

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

NEWSLETTER

May 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 April 1, 2010 - April 30, 2010.

PHYSICIANS/SURGEONS

***BEDELL, Raymond Louis, DO**

License No. 329116-1204

Docket No. 2008-32

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as an osteopathic physician/surgeon.

Order:

Respondent's license to practice as an osteopathic physician/surgeon is suspended until certain conditions outlined in the Order have been completed by him.

Respondent was also ordered to pay a \$500 fine within 30 days.

Date:

April 8, 2010

***CANFIELD, Charles Olin, MD**

License Nos. 182809-1205/8905

Docket No. 2010-140

American Fork, Utah

Cause of Action:

Respondent engaged in unprofessional conduct with respect to his prescribing practices.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were given a public reprimand for improper prescribing practices. Respondent was also ordered to pay a \$1,000 fine within 90 days and ordered to cease and desist from engaging in the unprofessional conduct described in the Stipulation and Order.

Date:

April 26, 2010

***CANNON, Max Kent, MD**

License Nos. 347228-1205/8905

Docket No. 2009-302

Salem, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice of medicine.

Order:

Respondent's July 2009 request to reinstate his licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was denied.

Date:

April 26, 2010

***JONES, Aaron Wilson, MD**

License Nos. 6592169-1205/8905

Docket No. 2008-256

Providence, Utah

Reinstatement Order:

The probation on Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances was terminated and said licenses were reinstated with full privileges.

Date:

April 21, 2010

DENTISTS/DENTAL HYGIENISTS

***CHRISTENSEN, Louis R.**

License Nos. 138056-9922/8903

Docket No. 2010-139

St. George, Utah

Cause of Action:

Respondent admitted to a history of substance abuse and admitted prescribing controlled substances to himself for medical conditions.

Order:

Respondent voluntarily surrendered his license to administer and prescribe controlled substances. Respondent may not reapply for a controlled substance license for a period of three years. Respondent's license to practice as a dentist is revoked with a stay of enforcement on the revocation. Said license is suspended for at least three months with conditions to be completed during the suspension period. Following the period of suspension, said license will be placed on probation for 5 years with conditions and restrictions. Respondent was also ordered to pay a \$1,000 fine within 90 days.

Date:

April 26, 2010

***POULTER, John S.**

License No. 3082639-9921

Docket No. 2009-165

Salt Lake City, Utah

Amended Order:

The probationary condition requiring Respondent to participate in a professional support group is amended to allow Respondent to attend either two (2) PIR meetings and two (2) AA meetings per month or four (4) AA meetings per month.

Date:

April 19, 2010

***SLATER, Rodney John**

License No. 5686807-9922

Docket No. 2007-27

Lehi, Utah

Reinstatement Order:

The probation on Respondent's license to practice as a dentist-anesthesia Class II permit was terminated and said license was reinstated with full privileges.

Date:

April 19, 2010

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***ARIGOT, Kimberlee W.**

License No. 224823-3102

Docket No. 2009-408

Syracuse, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to her nursing license. 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.

Order:

Date:

April 21, 2010

***BLOYER, Gretchen L.**

License No. 216514-3102

Docket No. 2010-116

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct that relates to her license as a registered nurse.

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:

April 13, 2010

REGISTERED NURSES - ADVANCED PRACTICE NURSES - continued

***GARDNER, Heather L.**

License No. 271201-3102

Docket No. 2010-88

Provo, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in her practice as a nurse by falsely obtaining a controlled substance.

Order:

Respondent was given a public reprimand for the above conduct and ordered to pay a \$400 fine within 180 days.

Date:

April 8, 2010

***JOHNSON, Michelle Deon**

License No. 6819302-3102

Docket No. 2010-124

St. George, Utah

Cause of Action:

Respondent practiced beyond the scope of her license and beyond her abilities, competence and education.

Order:

Respondent was given a public reprimand.

Date:

April 19, 2010

***PAULSEN, John S.**

License No. 197776-4406

Docket No. 2010-125

Hooper, Utah

Cause of Action:

Respondent had surrendered his CRNA license in Utah in August 2004 due to substance abuse and theft while working as a CRNA.

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 five years with conditions and restrictions.

Date:

April 19, 2010

***POPE, Gaylynn V.**

License No. 201458-3102

Docket No. 2010-113

Salt Lake City, Utah

Cause of Action:

Respondent has failed to comply with probationary conditions that existed on her license due to health issues.

Order:

Respondent voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license until she is able to comply with conditions outlined in the Stipulation/Order.

Date:

April 8, 2010

***SWANK, Eve Joanna**

License No. 5922527-3102

Docket No. 2010-135

Cedar 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 voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license until conditions identified in the Stipulation and Order have been successfully completed by Respondent.

Date:

April 26, 2010

LICENSED PRACTICAL NURSES

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***BIO PHARMACEUTICS**

Class A pharmacy

License Nos. 7069683-1703/8913

Docket No. 2010-107

Orem, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in its practice as a Class A pharmacy.

Order:

Respondent voluntarily surrendered its licenses to practice as a Class A pharmacy and to dispense controlled substances. Respondent may not reapply for a pharmacy or controlled substance license for a period of five years.

Date:

April 5, 2010

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

License Nos. 5794197-1701/8911

Docket No. 2010-130

Heber City, Utah

Cause of Action:

Respondent has engaged in unprofessional and unlawful conduct in his practice as a pharmacist.

Order:

Respondent was ordered to pay a \$1,000 fine within 120 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 three years with conditions and restrictions. Respondent shall also cease and desist from representing himself as a "doctor" to pharmacy customers unless Respondent clearly explains to the customer that he is not a medical doctor but received a doctorate degree in pharmacy.

Date:

April 21, 2010

***MESSINEO, Richard Martin**

License Nos. 153694-1701/8911

Docket No. 2010-133

Midvale, Utah

Cause of Action:

Respondent has engaged in alleged unprofessional and unlawful conduct that represents an immediate and significant danger to the public health, safety and welfare.

Emergency Order:

Respondent's licenses to practice as a pharmacist and to dispense controlled substances are immediately suspended until further Order of the Division.

Date:

April 26, 2010

***MONTANO, Alfonso Mark**

Pharmacy Technician

License No. 6987025-1717

Docket No. 2008-101

Salt Lake City, Utah

Reinstatement Order:

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

Date:

April 5, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***A & J STONEMASON**

License No. 269456-5501

Docket No. 2010-141

West Valley City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct by misrepresenting in an application to the Division that a judgment had been entered against him. Respondent has also failed to maintain financial responsibility as the result of a delinquent real estate loan.

Order:

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

Date:

April 29, 2010

***ACME CONTRACTORS, INC.**

License No. 268353-5501

Docket No. 2010-115

Salt Lake City, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a judgment.

Order:

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

Date:

April 29, 2010

***ALPINE DESIGN GENERAL CONTRACTORS, LLC**

License No. 5658286-5501

Docket No. 2010-134

Park City, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its license qualifier, William Troy Riddell.

Order:

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

Date:

April 29, 2010

***BIG SKY DESIGN, INC.**

Docket No. 2010-136

Springville, Utah

Cause of Action:

Respondent has engaged in practice as a contractor without being licensed to do so.

Order:

Respondent was ordered to pay a \$500 fine within 90 days. Respondent was also ordered to cease and desist from engaging in the unlicensed practice as a contractor. It should be noted that a license to practice as a contractor was issued to Respondent on April 26, 2010.

Date:

April 29, 2010

***CAMBRIDGE BUILDERS, INC.**

License No. 349844-5501

Docket No. 2010-137

South Jordan, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a delinquency with the Utah State Tax Commission.

Order:

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

Date:

April 29, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***CENTERLINE DEVELOPMENT, LLC**

License No. 7628996-5501

Docket No. 2010-129

Fruit Heights, Utah

Cause of Action:

Respondent engaged in practice as a contractor without being licensed to do so.

Memorandum of Understanding and Order:

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

Date:

April 29, 2010

***CURRANT CREEK METALS, LC**

License No. 4776489-5501

Docket No. 2010-127

West Jordan, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a delinquency with the IRS.

Order:

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

Date:

April 29, 2010

***DOC OC CLEANER & MAINTENANCE SERVICES, INC.**

dba PYRAMID STONE MASONRY

License No. 6857412-5501

Docket No. 2008-72

West Valley 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:

April 29, 2010

***ELITE AIR, LLC**

License No. 5633929-5501

Docket No. 2010-126

American Fork, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as a the result of a judgment.

Order:

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

Date:

April 19, 2010

***GARY KUMMER CONSTRUCTION, LLC**

License NO. 7611446-5501

Docket No. 2010-109

Orem, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in his practice as a contractor.

Order:

Respondent's license to practice as a contractor was given a public reprimand for his conduct. Respondent was also ordered to pay a \$500 fine within 90 days.

Date:

April 29, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***GUTTER BROTHERS, LLC**

License No. 7485968-5501

Docket No. 2010-98

Salt Lake City, Utah

Cause of Action:

Concerns regarding financial responsibility as the result of Respondent's qualifier, Spencer C. Halvorsen, had civil judgments entered against another contractor license (M & M Gutters LLC) in which Mr. Halvorsen was previously a manager.

Memorandum of Understanding and Order:

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

Date:

April 5, 2010

***MITCHELL EXCAVATION, INC.**

License No. 346087-5501

Docket No. 2010-110

Lindon, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its qualifier, Donald Lyster.

Order:

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

Date:

April 29, 2010

***PERKS DIAMOND CONSTRUCTION, INC.**

License No. 6061658-5501

Docket No. 2010-138

Orem, Utah

Cause of Action:

Respondent has failed to maintain financial responsibility as the result of a judgment.

Order:

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

Date:

April 29, 2010

***SILVERCREEK LANDSCAPING, INC.**

License No. 6542032-5501

Docket No. 2010-143

Layton, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its prior license qualifier, Brad Jackson.

Order:

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

Date:

April 29, 2010

***TREVOR W. BLACK**

License No. 7576430-5501

Docket No. 2010-142

St. George, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct as the result of Respondent's qualifier, Jason K. Black, previously having civil judgments against another contractor license for which he was the qualifier and then Jason K. Black subsequently filed for bankruptcy.

Order:

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

Date:

April 29, 2010

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***VIVID CONSTRUCTION, LLC**

License No. 6054153-5501

Docket No. 2006-101

St. George, 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:

April 29, 2010

***WASATCH VALLEY CONSTRUCTION, LLC**

License No. 5599985-5501

Docket No. 2010-128

Ogden, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct in its practice as a contractor with respect to its license qualifier, Clifton Bell.

Order:

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

Date:

April 29, 2010

***WOODSIDE HOMES CORPORATION**

License No. 248788-5501

Docket No. 2010-111

North Salt Lake, Utah

Cause of Action:

The Division alleges Respondent has failed to maintain financial responsibility due to a bankruptcy filing. **Without admitting or denying the Division's allegations, Respondent agreed to the following.**

Order:

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

Date:

April 6, 2010

OTHER REGULATED PROFESSIONS

***BAKER, Tyler J.**

Limited Building Inspector

License No. 6849816-5602

Docket No. 2008-3

Taylorsville, Utah

Reinstatement Order:

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

Date:

April 12, 2010

***BENSON, Allan Robert**

Limited Building Inspector

License No. 6849822-5602

Docket No. 2008-16

West Jordan, Utah

Reinstatement Order:

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

Date:

April 12, 2010

OTHER REGULATED PROFESSIONS - continued

***ELEY, Chris**

Docket No. 2010-92

Salt Lake City, Utah

Cause of Action:

Respondent engaged in the practice of veterinary medicine when he was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in the practice of veterinary medicine until he is properly licensed to do so.

Date:

April 6, 2010

***ELEY, David**

Docket No. 2010-91

Salt Lake City, Utah

Cause of Action:

Respondent engaged in the practice of veterinary medicine when he was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in the practice of veterinary medicine until he is properly licensed to do so.

Date:

April 6, 2010

***FUTRELL, Gregory Deforest, DC**

Chiropractic Physician

License No. 289783-1202

Docket No. 2007-94

Salt Lake City, Utah

Reinstatement Order:

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

Date:

April 13, 2010

***HANSEN, L. Delynn, DC**

Chiropractic Physician

License No. 165911-1202

Docket No. 2010-119

Orem, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct by selling prescription strength HCG in his chiropractic practice.

Order:

Respondent's license to practice as a chiropractic physician was given a public reprimand for the above conduct. Respondent was also ordered to cease and desist from selling the prescription drug. Respondent was ordered to pay a \$1500 fine within 90 days (paid in full on 4-7-2010).

Date:

April 13, 2010

***JONES, Joanie Lynn**

Licensed Substance Abuse Counselor

License No. 5858793-6006

Docket No. 2010-132

Sunset, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on her license. Respondent's license to practice as a licensed substance abuse counselor was revoked with a stay of enforcement on the revocation. Said license is placed on probation for another three year period with conditions and restrictions.

Order:

Date:

April 20, 2010

OTHER REGULATED PROFESSIONS - continued

***JULIAN, Michael Wynn**

Certified Substance Abuse Counselor

License No. 6820388-6005

Docket No. 2007-251

Orem, Utah

Reinstatement Order:

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

Date:

April 28, 2010

***LOWE, David Asay**

Massage Therapist

License No. 7376371-4170

Docket No. 2010-121

Las Vegas, Nevada

Cause of Action:

Respondent failed to provide additional information to the Division concerning a criminal record.

Order:

Respondent's conditional license to practice as a massage therapist was immediately revoked.

Date:

April 13, 2010

***NIELSON, Bruce C., DC**

Chiropractic Physician

License No. 365045-1202

Docket No. 2007-212

Midvale, Utah

Reinstatement Order:

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

Date:

April 13, 2010

***PAPPAS, Leslie**

Docket No. 2010-93

Murray, Utah

Cause of Action:

Respondent engaged in the practice of veterinary medicine when she was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in the practice of veterinary medicine until she is properly licensed to do so.

Date:

April 6, 2010

***PETERSON, Matthew Edward**

Massage Therapist

License No. 7341322-4170

Docket No. 2010-120

Salt Lake City, Utah

Cause of Action:

Respondent failed to provide additional information to the Division concerning outstanding warrants.

Order:

Respondent's conditional license to practice as a massage therapist was immediately revoked.

Date:

April 13, 2010

OTHER REGULATED PROFESSIONS - continued

***POLLAK, Brian**

Docket No. 2010-106

St. George, Utah

Cause of Action:

Respondent engaged in practice as a hearing instrument specialist when he was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in practice as a hearing instrument specialist until he is properly licensed to do so.

Date:

April 5, 2010

***ROBISON, Irina Yevgenyevna**

Massage Therapist

License No. 6940216-4701

Docket No. 2010-108

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when she touched the genitals of a male client.

Order:

Respondent voluntarily surrendered her license to practice as a massage therapist. Respondent may not reapply for a massage therapy license for a period of two years.

Date:

April 6, 2010

***SCHUBACH, Theresa**

Certified Social Worker

License No. 6316503-3502

Docket No. 2007-227

Reinstatement Order:

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

Date:

April 7, 2010

***TURNER, Brad Glen**

Outfitter

License No. 7620601-7500

Docket No. 2010-123

Elk Ridge, 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 outfitter was issued to Respondent and said license was placed on probation for five years with conditions.

Date:

April 19, 2010

***WEBB, Kelsee K.**

Unarmed Private Security Officer

License NO. 7570749-6303

Docket No. 2010-131

Heber 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 an unarmed private security officer was issued and said license was placed on probation for two years with conditions and restrictions.

Date:

April 21, 2010

OTHER REGULATED PROFESSIONS - continued

***ZARIT, Matthew Ian, DC**

Chiropractic Physician

License No. 369436-1202

Docket No. 2009-276

Anthony, Texas

Cause of Action:

Respondent engaged in unprofessional conduct that bears a relationship to his license to practice as a chiropractic physician.

Order:

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

Date:

April 28, 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.