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

NEWSLETTER

May 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 April 1,

2011 - April 30, 2011.

PHYSICIANS/SURGEONS

*CALLAHAN, Douglas Dee, DO

License Nos. 5335922-1204/8904

Docket No. 2008-70 St. George, Utah

Reinstatement Order: The probation on Respondent's licenses to practice as an osteopathic physician and

surgeon and to administer and prescribe controlled substances was terminated and

said licenses were reinstated with full privileges.

Date: April 26, 2011

*KABINS, Mark Bradley, MD

License Nos. 3092677-1205/8905

Docket No. 2011-145 Las Vegas, Nevada

Cause of Action: Respondent has been disciplined by the Arizona Medical Board and the Nevada

Board of Medical Examiners due to his unprofessional conduct.

Order: Respondent's licenses to practice as a physician/surgeon and to administer and

prescribe controlled substances were placed on probation with conditions until such time as Respondent's current administrative probation in Nevada is terminated.

Date: April 20, 2011

DENTISTS/DENTAL HYGIENISTS

None in April 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES

*BREWER, Theresa Lynn

License No. 283985-3102 Docket No. 2006-196

Helper, 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: April 18, 2011

*CLARK, Nichole

License No. 288973-3102 Docket No. 2011-121 Salt Lake City, Utah

Cause of Action: Respondent failed to comply with probationary conditions that existed on her license Order: Respondent's license to practice as a registered nurse is suspended and shall remain

suspended until such time as Respondent submits a written request to the Division

and Board that the suspension be lifted.

Date: April 5, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued *EVANS, Skyler Sumsion License No. 661954-3102 Docket No. 2011-137 Payson, Utah Cause of Action: In July 2009 Respondent took one unit of a controlled substance from a Pyxis machine at his place of employment. Respondent was given a public reprimand for the above conduct. Order: Date: April 13, 2011 *GARDNER, Joseph Arch License No. 6970570-3102 Docket No. 2011-128 South Weber, Utah Cause of Action: Respondent has engaged in conduct, including the use of drugs, narcotics, or similar chemicals to the extent that the conduct might reasonably be considered to impair his ability to safely practice as a nurse. Respondent's license to practice as a registered nurse was revoked with a stay of Order: enforcement on the revocation. Said license is placed on probation for five years with conditions and restrictions. April 11, 2011 Date: *L'ESTRANGE, Tina L. License No. 187855-3102 Docket No. 2011-142 Clearfield, Utah Respondent has engaged in conduct, including the use of intoxicants, drugs, Cause of Action: narcotics or similar chemicals, to the extent that the conduct might reasonably be considered to impair her ability to safely practice as a nurse. Respondent's license to practice as a registered nurse was revoked with a stay of Order: enforcement on the revocation. Said license was suspended until conditions have been completed by Respondent. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions. April 14, 2011 Date: *NORMAN, Bryn License No. 208792-3102 Docket No. OSC-2009-340 North Salt Lake, Utah Cause of Action: Respondent failed to comply with probationary conditions that existed on her license. Order: Respondent's license to practice as a registered nurse was revoked effective the date of the Order. April 25, 2011 Date: *PAULSEN, John S. License No. 197776-3102 Docket No. 2011-123

Hooper, Utah

Cause of Action:

Order:

Date:

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

to practice as a registered nurse.

Respondent voluntarily surrendered his 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 this Order.

April 11, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

*SIMMONS, Taylor

License No. 372851-3102 Docket No. 2009-359 Humble, Texas

Amended Order: The probationary condition restricting Respondent's access to controlled substances

was terminated.

Date: April 19, 2011

*SINNETT, Pamela

License No. 217568-3102 Docket No. 2011-153 Salt Lake City, Utah

Cause of Action: Respondent no longer wants 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 five years and

completion of conditions outlined in the Order.

Date: April 27, 2011

LICENSED PRACTICAL NURSES

*BROWN, Benjamin Ronald

License No. 6204962-3101 Docket No. 2011-133 Pleasant Grove, Utah

Cause of Action: Respondent no longer wants to comply with probationary conditions that exist on his

license.

Order: Respondent voluntarily surrendered his license to practice as a licensed practical

nurse. Respondent may not reapply for a nursing license for a period of five years

and completion of conditions outlined in the Order.

Date: April 13, 2011

*KOELLER, Bambi Bodenhofer

License No. 195037-3101 Docket No. 2003-199 Salt Lake City, 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: April 18, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

*CARTER, Danny Wildon License Nos. 378672-1701/8911 Docket No. 2011-127 Lehi. Utah 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 his ability to safely practice as a pharmacist and to dispense controlled substances. Order: Respondent's licenses to practice as a pharmacist and to dispense controlled substances were revoked with a stay of enforcement on the revocation. Respondent's license to practice as a pharmacist is suspended until Respondent submits required documentation identified in the Order. Respondent's license to dispense controlled substances shall also remain suspended until the Division and Board determine that Respondent may safely dispense controlled substances. Following the period of suspension, said licenses will be placed on probation for five years with conditions and restrictions. Date: April 11, 2011 *DECKER, Trent Kjar License Nos. 153080-1701/8911 Docket No. 2007-224 Caliente. Nevada Reinstatement Order: The probation on Respondent's licenses to practice as a pharmacist and to dispense controlled substances was terminated and both licenses were reinstated with full privileges. April 5, 2011 Date: *DIFRANCESCO, Brian Marc Pharmacy Technician License No. 7416564-1717 Docket No. 2011-151 South Jordan, Utah 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 Respondent's ability to safely practice as a pharmacy Respondent voluntarily surrendered his license to practice as a pharmacy technician. Order: Respondent may not reapply for a pharmacy type license for a period of five years and completion of conditions outlined in the Order. April 25, 2011 Date: *WINTER, Alan V. License Nos. 148309/1701/8911 Docket No. 2009-269 Hooper, Utah Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a pharmacist. Respondent's licenses to practice as a pharmacist and to dispense controlled substances were placed on probation for three years with conditions and restrictions.

Respondent was also ordered to pay a \$20,000 fine of which \$10,000 is suspended upon completion of probation and payment of the remaining \$10,000 fine within one

year.

Date: April 14, 2011

Order:

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

*ACE HVAC LLC License No. 7617500-5501 Docket No. 2011-156 Stockton, Utah Cause of Action: Jeremy J. Powell, who is being added as a qualifier on this contractor license, has a long history of alcohol and substance abuse. Respondent's license to practice as a contractor was placed on probation for three Order: vears with conditions. Date: April 28, 2011 *ASHWORTH, Brett D. Apprentice Electrician License No. 4883363-5505 Docket No. 2011-149 Cottonwood Heights, Utah Cause of Action: Respondent has engaged in unprofessional conduct as the result of his long history of alcohol and/or substance abuse. Respondent's license to practice as an apprentice electrician was renewed and said Order: license was immediately suspended until conditions outlined in the Order have been successfully completed. Following the period of suspension, said license will be placed on probation for five years with conditions. April 28, 2011 Date: *BACHMAN, Milton Shawn Journeyman Plumber License No. 266114-5508 Docket No. 2011-155 West Haven, Utah Cause of Action: Respondent engaged in unprofessional conduct prior to submitting an application for reinstatement to the Division. Respondent's license to practice as a journeyman plumber was reinstated. Said Order: license was revoked with a stay of enforcement on the revocation. Said license was placed on probation with conditions and restrictions. Date: April 28, 2011 *BEAUTIFUL TILE, INC. License No. 5067980-5501 Docket No. 2011-82 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. April 28, 2011 Date: *CLARK, Ryan Thomas Apprentice Electrician

License No. 7055127-5505 Docket No. OSC-2009-101

Hyrum, Utah

Cause of Action:

Order:

Respondent failed to comply with probationary conditions that existed on his license. Respondent voluntarily surrendered his license to practice as an apprentice

electrician. Respondent may not reapply for an electrician license for a period of two

years.

Date: April 28, 2011

*DOUBLE DIAMOND CO. INC.

License No. 6325720-5501 Docket No. 2011-89 Park 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: April 28, 2011

*EXTREME PLUMBING & MECHANICAL, INC.

License No. 6438153-5501 Docket No. 2011-86 West Valley 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: April 28, 2011

*G & J CONSTRUCTION INC.

License No. 294014-5501 Docket No. 2011-93 Spanish Fork, 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: April 28, 2011

*GLASMANN CUSTOM PAINTING, INC.

License No. 6521100-5501 Docket No. 2009-52 Riverdale, 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 28, 2011

*GLBY PAVING LLC

License No. 7023974-5501 Docket No. 2011-85 Goodyear, Arizona

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: April 28, 2011

*GUSTIN CONSTRUCTION, INC.

License No. 7166402-5501 Docket No. 2011-24

Orem, Utah

Cause of Action: David Gustin, Respondent's current qualifier on this license, has failed to

demonstrate and maintain financial responsibility.

Order: Upon entry of the Division's Order, David Gustin is disqualified from serving as

Respondent's qualifier. Respondent's license to practice as a contractor shall be revoked 60 days after the entry of this Order unless Respondent has submitted and the Division approves an application for a replacement qualifier prior to the effective

date of the revocation.

Date: April 28, 2011

*JACKSON FRAMING & REMODELING, LLC

License No. 7903335-5501 Docket No. 2011-147

Logan, Utah

Cause of Action: Respondent has engaged in unprofessional and unlawful conduct prior to submitting

an application for licensure.

A license to practice as a contractor was issued to Respondent and said license was Order:

placed on probation for four years with conditions. Respondent was also ordered to

pay a \$1,000 fine within 90 days.

April 28, 2011 Date:

*JUSTIN - CASE, INCORPORATED

License No. 259834-5501 Docket No. 2011-15 West Jordan, Utah Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility and obtained

a license by misrepresentation or omission.

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

ordered to file evidence of satisfaction of an outstanding judgment with respect to a

company identified in the Order within 60 days of the date of the Order.

Date: April 28, 2011

*LARRY KIMBALL GEISLER

License No.248943-5501 Docket No. 2011-50 Fruit Heights, Utah Order to Set Aside:

The Division's March 30, 2011 Default Order was set aside as of the date of this Order based on the fact that Respondent submitted documentation to the Division of payment of all outstanding judgments and tax liens referenced in the February 8, 2011 Notice of Agency Action. Respondent's license to practice as a contractor was returned to active in good standing and no further proceedings will be conducted in

this matter.

April 7, 2011 Date:

*MADSEN CUSTOM HOMES, INC.

License No. 5380357-5501 Docket No. 2011-91 Palm Desert, California 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.

April 28, 2011 Date:

*MONTOYA, Frank Sr.

Master Electrician License No. 128225-5502 Docket No. OSC-2005-223 Salt Lake City, 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 master electrician and

agreed not to reapply for licensure.

April 28, 2011 Date:

*MOUNTAIN LAKES CONSTRUCTION, INC.

License No. 6496202-5501 Docket No. 2011-88

Provo, 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: April 28, 2011

*SHUMWAY, Glen Aaron

Apprentice Plumber License No. 7781086-5509 Docket No. 2011-126 Blanding, 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 to Respondent and said

license was placed on probation for three years with conditions.

Date: April 28, 2011

*THE DEER CREEK CORPORATION

License No. 5677290-5501 Docket No. 2011-96 Parker, Colorado

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: April 28, 2011

*THERMAL FLOORS, LLC

License No. 4818525-5501 Docket No. 2011-101 Midvale Utah

Cause of Action: Respondent failed to replace its B100 classification qualifier.

Order: Respondent's B100 classification only on its license to practice as a contractor was

revoked effective the date of the Order.

Date: April 28, 2011

*USA-INTERNATIONAL DATELINE TRADE & GENERAL CC CONSTRUCTION, INC.

License No. 6185657-5501 Docket No. 2011-83

Orem, 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: April 28, 2011

*WHITE, Travis William

Apprentice Plumber

License No. 6609534-5509 Docket No. 2011-125 West Valley City, Utah

Cause of Action: Respondent engaged in unprofessional conduct as the result of his long history of

alcohol and/or drug abuse.

Order: Respondent's license to practice as an apprentice plumber was revoked with a stay of

enforcement on the revocation. Said license was placed on probation for three years

with conditions.

Date: April 28, 2011

OTHER REGULATED PROFESSIONS

*CANNON, Elizabeth Marie

Cosmetologist/Barber License No. 7847456-1101 Docket No. 2011-112 West Jordan, Utah Cause of Action:

ause 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 to Respondent and said

license was placed on probation for three years with conditions and restrictions.

Date: April 4, 2011

*CARLSON, Fredrick D.

Licensed Clinical Social Worker License No. 129125-3501 Docket No. 2008-181 Syracuse, 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: April 13, 2011

*COPFER, Torrey Jay

Professional Geologist License No. 6274549-2250 Docket No. 2010-315

Alpine, Utah

Amended Order: The suspension on Respondent's license to practice as a professional geologist was

terminated and said license was placed on probation for five years subject to the conditions and restrictions identified in the September 27, 2010 Stipulation and

Order.

Date: April 14, 2011

*ELVIN, Meghan Marie

Massage Therapist

License No. 7913090-4701 Docket No. 2011-143 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 massage therapist was issued and said license was placed

on probation for two years with conditions and restrictions.

Date: April 19, 2011

*GLEAVE, Jordan T.

Burglar Alarm Company Agent License No. 7879702-6502 Docket No. 2011-148 Salt Lake City, Utah Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for

licensure to the Division.

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 three years with conditions and restrictions.

Date: April 28, 2011

*GUTIERREZ, Rogelio

Armed Private Security Officer License No. 5061100-6302 Docket No. 2010-431 Salt Lake City, Utah Cause of Action:

Respondent engaged in unprofessional conduct that relates to his license to practice

as an armed private security officer.

Order: Respondent's license to practice as an armed private security officer was renewed

and said license was placed on probation for one year with conditions.

Date: April 25, 2011

*HAYS, Annette

Unlicensed CPA Docket No. 2011-154

Ogden, Utah

Cause of Action: Allegations Respondent represented herself as a certified public accountant (CPA)

when she was not licensed to do so. Without admitting or denying the Division's

allegations, Respondent agreed to the following:

Order: Respondent agreed to cease and desist from engaging in the conduct alleged in the

Division's Stipulation and Order and also agreed to the completion of three

additional conditions outlined in the Stipulation and Order.

Date: April 28, 2011

*HILL, Michael J.

Docket No. 2011-140

Manti, Utah

Cause of Action: Respondent engaged in unlicensed practice as a chiropractic physician after his

license had expired on May 31, 2008.

Order: Respondent was ordered to cease and desist from practicing as an unlicensed

chiropractic physician until such time as he is currently licensed to do so.

April 14, 2011

*HOLZ, Alexis

Cause of Action:

Date:

Cosmetologist/Barber License No. 6341971-1101 Docket No. 2011-138 Brigham City, Utah

Respondent engaged in unprofessional conduct prior to submitting a

renewal/reinstatement application to the Division.

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 three years with conditions and

restrictions.

Date: April 12, 2011

*LITZ & COMPANY, PC

CPA Firm

License No. 112898-2603 Docket No. 2011-141

Roy, Utah

Order:

Cause of Action: Respondent engaged in unlawful and unprofessional conduct by misrepresenting that

an employee in the firm was a CPA when in fact she was not licensed as a CPA. Respondent was ordered to cease and desist from representing that an employee in the firm, who is an unlicensed CPA, is licensed as a CPA. Respondent was also

given a public reprimand for the above conduct.

Date: April 14, 2011

*MILLAR, Jessica Marie

Cosmetologist/Barber License No. 6950596-1101 Docket No. 2011-139 Midvale. 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 two years with conditions and restrictions.

Date: April 13, 2011

*MIXDORF, Caitlin May

Nail Technician License No. 7621243-1112 Docket No. 2011-150 Woods Cross, Utah Cause of Action:

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 nail technician was issued to Respondent and said license

was placed on probation for three years with conditions and restrictions.

Date: April 25, 2011

*MORRISON, Scott K.

Massage Therapist License No. 5494519-4701 Docket No. 2011-152 Sandy, Utah

Cause of Action: Respondent engaged in unprofessional conduct in his practice as a massage therapist.

Order: Respondent's license to practice as a massage therapist was revoked with a stay of

Respondent's license to practice as a massage therapist was revoked with a stay of enforcement on the revocation. Said license was placed on probation for three years

with conditions and restrictions.

Date: April 27, 2011

*MORTENSEN, Mark R.

Unarmed Private Security Officer License No. 4837828-6303 Docket No. 2009-21 Midvale, Utah

Reinstatement Order: The probation on Respondent's license to practice as an unarmed private security

officer was terminated and said license was reinstated with full privileges.

Date: April 28, 2011

*POLISHED NAIL ACADEMY

Nail Technology School License No. 5836548-1114 Docket No. 2011-104 South Ogden, Utah Cause of Action:

Respondent's national accreditation was withdrawn in September 2010 and

Respondent ceased operation as a nail technology school without notifying the

Division.

Order: Respondent voluntarily surrendered its license to practice as a nail technology

> school. Respondent may not reapply for a nail technology school license for a period of five years. Respondent is also required to provide to the Division the name, address and other contact information of a trustee who shall be responsible for

maintaining student records of the school.

Date: April 11, 2011

*ROBLES, Kristi

Certified Social Worker License No. 6604883-3502 Docket No. 2011-111 Salt Lake City, Utah Cause of Action:

Respondent had previously surrendered her license to practice as a certified social

worker in 2008.

A license to practice as a certified social worker was issued to Respondent. Said Order:

license was revoked with a stay of enforcement on the revocation. Said license was

also placed on probation for four years with conditions and restrictions.

April 4, 2011 Date:

*RUBIO, Joseph Jent

Unarmed Private Security Officer License No. 7175578-6303 Docket No. 2010-415 Salt Lake City, Utah

Cause of Action: Respondent misrepresented prior charges on his October 2010 license renewal form

to the Division.

Respondent's license to practice as an unarmed private security officer was renewed Order:

and said license was placed on probation for two years with conditions.

Date: April 18, 2011

*SIMPER, Dallin

Cosmetologist/Barber License No. 7182971-1101 Docket No. 2009-107 North Logan, Utah

Reinstatement Order: The probation on Respondent's license to practice as a cosmetologist/barber was

terminated and said license was reinstated with full privileges.

April 28, 2011 Date:

*STODDARD, Ronald J.

Massage Therapist License No. 7888324-4701 Docket No. 2011-122 Sandy, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for

A license to practice as a massage therapist was issued and said license was placed Memorandum of Understanding and Order:

on probation for two years with conditions and restrictions.

April 5, 2011 Date:

*VERSTEEG, Kristi Kimball

Certified Substance Abuse Counselor

License No. 7465742-6005 Docket No. 2009-343 Salt Lake City, 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 26, 2011

*WANG & ASSOCIATES, CPA, PC

CPA Firm

License No. 7912862-2603 Docket No. 2011-124 Centerville, Utah Cause of Action:

One of Respondent's owners, Todd D. Chisholm, has been disciplined in another

Division proceeding in Case No. DOPL-2010-407.

Order: A license to practice as a CPA firm was issued and said license was placed on

probation for three years with conditions and restrictions.

Date: April 11, 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.