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

NEWSLETTER

November 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 October 1, 2012 -October 31, 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

*CHOWDHURY, Arif, MD

License Nos. 335689-1205/8905 Docket No. 2012-41 Layton, Utah Amended Order:

Date:

*HOFFMAN, Gregory Robert, MD

License Nos. 7266855-1205/8905 Docket No. 2010-342 Sandy, Utah Reinstatement Order: and Order was terminated. September 21, 2012

The probationary condition requiring Respondent to practice under the supervision of a DOPL-approved physician who is competent in performing and has experience doing spinal taps (lumbar punctures) as identified in the February 7, 2012 Stipulation

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. October 26, 2012

Date:

DENTISTS/DENTAL HYGIENISTS

*HICKMAN, William Sterling, DDS License Nos. 5598241-9922/8903 Docket No. 2012-422 South Jordan, Utah Cause of Action:

Order:

Respondent has engaged in unprofessional and unlawful conduct in that he has failed to comply with conditions imposed by a diversion agreement. Respondent's diversion agreement and his participation in the Utah Recovery Assistance Program were terminated effective the date of this Order. Respondent's licenses to practice as a dentist and to administer/prescribe controlled substances were revoked with a stay of enforcement on the revocation. Said licenses are suspended until Respondent has successfully completed conditions outlined in the Order. Following the period of suspension, said licenses will be placed on probation for five years with conditions and restrictions. October 10, 2012

Date:

ADVANCED PRACTICE NURSES

None in October 2012

REGISTERED NURSES

*BURTON, Karen Lee

License No. 264687-3102 Docket No. 2012-447 Bountiful, Utah Cause of Action:

Order:

Date:

*FREDRICKSON, Jennifer

License No. 6450262-3102 Docket No. 2011-44 Salt Lake City, Utah Reinstatement Order:

Date:

*KILGROW, Debbie Joan

License No. 215159-3102 Docket No. 2010-229 Holladay, Utah Amended Order:

Date:

*THOMPSON, Kaylyn

License No. 5012584-3102 Docket No. 2012-425 Milford, Utah Cause of Action:

Order:

Date:

Respondent engaged in unprofessional conduct in her nursing practice when she took a Schedule II controlled substance from her employer for her own use. Respondent's participation in the diversion program and her diversion agreement were terminated. Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license is suspended until such time as conditions identified in this Order have been successfully completed. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions. October 31, 2012

The probation on Respondent's license to practice as a registered nurse was terminated and said license was reinstated with full privileges. October 18, 2012

Changed that Respondent is allowed to work for Good Shepherd Home and Hospice as a home health care nurse with the understanding that Respondent must be under the general supervision of a registered nurse or physician in good standing with the Division. Respondent is also only allowed to work no more than forty (40) hours per week in this employment. October 17, 2012

Respondent failed to comply with probationary conditions that exist on her license when she took a Schedule III controlled substance from her employer for her own use.

Respondent voluntarily surrendered her license to practice as a registered nurse. Respondent may not reapply for a nursing license for a period of four years and completion of conditions outlined in this Order. October 11, 2012

LICENSED PRACTICAL NURSES

*ASHWORTH, Teresa Ann

License No. 284484-3101 Docket No. 2012-450 Beaver. Utah Cause of Action:

Order:

Date:

*CARTER, Karen B.

License No. 308429-3101 Docket No. 2012-442 Salt Lake City, Utah Cause of Action:

Order: Date:

***ROBERTS, Stacy L.**

License No. 180660-3101 Docket No. 2012-221 Salt Lake City, Utah Cause of Action:

Order:

Date:

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS

were found.

October 9, 2012

***KOHLER FOOD STORES PHARMACY**

Class A. pharmacy License Nos. 274777-1703/8913 Docket No. 2012-420 Highland, Utah Cause of Action:

Order:

Date:

Respondent has failed to comply with conditions contained in a March 2010 diversion agreement.

Respondent's diversion agreement was terminated and her license to practice as a licensed practical nurse was suspended with a stay of enforcement on the suspension. Said license is to be placed on probation for five years subject to the same terms and conditions that existed in the diversion agreement. It should be noted, however, that Respondent's license to practice as a licensed practical nurse expired on January 31, 2012 when it was not renewed. October 31, 2012

Respondent has failed to comply in a timely manner with some of the probationary conditions that exist on her license. Respondent was ordered to pay a \$100 fine within 30 days.

October 30, 2012

Respondent engaged in unprofessional conduct when she unlawfully obtained a prescription drug from her employer for her own use or disposition. Respondent's license to practice as a licensed practical nurse was revoked effective the date of the Order. Respondent is also prohibited from reapplying for a license for a period of five years from the Order date. October 23, 2012

The Division conducted a random inspection of the pharmacy and various violations

Respondent's licenses to practice as a Class A pharmacy and to dispense controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation for two years with conditions. Respondent was also ordered to pay a \$5,000 fine of which \$2,500 shall be stayed. The remaining \$2,500 fine shall be paid within 90 days. Respondent was also given a public reprimand for the conduct described in the Stipulation and Order. Respondent was also ordered to

cease and desist from the conduct described in the Stipulation and Order.

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PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS - continued

*LARSEN, Julie Koeven

Pharmacy Technician License No. 336292-1717 Docket No. 2012-438 Salt Lake City, Utah Cause of Action:

Order:

Date:

*MARTIN, Richard A.

Pharmacist License Nos. 145891-1701/8911 Docket No. 2012-434 South Pomfret, Vermont Cause of Action:

Order:

Date:

*SKEEN, Janeice Dillard

Pharmacy Technician License No. 336311-1717 Docket No. 2012-421 Washington Terrace, Utah Cause of Action:

Order:

Date:

*WHITE, Dennis R.

Pharmacist License Nos. 141419-1701/8911 Docket No. 2011-356 Sandy, Utah Reinstatement Order:

Date:

Respondent engaged in unprofessional and unlawful conduct in her practice as a pharmacy technician with respect to conduct she engaged in regarding prescription refills of her husband's prescription.

Respondent voluntarily surrendered her license to practice as a pharmacy technician. Respondent may not reapply for a pharmacy type license for a period of four years and completion of conditions outlined in the Order. October 26, 2012

Respondent has engaged in unprofessional conduct due to disciplinary action being taken against his New Hampshire pharmacist license by the New Hampshire Board of Pharmacy in August 2012.

Respondent's licenses to practice as a pharmacist and to dispense controlled substances were placed on probation with conditions as long as Respondent's pharmacist license in New Hampshire is subject to terms and conditions identified in the August 2012 Settlement Agreement. October 22, 2012

Respondent engaged in unprofessional and unlawful conduct when she failed to pay copayments for prescriptions filled for herself and her family members at the retail pharmacy where Respondent was employed.

Respondent was given a public reprimand for conduct described in the Stipulation and Order. Respondent was also ordered to cease and desist from engaging in the conduct referenced in the Stipulation and Order. Respondent was also ordered to complete a thinking errors course and a pharmacy ethics course within six months and provide documentation to the Division of completion of the courses. October 9, 2012

The probation on Respondent's licenses to practice as a pharmacist and to dispense controlled substances was terminated and said licenses were reinstated with full privileges. October 26, 2012

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS - continued

*WILLIE, Charles R. Pharmacist License Nos. 144363-1701/8911 Docket No. 2012-419 Lehi, Utah Cause of Action:

Order:

The Division conducted a random inspection of the pharmacy where Respondent is the pharmacist-in-charge and various violations were found. Respondent was given a public reprimand for pharmacy inspection violations founds in the pharmacy where he is the PIC. Respondent was also ordered to pay a \$500.00 fine within 90 days. Respondent was also ordered to cease and desist from the conduct described in the Stipulation and Order. October 9, 2012

Date:

Order:

Date:

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***APPLE HOMES, LLC**

License No. 8368921-5501 Docket No. 2012-441 Elk Ridge, Utah Cause of Action:

Respondent has not demonstrated financial responsibility due to a currently delinquent amount owing. A license to practice as a contractor was issued and said license was placed on probation for three years with conditions October 31, 2012

*CLANCY PAINTING LLC License No. 6278639-5501 Docket No. 2012-351 Park City, Utah Cause of Action: Order:

Date:

*CM & K LLC

License No. 6487518-5501 Docket No. OSC-2009-398 Ephraim, Utah Cause of Action:

Order:

Date:

Respondent failed to replace its qualifier. Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

Respondent's owner/qualifier, Kevin Stevens, has failed to comply with probationary conditions that existed on the license to practice as a contractor. Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

***COLLEDGE CONSTRUCTION & CONSULTING INC.**

License No. 6989606-5501 Docket No. 2012-355 Pleasant Grove, Utah Cause of Action: Order:

Respondent failed to replace its B100 classification qualifier. The B100 classification only on Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

Date:

*COMPLETE CONSTRUCTION SERVICES AND MANAGEMENT LLC

License No. 7982935-5501 Docket No 2012-350 Midvale, Utah Cause of Action: Order:

Respondent failed to replace its B100 classification qualifier. The B100 classification only on Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

***COX CONSTRUCTION & DESIGN, LLC**

License No. 7038421-5501 Docket No. 2012-376 Huntsville, Utah Cause of Action:

Order:

Date:

Date:

*CUSTOM COOL POOLS & SPAS INC.

License No. 6086306-5501 Docket No. 2012-188 St. George, Utah Reinstatement Order:

Date:

***DANIELS, Scott Craig**

Apprentice Electrician License No. 7426017-5505 Docket No. 2009-300 Bountiful, Utah Reinstatement Order:

Date:

*ENGELS, Travis John

Journeyman Electrician License No. 6154293-5504 Docket No. 2012-433 Sandy, Utah Cause of Action:

Order:

Date: ***ERICKSON, John Jeremy**

Apprentice Electrician License No. 375363-5505 Docket No. 2012-440 West Jordan, Utah Cause of Action:

Order:

Date:

Respondent engaged in unlawful conduct regarding misrepresentations or omissions in applications submitted to the Division. Respondent was ordered to pay a \$1,000 fine within 30 days. October 31, 2012

The probation on Respondent's license to practice as a contractor was terminated and said license was reinstated with full privileges. October 31, 2012

The probation on Respondent's license to practice as an apprentice electrician was terminated and said license was reinstated with full privileges. October 31, 2012

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

Respondent's license to practice as a journeyman electrician was revoked with a stay of enforcement on the revocation. Said license is placed on probation until November 29, 2013 with conditions. October 31, 2012

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

Respondent's license to practice as an apprentice electrician was reissued and said license was placed on probation for three years with conditions. October 31, 2012

*GOMEZ, Arthur Devin

Apprentice Electrician License No. 8361974-5505 Docket No. OSC-2012-301 Tooele, Utah Cause of Action: Order:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order. October 31, 2012

Date:

***HOME IMPROVEMENT SOLUTIONS INC.**

License No. 6025989-5501 Docket No. 2012-336 Draper, Utah Cause of Action: Order:

Respondent failed to replace its B100 classification qualifier. Respondent's license to practice as a contractor (B100 classification) is revoked effective the date of the Order. Respondent was also ordered to pay a \$500 fine within 30 days. October 31, 2012

Date:

***INDUSTRIAL GEAR AND MACHINE WORKS**

License No. 7790615-5501 Docket No. 2012-349 Murray, Utah Cause of Action: Order:

Date:

*JAR-CON, INC.

License No. 336773-5501 Docket No. 2012-348 Draper, Utah Cause of Action: Order:

Date:

*JOHNSON, Guy Howard

Master Electrician License No. 150094-5502 Docket No. 2009-113 West Valley City, Utah Reinstatement Order:

Date:

Respondent failed to replace its qualifier. Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

Respondent failed to replace its qualifier. Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

The probation on Respondent's license to practice as a master electrician was terminated and said license was reinstated with full privileges. October 31, 2012

*KAYE CONSTRUCTION INC.

License No. 5815803-5501 Docket No. 2012-322 West Jordan, Utah Cause of Action:

Order:

Date:

*KIRBY, Kody Lee

Apprentice Electrician License No. 6547519-5505 Docket No. OSC-2008-73 Salt Lake City, Utah Cause of Action: Order:

Date:

*LILLYWHITE, Scott

Apprentice Electrician License No. 6107768-5505 Docket No. OSC-2012-150 Magna, Utah Cause of Action: Order:

Date:

*LORSCHEIDER, Brett Joseph

Apprentice Electrician License No. 8445259-5505 Docket No. 2012-436 Salt Lake City, Utah Cause of Action:

Order:

Date:

*MARK GREGORY CARTER

License No. 260661-5501 Docket No. 2012-416 Ogden, Utah Cause of Action:

Order:

Date:

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

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. October 31, 2012

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order. October 31, 2012

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order. October 31, 2012

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

A license to practice as an apprentice electrician was issued and said license was placed on probation for two years with conditions. October 31, 2012

Respondent has failed to demonstrate and maintain financial responsibility due to a current delinquent amount owing. Respondent's license to practice as a contractor was reissued and said license was

placed on probation for eight years with conditions. October 31, 2012

*MATTHEWS, Danny Earl

Apprentice Plumber License No. 157272-5509 Docket No. OSC-2010-453 West Valley City, Utah Cause of Action: Order:

Date:

*PELLCO CEU

Continuing Education Provider Docket No. 2012-405 Spokane, Washington Cause of Action:

Order:

Date:

*PERRAULT, Brandon Jay

Apprentice Electrician License No. 6434244-5505 Docket No. OSC-2012-247 West Point, Utah Cause of Action: Order:

Date:

*PREMIER TECHNOLOGY, INC.

License No. 6361675-5501 Docket No. 2012-352 Blackfoot, Idaho Cause of Action: Order:

Date:

*SEARS, Lenny Dee

Journeyman Electrician License No. 8062967-5504 Docket No. OSC-2012-79 Moab, Utah Cause of Action: Order:

Date:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice plumber was revoked effective the date of the Order. October 31, 2012

Respondent failed to meet standards and requirements with respect to certain continuing education courses.

Respondent's registration as a continuing education provider and approval of continuing education courses 2479, 2753, 4441, 4443, 4289, 4291, 4387, 4389, 4403, 4405 and 4407 in Utah are revoked effective the date of the Order. In order to accommodate licensees who may have completed the above-identified courses and mailed them prior to the effective date of this Order, Respondent shall have until November 10, 2012 to upload any further verifications of attendance that may be submitted to Respondent prior to that date. October 31, 2012

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order. October 31, 2012

Respondent has failed to replace its S200 classification qualifier. Respondent's license to practice as a contractor in the S200 classification only was revoked effective the date of the Order. October 31, 2012

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a journeyman electrician was revoked effective the date of the Order. October 31, 2012

***SNED'S GENERAL CONSTRUCTION LLC**

License No. 7794159-5501 Docket No. 2010-363 Fremont, Utah Reinstatement Order:

Date:

*TRUJILLO, Marcell Tyson

Apprentice Electrician License No. 8170268-5505 Docket No. OSC-2012-87 Riverdale, Utah Cause of Action: Order:

Date:

*WARREN, Michael Shaun, Jr.

Apprentice Electrician License No. 8431594-5505 Docket No. 2012-435 Manti, Utah Cause of Action:

Order:

Date:

*WASATCH SUN LLC

License No. 7307991-5501 Docket No. 2012-359 Herriman, Utah Cause of Action: Order:

Date:

***WYLIE CONSTRUCTION LLC**

License No. 5815832-5501 Docket No. 2012-377 Logan, Utah Cause of Action:

Order:

Date:

The probation on Respondent's license to practice as a contractor was terminated and said license was reinstated with full privileges. October 31, 2012

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order. October 31, 2012

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

A license to practice as an apprentice electrician was issued and said license was placed on probation with conditions and restrictions. October 31, 2012

Respondent failed to replace its qualifiers. Respondent's license to practice as a contractor was revoked effective the date of the Order. October 31, 2012

Respondent failed to demonstrate and maintain financial responsibility and obtained a license by misrepresentation or omission.

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to a pay a \$500 fine within 30 days. October 31, 2012

OTHER REGULATED PROFESSIONS

*BAKER, Mark Lee, DC

Chiropractic Physician License No. 277512-1202 Docket No. 2012-426 Clinton, Utah Cause of Action: Memorandum of Understanding and Order:

Respondent engaged in unprofessional conduct since the last renewal of his license. Respondent's license to practice as a chiropractic physician was renewed/reinstated and said license was placed on probation for one year with conditions and restrictions. October 11, 2012

Date:

*CLARK, Kelly James

Cosmetologist/Barber License No. 7973854-1101 Docket No. 2012-437 St. George, Utah Cause of Action:

Memorandum of Understanding and Order:

Date:

*CONTI, Mark A.

Burglar Alarm Company Agent License No. 352780-6502 Docket No. 2012-428 Salt Lake City, Utah Cause of Action:

Order:

Date:

*GARRETT, Michael Allen

Certified Substance Use Disorder Counselor License No. 7797541-6005 Docket No. 2012-448 Sandy, Utah Cause of Action:

Order:

Date:

A license to practice as a cosmetologist/barber was issued and said license was placed on probation for two years with conditions and restrictions.

Respondent engaged in unprofessional conduct prior to submitting an application for

October 23, 2012

licensure.

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

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. October 31, 2012

Respondent engaged in unprofessional conduct when he failed to comply with probationary conditions that existed on his license.

Respondent's license to practice as a certified substance use disorder counselor is suspended until conditions identified in this Order have been successfully completed. Following the period of suspension, said license shall be placed on probation again subject to the probationary conditions and restrictions identified in Case 2010-405. October 31, 2012

OTHER REGULATED PROFESSIONS - continued

*HARRIS, Robert E.

Hearing Instrument Specialist License No. 101620-4601 Docket No. 2012-260 Provo, Utah Cause of Action:

Order:

Date:

*JENSEN, Ronald D.

Licensed Clinical Social Worker License No. 141274-3501 Docket No. 2012-418 North Salt Lake, Utah Cause of Action:

Order:

Date:

*JOHNSON, Ashleigh

Cosmetologist/Barber License No. 5906364-1101 Docket No. 2012-443 Hyde Park, Utah Cause of Action: Memorandum of Understanding and Order:

Date:

*JOHNSON, Helen B.

Clinical Mental Health Counselor License No. 343853-6004 Docket No. 2012-444 Cedar City, Utah Cause of Action:

Order:

Date:

Respondent engaged in unprofessional conduct that bears a reasonable relationship on his ability to practice as a hearing instrument specialist in a competent manner. Respondent's residual rights to reinstate his expired license to practice as a hearing instrument specialist were revoked. Respondent is also prohibited from reapplying for licensure as a hearing instrument specialist for a period of five years. October 23, 2012

Respondent engaged in unprofessional conduct that affects his license to practice as a licensed clinical social worker with respect to an application for licensure he submitted to the Division for a Class B pharmacy in which material information was omitted in the application.

Respondent's license to practice as a licensed clinical social worker was revoked with a stay of enforcement on the revocation. Said license is placed on probation for three years with conditions and restrictions. October 3, 2012

0010001 5, 2012

Respondent engaged in unprofessional conduct since the last renewal of her license. Respondent's license to practice as a cosmetologist/barber was reinstated and said license was placed on probation for five years with conditions and restrictions. October 30, 2012

Respondent engaged in unprofessional conduct in her practice as a clinical mental health counselor.

Respondent's license to practice as a clinical mental health counselor was placed on probation for three years with conditions and restrictions. October 30, 2012

OTHER REGULATED PROFESSIONS - continued

*NEFF, William Wright

Certified Public Accountant License No. 133951-2601 Docket 2012-439 Salt Lake City, Utah Cause of Action:

Order:

Date:

*SCHEERING, Renee Ann

Licensed Vocational Rehabilitation Counselor License No. 328716-6101 Docket No. 2012-423 West Jordan, Utah Cause of Action:

Order:

Date:

*TAYLOR, Becky B.

Certified Public Accountant **TAYLOR, B. & Associates** CPA Firm License Nos. 162804-2601 and 261129-2603 Docket No. 2012-427 Salt Lake City, Utah Cause of Action:

Order:

Respondent engaged in unprofessional conduct that bears a reasonable relationship to his license to practice as a certified public accountant.

Respondent was given a public reprimand for engaging in unprofessional conduct that related to his license as a CPA. Respondent was also ordered to cease and desist from engaging in such unprofessional conduct in the future. October 26, 2012

Respondent engaged in unprofessional conduct in her practice as a vocational rehabilitation counselor when she failed to maintain appropriate documentation as to when eligibility decisions were made and failed to issue some eligibility letters within the 60 day period mandated by federal law by backdating some eligibility letters for clients.

Respondent was given a public reprimand for engaging in unprofessional conduct in her practice as a vocational rehabilitation counselor. Respondent was also ordered to complete four additional hours of continuing education focusing on ethics. October 10, 2012

Respondent engaged in unprofessional conduct in her practice as a certified public accountant and CPA firm when she engaged in a romantic relationship with a client which resulted in an undisclosed conflict of interest. Respondent's license to practice as a certified public accountant and as a CPA firm

Respondent's license to practice as a certified public accountant and as a CPA firm were placed on probation for two years with conditions and restrictions. Respondent was also ordered to cease and desist from engaging in the conduct referenced in this Stipulation and Order. October 16, 2012

Date:

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.