

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

NEWSLETTER

October 1, 2012

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 September 1, 2012 - September 30, 2012.

NOTE: The Division has a new "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

***CHEIN, Edmund, MD**

License Nos. 185060-1205/8905

Docket No. 2012-408

Palm Springs, California

Cause of Action:

Respondent's license to practice medicine in California was disciplined by the Medical Board of California in August 2012.

Order:

Respondent's licenses to practice as physician/surgeon and to administer and prescribe controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation and shall continue on probation as long as Respondent's licenses in California are on probation with conditions to be met in this state.

Date:

September 24, 2012

***GROSSER, Bernard Irving, MD**

License Nos. 145848-1205/8905

Docket No. 2012-402

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when he engaged in an inappropriate relationship with a former patient.

Order:

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

Date:

September 20, 2012

***HILLAM, David Richard, MD**

License Nos. 4932652-1205/8905

Docket No. 2012-410

Provo, Utah

Cause of Action:

Allegations Respondent engaged in inappropriate sexual conduct with a patient. At this time, Respondent does not admit or deny any alleged misconduct, but agreed to the following:

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances are suspended effective the date of the Order and shall remain suspended until conditions outlined in this Stipulation and Order have been completed.

Date:

September 25, 2012

DENTISTS/DENTAL HYGIENISTS

***DINGMAN, Bernard John, DDS**

License No. 360924-9922

Docket No. 2012-392

Park City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when he personally used a controlled substance from his own office stock. Respondent had voluntarily surrendered his DEA registration certificate in August 2011.

Order:

Respondent's license to practice as a dentist is revoked with a stay of enforcement on the revocation. Said dentist license shall be placed on probation for five years with conditions and restrictions. Respondent will need to reapply for a license to administer and prescribe controlled substances once he is eligible for reissuance of a DEA registration certificate.

Date:

September 11, 2012

***THOMPSON, Jeremy L.**

License Nos. 325046-9923/8903

Docket No. 2012-415

Riverton, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice of dentistry with respect to a patient and placement of implants.

Order:

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 were placed on probation for two years with conditions and restrictions.

Date:

September 27, 2012

ADVANCED PRACTICE NURSES

***MAUGHAN, Eloise Agnes**

License Nos. 199012-4405/8900

Docket No. 2012-397

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when she failed to comply with conditions imposed by a diversion agreement.

Order:

Respondent voluntarily surrendered her licenses to practice as an APRN and to administer/prescribe controlled substances. Respondent may not reapply for a nursing license for a period of five years with conditions. Respondent's participation in the Utah Recovery Assistance Program and her diversion agreement were also terminated.

Date:

September 20, 2012

REGISTERED NURSES

***ANDERSON, Brian Don**

License No. 6585244-3102

Docket No. 2012-401

Sandy, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when he failed to comply with terms of a diversion agreement and also took a Schedule II controlled substance from a patient.

Order:

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.

Date:

September 20, 2012

REGISTERED NURSES - continued

***BAKER, Kimberly Orton**

License No. 261931-3102

Docket No. 2012-406

Spanish Fork, Utah

Cause of Action:

Respondent violated probationary conditions that existed on her license when she had taken quantities of controlled substances from her place of employment without authorization for her own use.

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 this Order.

Date:

September 21, 2012

***BEZZANT, Shellie Elizabeth**

License No. 105968-3102

Docket No. 2012-399

Magna, Utah

Cause of Action:

Respondent failed to comply with terms and conditions contained in a November 2009 diversion agreement.

Order:

Respondent's November 24, 2009 diversion agreement was terminated. Respondent's license to practice as a registered nurse was immediately suspended with the suspension stayed. Respondent's license to practice as a registered nurse was placed on probation subject to the same terms/conditions and restrictions that exist in the November 24, 2009 diversion agreement.

Date:

September 21, 2012

***HALDIN, Marc Charles**

License No. 201438-3102

Docket No. 2012-386

West Valley City, Utah

Cause of Action:

Respondent's nursing licenses were disciplined by the Arizona State Board of Nursing in June 2009, the Virginia Nursing Board in September 2009 and the California Nursing Board in 2011.

Order:

A license to practice as a registered nurse was issued; said license was revoked with a stay of enforcement on the revocation and said license was placed on probation for two years with conditions and restrictions.

Date:

September 7, 2012

***HARVEY, Britney**

License No. 373690-3102

Docket No. 2008-152

Orem, 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:

September 25, 2012

***MENATTI, Suzanne Drown**

License No. 219058-3102

Docket No. OSC-2009-159

Taylorsville, 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 subject to the probationary conditions and restrictions identified in the May 28, 2009 Stipulation and Order in Case No. DOPL-2009-159.

Date:

September 25, 2012

REGISTERED NURSES - continued

***MURDOCK, Monica Ann**

License No. 348275-3102

Docket No. 2012-324

Riverton, Utah

Amended Order:

The probationary conditions requiring Respondent to attend professional support group (Professionals in Recovery/PIR) meetings and to attend 12-Step program meetings are amended to allow Respondent to attend two (2) 12-Step program meetings and two (2) Professionals in Recovery meetings per month. It was further ordered the probationary condition requiring Respondent to work no more than 20 hours per week is amended to allow Respondent to work no more than 24 hours per week until her therapist's recommendation and employer reports indicate that she may work full time.

Date:

September 25, 2012

***SCHMIDT, Tricia Lynn**

License No. 216153-3102

Docket No. 2007-97

Salt Lake City, Utah

Amended Order:

The probationary condition restricting Respondent's access to controlled substances was terminated.

Date:

September 25, 2012

***STEINIGER, Toni Louann**

License No. 7477367-3102

Docket No. OSC-2012-159

Hill AFB, 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.

Date:

September 4, 2012

***TURNBAUGH, Todd Nathan**

License No. 6303119-3102

Docket No. 2012-393

Herriman, Utah

Cause of Action:

Respondent practice as a registered nurse without a license since January 31, 2009 due to an expired license. Respondent also provided false information on an application for licensure submitted to the Division in July 2012.

Order:

Respondent voluntarily surrendered his expired 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:

September 11, 2012

LICENSED PRACTICAL NURSES

***CURTIS, Julie Kay**

License No. 5384827-3101

Docket No. 2012-391

Layton, Utah

Cause of Action:

Allegations Respondent improperly asked a former patient to cosign a car loan with her. Respondent had a substance abuse problem by taking controlled substance pain medication in dosages above what had been prescribed to her. **While neither admitting nor denying the Division's findings of fact, Respondent agreed to the following:**

Order:

Respondent voluntarily surrendered her license to practice as a licensed practical nurse. Respondent may not reapply for a nursing license until conditions identified in this Order have been completed.

Date:

September 11, 2012

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS

***ALLEN, Roger Wellington**

Pharmacist

License No. 5723884-1701/8911

Docket No. 2012-390

Mesa, Arizona

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when he possessed numerous stock prescription medications including some controlled substances at his personal residence within Utah without being licensed or authorized to do so.

Order:

Respondent was given a public reprimand for engaging in unprofessional and unlawful conduct. Respondent was also ordered to pay a \$2500 fine of which \$2,000 is stayed upon Respondent's compliance with the Order. The remaining \$500 is due within 90 days. Respondent was also ordered to cease and desist from engaging in the conduct contained in this Stipulation and Order. Respondent was also ordered to immediately withdraw the application for licensure for Avenue Druggist to operate as a pharmacy in Utah. Respondent shall not submit an application for licensure as a pharmacy or otherwise be involved in the ownership of a pharmacy in Utah for a period of 10 years from the date of the Stipulation/Order. Respondent is also required to complete continuing education courses identified in the Order within one year.

Date:

September 10, 2012

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS - continued

***ARNOLD, Rachel Nichole**

Pharmacy Technician

License No. 6278131-1717

Docket No. OSC-2012-232

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 pharmacy technician was revoked effective the date of the Order.

Date:

September 20, 2012

***BEASLEY, Dennis**

License Nos. 148084-1701/8911

Docket No. OSC-2010-369

Hurricane, Utah

Cause of Action:

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

Order:

Respondent's expired licenses to practice as a pharmacist and to dispense controlled substances were revoked effective the date of the Order. Respondent's residual rights to reinstate his expired licenses were also revoked.

Date:

September 20, 2012

***WRAY, Kirtland J.**

License Nos. 144529-1701/8911

Docket No. 2012-413

Woods Cross, Utah

Cause of Action:

Respondent had previously surrendered his licenses to practice as a pharmacist and to dispense controlled substances in November 2005.

Order:

Licenses to practice as a pharmacist and to dispense controlled substances were issued to Respondent. Said licenses were revoked with a stay of enforcement on the revocation. Said licenses are placed on probation for five years with conditions and restrictions.

Date:

September 26, 2012

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***BENNETT, Russell David**

Apprentice Electrician
License No. 379724-5505
Docket No. 2012-411
Cause of Action:

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

Order:

Respondent's license to practice as an apprentice electrician was reinstated, said license was revoked with a stay of enforcement on the revocation and said license was placed on probation for three years with conditions.

Date:

September 26, 2012

***DANIELS, Jeffrey Warren**

Apprentice Plumber
License No. 8366145-5509
Docket No. 2012-400
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 four years with conditions.

Date:

September 26, 2012

***GATHERUM, Roy D.**

License No. 266089-5501
Docket No. 2012-387
Murray, Utah
Cause of Action:

Respondent has failed to demonstrate financial responsibility due to current delinquent amounts owing.

Order:

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

Date:

September 26, 2012

***HAWSCO CONSTRUCTION INC.**

License No. 5076320-5500
Docket No. 2012-317
American Fork, Utah
Cause of Action:

Respondent has failed to demonstrate financial responsibility due to outstanding judgments.

Order:

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

Date:

September 26, 2012

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***HULETT, Jason Alan**

Apprentice Plumber

License No. 8378811-5509

Docket No. 2012-388

Tooele, 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 four years with conditions.

Date:

September 26, 2012

***MOUNTAINVIEW CONTRACTING, INC.**

License No. 6734741-5501

Docket No. 2012-407

Ogden, Utah

Cause of Action:

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

Order:

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

Date:

September 26, 2012

***PERRY, Kyle Nathan**

Apprentice Electrician

License No. 4891485-5505

Docket No. 2012-412

Saratoga Springs, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice electrician was reinstated, said license was revoked with a stay of enforcement on the revocation and said license was placed on probation with conditions and restrictions.

Date:

September 26, 2012

***PETERSON, Lonnie Blake**

Apprentice Electrician

License No. 6678979-5505

Docket No. 2012-414

Pleasant Grove, Utah

Cause of Action:

Respondent 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 two years with conditions.

Date:

September 26, 2012

***S & L MAINTENANCE LLC**

License No. 8383848-5501

Docket No. 2012-409

Provo, Utah

Cause of Action:

Respondent's qualifier, Lynn Leroy Weakly, had engaged in unprofessional conduct prior to submitting an application for licensure.

Order:

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

Date:

September 26, 2012

OTHER REGULATED PROFESSIONS

***BAGLEY, Richard Lazone, DVM**

Veterinarian

License No. 110778-2801

Docket No. 2012-219

Cedar City, Utah

Cause of Action:

Respondent failed to obtain client consent for a dental cleaning prior to performing the necessary work.

Order:

Respondent was given a reprimand for the above conduct.

Date:

September 4, 2012

***BLACK, David Rex**

Hunting Guide

License No. 7760251-7501

Docket No. 2010-281

Beaver, Utah

Reinstatement Order:

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

Date:

September 21, 2012

***BRADLEY, Lawrence Alan**

Marriage and Family Therapist

License No. 7074673-3902

Docket No. 2012-385

St. George, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as an associate marriage and family therapist.

Order:

A license to practice as a marriage and family therapist was issued and said license was placed on probation for one year with conditions and restrictions.

Date:

September 7, 2012

***DENNEY, Dale R.**

Hunting Guide

License No. 7549402-7501

Docket No. 2009-414

Colville, Washington

Order Terminating Probation:

The probation on Respondent's expired license to practice as a hunting guide was terminated effective the date of the Order.

Date:

September 21, 2012

***DENNEY, Dale R.**

Outfitter

License No. 7549402-7500

Docket No. 2009-415

Colville, Washington

Reinstatement Order:

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

Date:

September 21, 2012

OTHER REGULATED PROFESSIONS - continued

***HOOPIL, Cherie K.**

Certified Public Accountant and CPA Firm
License Nos. 294337-2601 and 8358994-2603
Docket No. 2012-398
Layton, Utah
Cause of Action:

Respondent engaged in unlawful and unprofessional conduct in her practice as a certified public accountant.

Order: Respondent's licenses to practice as a certified public accountant and as a CPA firm were placed on probation for two years with conditions and restrictions.

Date: September 20, 2012

***NEMANIC, Frankie Jo**

Cosmetologist/Barber
License No. 4840748-1101
Docket No. 2010-324
Salt Lake City, 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.

Date: September 14, 2012

***STEVENS HENAGER COLLEGE**

Associate Degree Nurse Education Program
Docket No. 2012-396
Salt Lake City, Utah
Cause of Action:

Concerns regarding Respondent's NCLEX pass rate for its associate degree nurse education program.

Memorandum of Understanding and Order: Respondent's associate degree nurse education program approval status was changed to probationary with conditions to be met.

Date: September 14, 2012

***WATTERSON, Lauri**

Cosmetologist/Barber
License No. 5339689-1101
Docket No. 2009-326
Smithfield, 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.

Date: September 14, 2012

***WELCH, Heather**

Massage Therapist
License No. 8382541-4701
Docket No. 2012-395
Orem, 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 four years with conditions and restrictions.

Date: September 14, 2012

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.