

NEWSLETTER

April 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 March 1, 2011 - March 31, 2011.

PHYSICIANS/SURGEONS

None in March 2011

DENTISTS/DENTAL HYGIENISTS

None in March 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES

***BELLACCOMO, Sam**

License No. 191806-3102

Docket No. 2010-197

West Valley City, 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 conditions and restrictions outlined in the June 24, 2010 Stipulation and Order.
March 21, 2011

Date:

***BROWN, Kenneth Dwayne, Jr.**

License No. 346504-3102

Docket No. 2011-117

Salt Lake City, Utah

Cause of Action:

Respondent has engaged in conduct that resulted in conviction of a crime of moral turpitude and when considering the functions and duties of a nurse bears a reasonable relationship to his ability to safely and/or competently practice as a nurse.

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 outlined in the Order.

Date:

March 28, 2011

***CANNON, Christine Felice**

License No. 4941428-3102

Docket No. 2011-107

Midvale, Utah

Cause of Action:

Respondent had previously surrendered her nursing license in August 2005.

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:

March 21, 2011

REGISTERED NURSES/ADVANCED PRACTICE NURSES - continued

***PETRY, Brittni Jo**

License No. 294963-3102

Docket No. 2011-19

Logan, Utah

Cause of Action:

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

Order:

Respondent's license to practice as a registered nurse was revoked effective the date of the Order.

Date:

March 10, 2011

***PIATT, Sandra J.**

License No. 212383-3102

Docket No. 2009-3

Murray, Utah

Amended Order:

A probationary condition was amended to allow Respondent to work at a home health agency in an office position such as an intake coordinator. However, Respondent shall not physically enter into a patient's home.

Date:

March 30, 2011

***TAYLOR, Dee Ann**

License No. 189383-3102

Docket No. 2009-7

Salt Lake City, Utah

Cause of Action:

The probationary condition restricting Respondent from working in patient homes was amended to allow Respondent as part of her administrative duties in her current employment to go into a patient's home with the home health nurse in order to conduct an employee evaluation. Respondent cannot provide direct patient care and cannot be alone in a patient's home.

Date:

March 21, 2011

***WHITE, Julie**

License No. 196911-3102

Docket No. 2010-394

Lehi, Utah

Amended Order:

The probationary conditions requiring Respondent to participate in a professional support group (PIR) and a 12-step program were amended to allow Respondent to attend four 12-step program meetings per month in lieu of attending two PIR and two 12-step meetings per month.

Date:

March 21, 2011

LICENSED PRACTICAL NURSES

***MORGAN, Jeness Mae**

Docket No. 2011-14

South Weber, Utah

Cause of Action:

Respondent has a significant history of substance abuse.

Order:

Respondent was approved to take the NCLEX-PN examination. Once Respondent successfully passes that examination within six months of this Order date, said license will be issued, license revoked with a stay of enforcement on the revocation, and placed on probation for five years with conditions and restrictions.

Date:

March 28, 2011

LICENSED PRACTICAL NURSES - continued

***TURLEY, Lacy Jo**

License No. 7376310-3101

Docket No. 2011-97

Logan, 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 her ability to safely practice as a nurse.

Order:

Respondent's license to practice as a licensed practical nurse was revoked with a stay of enforcement on the revocation. Said license was placed on probation for five years with conditions and restrictions.

Date:

March 3, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES

***ADAMS, Kenneth Earl**

License Nos. 143444-1701/8911

Docket No. 2011-106

Roy, Utah

Cause of Action:

Respondent diverted both controlled substances and legend drugs from his pharmacy employer for his own use.

Order:

Respondent voluntarily surrendered his licenses to practice as a pharmacist and to dispense controlled substances. Respondent may not reapply for a pharmacist license for a period of five years and completion of conditions outlined in the Order.

Date:

March 21, 2011

***BEASLEY, Dennis**

License Nos. 148084-1701/8911

Docket No. 2010-369

Hurricane, Utah

Amended Order:

The suspension on Respondent's licenses to practice as a pharmacist and to dispense controlled substances was terminated and said licenses were placed on probation for five years subject to the conditions and restrictions outlined in the October 28, 2010 Stipulation and Order.

Date:

March 21, 2011

***LOWRY, Andrea W.**

License Nos. 369440-1701/8911

Docket No. 2006-3

Mona, Utah

Amended Order:

The probationary condition requiring Respondent to work at least 16 hours per week and no more than 48 hours per week was amended to provide Respondent must work at least a minimum of 8 hours per week and no more than 48 hours per week to be considered "practicing" in her profession. Also the probationary condition requiring Respondent to practice pharmacy only under the on-site supervision of a licensed pharmacist was amended to allow Respondent to practice pharmacy under the general supervision of a licensed pharmacist; however, Respondent cannot be alone in the pharmacy.

Date:

March 21, 2011

PHARMACISTS/PHARMACY TECHNICIANS/PHARMACIES - continued

***MESSINEO, Richard Martin**

License Nos. 153694-1701/8911

Docket No. 2010-133

Gunnison, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct that relates to his licenses to practice as a pharmacist and to dispense controlled substances.

Order:

Respondent voluntarily surrendered his licenses to practice as a pharmacist and to dispense controlled substances effective the date of the Order for a period of at least eight years. Respondent may not reapply for a pharmacy type license until conditions identified in the Order have been met.

Date:

March 10, 2011

***MILLIKAN, Diann M.**

License Nos. 132879-1701/8911

Docket No. 2005-209

Roy, Utah

Amended Order:

The probationary condition requiring Respondent to work at least 16 hours per week and no more than 48 hours per week to be considered "practicing" in her profession was amended to allow Respondent to work a minimum of four (4) hours per week to be considered practicing as a pharmacist. The probationary condition requiring Respondent to practice pharmacy only under the on-site supervision of a licensed pharmacist who knows of the Stipulation and Order and who is not under an administrative sanction with the Division was also amended to require Respondent shall practice pharmacy under direct supervision of a pharmacist while working in a pharmacy and under general supervision if working as a pharmacist answering questions regarding drug therapy, medications, costs, etc outside of the pharmacy.

Date:

March 28, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***BAIRD, Shon**

Apprentice Plumber

License No. 6533336-5509

Docket No. 2011-100

West Jordan, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as a result of a long history of alcohol or drug abuse.

Order:

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

Date:

March 30, 2011

***BORG CONSTRUCTION, INC.**

License No. 7010465-5501

Docket No. 2011-67

Cottonwood Heights, 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:

March 30, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***BLACK, David William**

Apprentice Electrician
License No. 7853409-5505
Docket No. 2011-73
Jensen, 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 electrician was issued and said license was placed on probation with conditions and restrictions.
Date: February 23, 2011

***BRADLEY L. ORTON CONSTRUCTION COMPANY, INC.**

License No. 7926917-5501
Docket No. 2011-119
Ogden, Utah
Cause of Action:

Respondent 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 five years with conditions.
Date: March 30, 2011

***BRENT K NUTTALL**

License No. 6806914-5501
Docket No. 2011-120
Orem, Utah
Cause of Action:

Respondent failed to maintain financial responsibility as a result of outstanding judgments.
Order: Respondent was ordered to pay a \$500 fine within 90 days of the Order date. Respondent's license to practice as a contractor was reinstated and said license was placed on probation for three years with conditions.
Date: March 30, 2011

***C & C LANDSCAPES, INC.**

License No. 5676752-5501
Docket No. 2011-37
Riverton, Utah
Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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: March 30, 2011

***CAPSTONE CONSTRUCTION, LLC**

License No. 5007967-5501
Docket No. 2010-223
Saratoga Springs, Utah
Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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: March 30, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***COOPER CREEK CONSTRUCTION, INC.**

License No. 6945273-5501

Docket No. OSC-2008-132

Taylorsville, Utah

Cause of Action:

Respondent's owner, Jason Fritz, failed to comply with probationary conditions that existed on Respondent's license to practice as a contractor

Order:

Respondent's license to practice as a contractor was revoked with a stay of enforcement on the revocation. Respondent's license to practice as a contractor will remain on probation subject to the June 25, 2008 Order.

Date:

March 30, 2011

***DESERT ROCK MASONRY, INC.**

License No. 5745320-5501

Docket No. 2010-458

Laverkin, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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:

March 30, 2011

***DRAGE, Gary Dee**

Elevator Mechanic

License No. 7919106-5520

Docket No. 2011-113

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 an elevator mechanic was issued and said license was placed on probation with conditions.

Date:

March 30, 2011

***DURRANT, Tyler**

Apprentice Electrician

License No. 5250292-5505

Docket No. 2011-103

North Salt Lake, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as the result of a history of alcohol or substance abuse.

Order:

Respondent's license to practice as a contractor was revoked with stay of enforcement on the revocation. Said license was placed on probation for five years with conditions.

Date:

March 30, 2011

***FISCHER BOYS MECHANICAL LLC**

License No. 5247335-5501

Docket No. 2011-58

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:

March 30, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***GENERAL CONCRETE, INC.**

License No. 5876869-5501

Docket No. 2011-59

Salt Lake 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:

March 30, 2011

***GOODWORK CONSTRUCTION, INC.**

License no. 5354938-5501

Docket No. 2011-26

Hildale, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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:

March 30, 2011

***GREENPOINTE CONSTRUCTION LLC**

License No. 6089363-5501

Docket No. 2011-38

Riverton, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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:

March 30, 2011

***HOMES USA CONSTRUCTION LC**

License No. 6000213-5501

Docket No. 2011-118

Perry, Utah

Cause of Action:

Respondent engaged in unprofessional conduct with respect to its qualifier not exercising material authority over the conduct of the business.

Order:

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

Date:

March 30, 2011

***KASTLE ROCK EXCAVATION & DEVELOPMENT, LLC**

License No. 5962587-5501

Docket 2010-353

Ogden, 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:

March 30, 2011

***LARRY KIMBALL GEISLER**

License No. 248943-5501

Docket No. 2011-50

Fruit Heights, 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:

March 30, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***LARSEN, Blake Glen**

Apprentice Plumber
License No. 7804661-5509
Docket 2011-99
Salt Lake City, Utah
Cause of Action:

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

Order: Respondent was ordered to pay a \$500 fine within 90 days. A license to practice as an apprentice plumber was issued to Respondent and said license was placed on probation for five years with conditions.

Date: March 30, 2011

***LINDSAY, Troy D.**

Master Electrician
License No. 137778-5502
Docket Nos. OSC-2010-66 and 2010-413
Kearns, Utah
Cause of Action:

Respondent failed to comply with probationary conditions that existed on his license. Respondent's license to practice as a master electrician was renewed and said license will remain on probation subject to the conditions identified in the February 24, 2010 Order.

Order:
Date: March 2, 2011

***MJO ENTERPRISES, INC.**

License No.3089082-5501
Docket No. 2011-23
Moab, Utah
Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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: March 30, 2011

***NEPHI SANDSTONE CORPORATION**

License No. 358156-5501
Docket No. 2011-25
Nephi, Utah
Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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: March 30, 2011

***PINERIDGE HOMES, INC.**

License No. 291443-5501
Docket No. OSC-2010-323
West Haven, Utah
Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also failed to comply with probationary conditions that existed on its license.

Order: Respondent's license to practice as a contractor was revoked with a stay of enforcement on the revocation as long as Respondent maintains a \$50,000 license bond on file with the Division. Respondent's license to practice as a contractor will remain on probation subject to the conditions in the October 2010 Stipulation and Order.

Date: March 30, 2011

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***PRESTIGE PLUMBING, INC.**

License No. 4982231-5501

Docket No. 2010-306

Mapleton, Utah

Cause of Action:

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

Order:

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

Date:

March 3, 2011

***RIVAS CONSTRUCTION, INC.**

License No. 929827-5501

Docket No. 2011-16

Midvale, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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:

March 30, 2011

***SIERRA BUILDING PRODUCTS, INC.**

License No. 7273909-5501

Docket No. 2011-64

St. George, 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:

March 30, 2011

***THORNTON STEEL ERECTORS**

License No. 6085172-5501

Docket No. 2011-55

Tremonton, Utah

Cause of Action:

Respondent failed to demonstrate and maintain financial responsibility. Respondent also 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:

March 30, 2011

***WORLD WIND SERVICES, LLC**

License No. 73782395-5501

Docket No. 2011-52

San Diego, California

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:

March 30, 2011

OTHER REGULATED PROFESSIONS

***ABPLANALP, Troy**

Unarmed private security officer

License No. 7893491-6303

Docket No. 2011-80

Taylorsville, 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:

March 1, 2011

***ALBERTONI, Bianca Maria**

Cosmetologist/Barber

License No. 6671424-1101

Docket No. 2011-79

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 cosmetologist/barber was issued and said license was placed on probation for two years with conditions and restrictions.

Date:

March 3, 2011

***BAIRD, Vera I.**

Cosmetologist/Barber

License No. 204378-1101

Docket No. OSC-2009-354

Roy, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that exist on her license.

Order:

The probation that current exists on Respondent's license to practice as a cosmetologist/barber will be extended until November 2012. Respondent will continue to be subject to the probationary conditions outlined in the Division's November 2009 Order as well as the supplemental conditions contained in this Order.

Date:

March 3, 2011

***BEIDLER, Michael Ryan**

Massage Therapist

License No. 7672171-4701

Docket No. OSC-2010-181

Draper, Utah

Cause of Action:

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

Order:

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

Date:

March 22, 2011

***BLACK, David E.**

Licensed Substance Abuse Counselor

License No. 4830397-6006

Docket No. 2011-94

Fort Duchesne, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that exist on his license.

Order:

Respondent voluntarily surrendered his license to practice as a licensed substance abuse counselor. Respondent may not reapply for a substance abuse counselor type license for a period of three years and completion of conditions outlined in the Order.

Date:

March 3, 2011

OTHER REGULATED PROFESSIONS - continued

***GEORGE, Konlin Parker**

Burglar Alarm Company Agent

License No. 6916529-6502

Docket No. 2011-98

Pleasant Grove, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting a renewal application for licensure to the Division.

Memorandum of Understanding and Order:

Respondent's license to practice as a burglar alarm company agent was renewed and said license was placed on probation for two years with conditions and restrictions.

Date:

March 7, 2011

***HOFELING, Tanya Lee**

Nail Technician

License No. 7280627-1112

Docket No. OSC-2009-97

Stansbury Park, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on her license.

Order:

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

Date:

March 22, 2011

***LINIHAN, Megan Ann**

Cosmetologist/Barber

License No. 7148554-1101

Docket No. 2008-292

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:

March 15, 2011

***MENDOZA, Angelica Valerie**

Burglar Alarm Company Agent

License No. 7579175-6502

Docket No. 2011-95

American Fork, 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 burglar alarm company agent was issued to Respondent and said license was placed on probation for two years with conditions and restrictions.

Date:

March 30, 2011

***MONTROYA, Andre I.**

Unarmed private security officer

License No. 754 1065-6303

Docket No. 2011-81

Taylorsville, Utah

Cause of Action:

Respondent engaged in unprofessional conduct prior to submitting an application for licensure to the Division. Respondent also failed to notify the Division of the misconduct in the application he submitted to the Division.

Order:

Respondent's license to practice as an unarmed private security officer was reissued. Said license was revoked with a stay of enforcement on the revocation and the license was placed on probation for two years with conditions and restrictions.

Date:

March 1, 2011

OTHER REGULATED PROFESSIONS - continued

***RADER, Clinton R.**

Burglar Alarm Company Agent

License No. 7447094-6502

Docket No. 2011-66

Amended Order:

The probationary condition requiring Respondent to work under indirect supervision during the probationary period was amended to require Respondent to work under general supervision during the probationary period.

Date:

March 30, 2011

***SIPES, Michael**

Barber

License No. 7107168-1115

Docket No. OSC-2008-281

Centerville, Utah

Amended Order:

The suspension on Respondent's license to practice as a barber was terminated and said license was placed on probation for two years subject to the conditions provided in the December 8, 2008 and December 8, 2010 Orders.

Date:

March 15, 2011

***SULLIVAN, Brian Keith**

Certified Public Accountant

License No. 5359464-2601

Docket No. 2011-12

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a certified public accountant.

Order:

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

Date:

March 10, 2011

***WAYMAN, Shirley Laynette**

Therapeutic Recreation Technician

License No. 7460476-4003

Docket No. 2011-110

East Carbon, Utah

Cause of Action:

Respondent failed to comply with probationary conditions that existed on her license.

Order:

Respondent's license to practice as a therapeutic recreation technician was suspended until such time as Respondent submits a written request to the Division and Board that the suspension be lifted. Once the suspension on Respondent's license may be lifted, said license will be placed on probation subject to the conditions/restrictions identified in the October 15, 2009 Order in Case 2009-318.

Date:

March 24, 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.