage therapist was terminated and said license was reinstated with full privileges.
November 19, 2009

***MARTINEAU, L. Dean**

Professional Structural Engineer
License No. 156045-2203
Docket No. 2009-367
Smithfield, Utah

Cause of Action:

Order:

Date:

Respondent practiced as a professional structural engineer beyond his competency, abilities and education. Respondent voluntarily surrendered his license to practice as a professional structural engineer. Respondent may not reapply for this license classification until he has successfully passed the NCEES Structural Test Parts 1 and 2.
November 30, 2009

***READ, Roger Hal**

Licensed Clinical Social Worker
License No. 114138-3501
Docket No. 2009-238
Salt Lake City, Utah

Cause of Action:

Order:

Date:

Respondent engaged in unprofessional conduct in his practice as a licensed clinical social worker. Respondent voluntarily surrendered his license to practice as a licensed clinical social worker. Respondent may not reapply for a social worker license for a period of five years.
November 16, 2009

OTHER REGULATED PROFESSIONS - continued

***REEDER, Shauna Elizabeth**

Cosmetologist/Barber

License No. 7169633-1101

Docket No. DOPL-2009-353

North Logan, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

Respondent engaged in unprofessional conduct during the last renewal period.

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.

November 16, 2009

***SPAGNOLO, Suzanne Nicole**

Cosmetologist/Barber

License No. 5560332-1101

Docket No. 2009-347

Spanish Fork, Utah

Cause of Action:

Memorandum of Understanding and Order:

Date:

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.

November 10, 2009

***VERSTEEG, Kristi Kimball**

Certified Substance Abuse Counselor

License No. 7465742-6005

Docket No. 2009-343

Salt Lake City, 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.

November 3, 2009

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.