

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

NEWSLETTER

August 1, 2014

The Newsletter is now comprised of two sections: (1) The first section contains 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 July 1, 2014 - July 31, 2014. (2) The second section contains a listing of citations finalized from July 1, 2014 - July 31, 2014.

PHYSICIANS/SURGEONS

***GAHLINGER, Paul Maria, MD**

License Nos. 339160-1205/8905

Docket No. 2014-329

Saipan, MP

Cause of Action:

Respondent has engaged in conduct that poses an immediate and significant danger to the public health, safety and welfare.

Emergency Order:

Respondent's license to administer and prescribe controlled substances only was immediately suspended pending a further Order of the Division.

Date:

July 8, 2014

Cause of Action:

Respondent engaged in unprofessional conduct with respect to controlled substance prescribing issues.

Order:

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

Date:

July 21, 2014

***HAYCOCK, Carl D., MD**

License Nos. 336538-1205/8905

Docket No. 2014-352

St. George, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when he dispensed drugs to family members, ingested drugs himself for which he did not possess a valid prescription for the drugs and failed to keep required medical records for family members he treated as described in the Order.

Order:

Respondent's licenses to practice as a physician/surgeon and to administer and prescribe controlled substances were given a public reprimand. Respondent was also ordered to complete the PACE prescribing course within one year. Respondent was also fined \$2,000, which fine was immediately stayed.

Date:

July 21, 2014

***WEITZEL, Robert Allan, MD**

License Nos. 187798-1205/8905

Docket No. 2011-334

Salt Lake City, Utah

Amended Order:

A license to prescribe and administer controlled substances Schedules 2-5 was issued to Respondent. Said license is subject to the same probationary conditions and restrictions that exist on his license to practice as a physician/surgeon and with the additional restriction that Respondent may not prescribe any opioid medication until the Division and Board grant approval to do so.

Date:

July 22, 2014

DENTISTS/DENTAL HYGIENISTS

None in July 2014

ADVANCED PRACTICE NURSES

None in July 2014

REGISTERED NURSES

***HALL, Alecia Renee**

License No. 7908737-3102

Docket No. 2014-315

Salem, Utah

Cause of Action:

Respondent's license to practice as a licensed practical nurse is currently on probation in Case No. DOPL-2014-276.

Order:

A license to practice as a registered nurse was issued to Respondent. Said RN license was revoked with a stay of enforcement on the revocation. Said license was placed on probation for three years with conditions and restrictions. Also all of the conditions and restrictions identified in Case No. DOPL-2014-276 shall also apply to Respondent's RN license.

Date:

July 2, 2014

***HEATON, Mary Jo**

License No. 221708-3102

Docket No. 2014-314

Midvale, Utah

Cause of Action:

Respondent no longer intends to comply with conditions of an October 2012 diversion agreement.

Order:

Respondent voluntarily surrendered her license to practice as a registered nurse and her participation in the diversion program was terminated. Respondent may not reapply for a nursing license for a period of five years and completion of conditions outlined in the Order.

Date:

July 2, 2014

***RASMUSSEN, Erin Christine**

License No. 7172454-3102

Docket No. 2014-16

Clearfield, Utah

Amended Order:

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

Date:

July 22, 2014

***SUTCH, Sherrie A.**

License No. 291813-3102

Docket No. 2014-106

Pleasant Grove, Utah

Order of Suspension:

Respondent's license to practice as a registered nurse is suspended effective the date of the Order and shall remain in place until Respondent submits required evaluation results to the Division.

Date:

July 8, 2014

Amended Order:

The probationary conditions requiring Respondent to participate in a professional support group and a 12-Step program were amended to allow Respondent to attend either one 12-Step or one Professionals in Recovery meeting per week.

Date:

July 8, 2014

REGISTERED NURSES - continued

***STONE, Amy**

License No. 6641415-3102

Docket No. OSC-2007-209

West Jordan, Utah

Amended Order:

The probationary condition restricting Respondent's practice to duties and surroundings that do not allow her unsupervised access to, or require her to account for controlled substances was terminated effective the date of the Amended Order.
July 22, 2014

Date:

***SWINDLE, Dana Michelle**

License No. 8407768-3102

Docket No. 2012-464

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.
July 22, 2014

Date:

***TAYLOR, Dee Ann**

License No. 189383-3102

Docket No. 2014-327

Salt Lake City, Utah

Cause of Action:

Respondent has engaged in unprofessional and unlawful conduct with respect to unauthorized controlled substance usage.

Order:

Respondent's license to practice as a registered nurse was revoked with a stay of enforcement on the revocation. Said license was suspended for at least six months with conditions to meet during the period of suspension. Following the period of suspension, said license will be placed on probation for five years with conditions and restrictions.

Date:

July 9, 2014

LICENSED PRACTICAL NURSES

***YOUNG, LaEna**

License No. 7718047-3101

Docket No. 2013-494

Amended Order:

The suspension on Respondent's license to practice as a licensed practical nurse was terminated and said license was placed on probation for five years subject to the conditions and restrictions identified in the January 9, 2014 Stipulation and Order.
July 30, 2014

Date:

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS

***BALDWIN, Glade E.**

License Nos. 145547-1701/8911

Docket No. 2014-345

Salt Lake City, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct in his practice as a pharmacist at Hyland Pharmacy as a result of violations noted during 2014 inspections. Respondent's licenses to practice as a pharmacist and to dispense controlled substances are revoked with a stay of enforcement on the revocation. Said licenses are suspended for at least three months and until such time as conditions identified in the Order have been completed. Following the period of suspension, said licenses will be placed on probation for five years with conditions and restrictions. Respondent was also ordered to pay a \$20,000 fine within 90 days. Respondent was also ordered to cease all compounding activities and not resume compounding until the Division and Board grant approval to do so.
July 14, 2014

Date:

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS - continued

***CALL, Brent**

License Nos. 5099604-1701/8911

Docket No. 2014-218

Fruit Heights, Utah

Cause of Action:

Respondent engaged in unprofessional conduct based on pharmacy violations noted at a pharmacy where Respondent is the pharmacist-in-charge.

Order:

Respondent has the following conditions to meet: meet with Division and Utah State Board of Pharmacy within 60 days; permit the Division to conduct periodic inspections of Respondent's pharmacy; and within one year of September 30, 2014, Respondent is required to complete a minimum of 8 hours of continuing pharmacy education that has been preapproved by the Division and Board.

Date:

July 18, 2014

***FIVE STAR SPECIALTY PHARMACY**

License Nos. 8184721-1704/8913

Docket No. 2014-400

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in its practice as a Class B pharmacy as a result of violations noted during pharmacy inspections.

Order:

Respondent agreed to voluntarily surrender its licenses to practice as a Class B pharmacy and to dispense controlled substances. Respondent and its owner also agreed not to reapply for licensure as a pharmacy or to dispense controlled substances for a period of five years.

Date:

July 31, 2014

***HYLAND PHARMACY**

License Nos. 5602774-1703/8913

Docket No. 2014-344

Salt Lake City, Utah

Cause of Action:

Respondent and its pharmacist-in-charge Glade Baldwin engaged in unprofessional conduct as a result of violations noted during 2014 inspections.

Order:

Respondent's licenses to practice as a Class A pharmacy and as a dispensary of controlled substances were revoked with a stay of enforcement on the revocation. Said licenses are placed on probation for five years with conditions. Respondent was also ordered to cease and desist from engaging in the unprofessional conduct identified in the Order and also ordered to cease all compounding activities and not resume compounding until the Division and Board grant approval to do so.

Date:

July 14, 2014

***LEDET, Sheryl A.**

License Nos. 148108-1701/8911

Docket No. 2005-240

Layton, Utah

Reinstatement Order:

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.

Date:

July 30, 2014

PHARMACISTS/PHARMACIES/OTHER PHARMACY CLASSIFICATIONS - continued

***MARSHALL, Steven Monte**

License Nos. 140124-1701/8911

Docket No. 2014-398

Panguitch, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in his practice as a pharmacist when he violated conditions in a prior Division Order in Case No. DOPL-2007-281 with respect to continuing to distribute controlled substances to non-licensed individuals.

Order:

Respondent was given a public reprimand for his conduct. Respondent was also ordered to cease and desist from engaging in the conduct described in the Order. Respondent was also ordered to pay a \$50,000 fine of which \$45,000 was stayed. The remaining \$5,000 is due within 90 days.

Date:

July 22, 2014

***NICHOLS, Bryan L.**

License Nos. 150838-1701/8911

Docket No. 2014-401

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a pharmacist as it relates to pharmacy inspection violations and Five Star Specialty Pharmacy.

Order:

Respondent's licenses to practice as a pharmacist and to dispense controlled substances were revoked with a stay of enforcement on the revocation. Said licenses were placed on probation for five years with conditions and restrictions. Respondent was also ordered to pay a \$5,000 fine within 90 days.

Date:

July 25, 2014

***STUCKI, Samuel K.**

License Nos. 2295889-1701/8911

Docket No. 2014-349

St. George, Utah

Cause of Action:

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

Order:

Respondent was given a public reprimand for his misconduct. Respondent was also ordered to cease and desist from engaging in the unprofessional conduct referenced in the Order. Respondent was ordered to pay a \$2,500 fine of which \$1,500 was suspended. The remaining \$1,000 fine is due and payable within 90 days. Respondent also has conditions to be completed.

Date:

July 15, 2014

***SUPERIOR CARE PHARMACY INC.
DBA OMNICARE OF SALT LAKE CITY**

License Nos. 366225-1704/8913

Docket No. 2014-220

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional conduct as a result of violations noted during a pharmacy inspection conducted by the Division.

Order:

Respondent's licenses to practice as a pharmacy and to dispense controlled substances were placed on probation for five years with conditions. Respondent was also ordered to pay a \$50,000 fine of which \$20,000 was suspended. The remaining \$30,000 fine is due within 180 days.

Date:

July 18, 2014

MENTAL HEALTH PROFESSIONS

***JOHNSTON, Meredith Collins**

Certified Social Worker
License No. 7976506-3502
Docket No. 2014-330
Salt Lake City, Utah
Cause of Action:

Respondent engaged in unprofessional conduct when in July-August 2012

Respondent engaged in a sexual relationship with a client.

Order:

Respondent voluntarily surrendered her expired license to practice as a certified social worker. Respondent may not reapply for a mental health therapy or social worker type license for a period of five years.

Date:

July 10, 2014

***TITUS, Lindsay Michelle**

Certified Substance Use Disorder Counselor
License No. 9062765-6005
Docket No. 2014-332
Sandy, 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 certified substance use disorder counselor was issued and said license was placed on probation for two years with conditions and restrictions.

Date:

July 10, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS

***AMERICAN COLD STORAGE, INC.**

Unlicensed contractor
Docket No. 2014-413
Vancouver, Washington
Cause of Action:

Respondent engaged in a construction trade in Utah for which a contractor license is required by submitting a bid while not licensed to practice as a contractor in Utah.

Order:

Respondent was ordered to pay a \$500 fine.

Date:

July 30, 2014

***A.P. CUSTOM BUILDERS LLC**

License No. 9053513-5501
Docket No. 2014-350
St. George, Utah
Cause of Action:

Respondent's owner, Arvin Pipkin, 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 two years with conditions.

Date:

July 30, 2014

***BEAR RIVER HEATING AND AIR CONDITIONING LLC**

License No. 5749442-5501
Docket No. 2014-393
Logan, Utah
Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when it made misrepresentations in November 2011 and November 2013 renewal applications to the Division regarding financial responsibility.

Order:

Respondent's license to practice as a contractor was placed on probation for three years with conditions. Respondent was also ordered to pay a \$500 fine.

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***BECKSTEAD, Jesse Wayne**

Apprentice Electrician

License No. 6746255-5505

Docket No. OSC-2013-371

Ogden, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice electrician was revoked effective the date of the Order.

Date:

July 30, 2014

***BECKSTEAD, KC Dale**

Apprentice Plumber

License No. 8274838-5509

Docket No. 2014-320

Herriman, Utah

Cause of Action:

Respondent's license had previously been revoked in July 2013 based on his failure to comply with probationary conditions.

Order:

A license to practice as an apprentice plumber was reissued to Respondent and said license was placed on probation for three years with conditions.

Date:

July 30, 2014

***BRINDERSON LP**

License No. 8081819-5501

Docket No. 2014-267

Costa Mesa, 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:

July 30, 2014

***CASTLEGATE BUILDERS LC**

License No. 368028-5501

Docket No. 2014-399

Orem, Utah

Cause of Action:

Respondent engaged in unlawful conduct when it made a misrepresentation on a reinstatement application submitted to the Division. Respondent also continued to practice as a contractor after its license had expired on November 30, 2011.

Order:

Respondent was ordered to pay a \$1,000 fine.

Date:

July 30, 2014

***COMFORT CHAMPION HEATING & AIR CONDITIONING LLC**

License No. 9024509-5501

Docket No. 2014-411

Draper, Utah

Cause of Action:

Respondent engaged in unlawful conduct by unlawfully using another contractor license to engage in construction trades for which a license is required from 2008 until 2014.

Order:

Respondent was ordered to pay a \$500 fine.

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***COMFORT CHAMPION SERVICES LLC**

License No.6726826-5501

Docket No. 2014-316

Draper, Utah

Cause of Action:

Respondent failed to replace its qualifier, failed to demonstrate and maintain financial responsibility, obtained a license by misrepresentation or omission and allowed its license to be used by another entity.

Order:

Respondent's license to practice as a contractor was revoked effective the date of the Order. Respondent was also ordered to pay a \$1300 fine.

Date:

July 30, 2014

***EARTHCARE LANDSCAPING INC.**

License No. 1437987-5501

Docket No. 2014-263

Syracuse, 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:

July 30, 2014

***EVERSOLE, Jacob Kenneth**

Apprentice Electrician

License No. 6456388-5505

Docket No. 2014-312

Ogden, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when he submitted applications to the Division that contained known misrepresentations concerning Respondent's history.

Order:

Respondent's license to practice as an apprentice electrician was revoked with a stay of enforcement on the revocation. Said license was placed on probation for four years with conditions. Respondent was also ordered to pay a \$500 fine.

Date:

July 30, 2014

***FRANKE SIDING & RAIN GUTTER LLC**

License No. 53202338-5501

Docket No. 2014-262

Centerville, Utah

Cause of Action:

Respondent failed to replace its qualifier on its B100 classification.

Order:

Respondent's B100 classification only on its license to practice as a contractor was revoked effective the date of the Order.

Date:

July 30, 2014

***GREENLAW, Kellert Dale**

dba GREEN LAW CONSTRUCTION

License No. 8979149-5501

Docket No. 2014-313

Draper, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct prior to submitting an application for licensure as a result of financial responsibility concerns.

Order:

A license to practice as a contractor was issued and said license was placed on probation for 30 months with conditions.

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***HAWKER CONSTRUCTION LLC**

License No. 9014234-5501

Docket No. 2014-351

Sandy, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct as it relates to financial responsibility due to an outstanding judgment.

Order:

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

Date:

July 30, 2014

***JDM TILE CONSULTING LLC**

License No. 7770051-5501

Docket No. 2014-325

Salt Lake City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct when it made a misrepresentation in an October 2013 renewal application to the Division regarding financial responsibility.

Order:

Respondent's license to practice as a contractor was placed on probation for seven years with conditions. Respondent was also ordered to pay a \$500 fine.

Date:

July 30, 2014

***JMARK DIVERSIFIED LLC**

License No. 6258364-5501

Docket No. 2014-261

Herriman, 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:

July 30, 2014

***JOHNNY'S QUALITY PAINTING LLC**

License No. 9007617-5501

Docket No. 2014-395

Orem, Utah

Cause of Action:

Respondent engaged in unlawful conduct when it made a misrepresentation in its April 2014 application for licensure with regards to Maricela Morales

Order:

Respondent was ordered to pay a \$500 fine.

Date:

July 30, 2014

***LEED ELECTRIC INC.**

License No. 8385109-5501

Docket No. OSC-2013-84

West Valley City, Utah

Cause of Action:

Respondent has failed to comply with probationary conditions that exist on its license and also failed to replace its qualifier.

Order:

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

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***LYNG, Jim I.**

Unlicensed contractor

Docket No. 2014-279

Salt Lake City, Utah

Cause of Action:

Respondent engaged in a construction trade when he was not licensed to do so.

Order:

Respondent was ordered to cease and desist from engaging in practice as an unlicensed contractor. Respondent was also ordered to pay a \$1000 fine within 30 days.

Date:

July 30, 2014

***MANNLY PAINTING INC.**

License No. 5785724-5501

Docket No. 2014-226

Riverton, Utah

Cause of Action:

Respondent has failed to replace its qualifier.

Order:

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

Date:

July 30, 2014

***METERWORKS, INC.**

License No. 7624201-5501

Docket No. 2014-324

Centerville, Utah

Cause of Action:

Respondent engaged in unlawful conduct when it made payments to individuals and a company to perform construction activities for which a license is required and said individuals and company did not have the required contractor license to lawfully engage in construction activities.

Order:

Respondent was ordered to pay a \$800 fine.

Date:

July 30, 2014

***OLD SCHOOL CONSTRUCTION INCORPORATED**

License No. 8994472-5501

Docket No. 2014-309

Hurricane, Utah

Cause of Action:

Respondent engaged in unlawful conduct when it made a misrepresentation on an application submitted to the Division.

Order:

Respondent was ordered to pay a \$500 fine.

Date:

July 30, 2014

***PAT GORMAN**

License No. 7025672-5501

Docket No. OSC-2013-481

West Jordan, Utah

Cause of Action:

Respondent has failed to comply with conditions of a prior Division Order and has also failed to demonstrate financial responsibility.

Order:

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

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***SUPERIOR, INC.**

License No. 6269687-5501

Docket No. 2014-328

Spanish Fork, Utah

Cause of Action:

Respondent engaged in unprofessional conduct when its named qualifier did not meet the requirements to be a qualifier as required in Utah statute and the qualifier had not exercised material authority over the conduct of the business.

Order:

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

Date:

July 30, 2014

***TIPPETTS, Joshua Clay**

dba JBK PLUMBING

License No. 9073530-5501

Docket No. 2014-366

Saratoga Springs, Utah

Cause of Action:

Respondent has engaged in unprofessional conduct relating to financial responsibility due to an outstanding delinquent amount owing.

Order:

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

Date:

July 30, 2014

***VAN KOMEN, Cyle John**

Apprentice Plumber

License No. 8782581-5509

Docket No. OSC-2013-503

Syracuse, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice plumber was revoked effective the date of the Order.

Date:

July 30, 2014

***WATNES, Aaron Michael**

Apprentice Plumber

License No. 6713903-5509

Docket No. OSC-2012-311

West Valley City, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an apprentice plumber was revoked effective the date of the Order. Respondent was also ordered to pay a \$1,000 fine.

Date:

July 30, 2014

***YOUNG, Shawn Richard**

Apprentice Plumber

License No. 9022685-5509

Docket No. 2014-321

Eagle Mountain, Utah

Cause of Action:

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

Order:

A license to practice as an apprentice plumber was issued to Respondent and said license was placed on probation for two years.

Date:

July 30, 2014

CONSTRUCTION TRADES/CONTRACTORS/UNLICENSED CONTRACTORS - continued

***ZPSCO CONTRACTORS INC.**

License No. 269623-5501

Docket No. 2014-264

Ogden, 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:

July 30, 2014

OTHER REGULATED PROFESSIONS

***ARCHULETA, Albert Joseph**

Barber

License No. 9004165-1115

Docket No. 2014-363

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 a barber was issued and said license was placed on probation for three years with conditions and restrictions.

Date:

July 21, 2014

***BONNIE JOSEPH ACADEMY OF COSMETOLOGY AND BARBERING**

Cosmetology/Barber School

License No. 7350180-1104

Docket No. 2014-397

Heber City, Utah

Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in its practice as a cosmetology/barber school when it knowingly allowed a student instructor to supervise others and knowingly allowed a student to acquire credit hours outside Respondent's direct supervision.

Order:

Respondent was given a public reprimand for the above conduct and also ordered to complete conditions regarding an essay within 60 days, a course on business ethics within six months and allow the Division to periodically inspect its student files and other records to ensure compliance.

Date:

July 22, 2014

***DEAN, Katalina M., DC**

Chiropractic Physician

License No. 2403807-1202

Docket No. 2014-322

Missouri City, Texas

Cause of Action:

Respondent engaged in unprofessional conduct that affects her license to practice as a chiropractic physician.

Order:

Respondent was given a public reprimand for the conduct described in the Division's Order. Respondent was also ordered to cease and desist from the conduct described in the Division's Order.

Date:

July 2, 2014

OTHER REGULATED PROFESSIONS - continued

***EASTHOPE, Vickey A.**

Massage Therapist
License No. 8371578-4701
Docket No. 2014-346
Bountiful, Utah
Cause of Action:

Respondent engaged in unprofessional and unlawful conduct in her practice as a massage therapist.

Order: Respondent voluntarily surrendered her license to practice as a massage therapist. Respondent may not reapply for a massage therapy license for a period of five years.
Date: July 14, 2014

***EHLERS, Michelle**

Burglar Alarm Company Agent
License No. 8324643-6502
Docket No. OSC-2012-340
Orem, Utah
Cause of Action:

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

Order: Respondent's license to practice as a burglar alarm company agent was revoked effective the date of the Order. Respondent shall not reapply for licensure as a burglar alarm company agent for a period of five years.
Date: July 30, 2014

***ELLIOTT, Lynn E.**

Architect
License No. 128794-0301
Docket No. 2014-331
Cedar City, Utah
Cause of Action:

Respondent has engaged in unprofessional and unlawful conduct in his practice as an architect.

Order: Respondent's license to practice as an architect was placed on probation for three years with conditions. Respondent was also ordered to cease and desist from any activity that falls within the definition of practicing as a professional engineer or professional structural engineer. Respondent was also ordered to pay a \$2,000 fine within 90 days.
Date: July 10, 2014

***HEDDEN, Sean Michael**

Unarmed private security officer
License No. 7845843-6303
Docket No. 2014-414
Ogden, Utah
Cause of Action:

Respondent engaged in unprofessional conduct that affects his license to practice as an unarmed private security officer.

Order: Respondent voluntarily surrendered his license to practice as an unarmed private security officer. Respondent may not reapply for a private security guard type license for a period of five years.
Date: July 30, 2014

***HOWARD, Lorin Scott**

Respiratory Care Practitioner
License No. 7221623-5701
Docket No. 2010-317
Tulsa, Oklahoma
Reinstatement Order:

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

Date: July 16, 2014

OTHER REGULATED PROFESSIONS - continued

***MECHAM, Brian Vincent**

Massage Therapist

License No. 5217818-4701

Docket No. 2014-392

Heber City, Utah

Cause of Action:

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

Order:

Respondent voluntarily surrendered his license to practice as a massage therapist. Respondent may not reapply for licensure as a massage therapist for a period of five years.

Date:

July 18, 2014

***MOORE, Michelle Stout**

Massage Therapist

License No. 5761544-4701

Docket No. 2014-33

Salt Lake City, Utah

Amended Order:

The probationary condition requiring Respondent to work at least 8 hours per week and no more than 48 hours per week to be considered "practicing" in her profession is amended to require Respondent to work a minimum of 16 hours per month which may include voluntary practice which is properly supervised and/or documented as evidenced by the signature of the massage therapy recipient and the date of service. Documentation may also include a log with signature of a non-family member supervisor.

Date:

July 15, 2014

***PRATT, Gerold E.**

Professional Structural Engineer

License No. 176247-2203

Docket No. 2014-326

Hurricane, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as a professional structural engineer.

Order:

Respondent surrendered his license to practice as a professional structural engineer. A license to practice as a professional engineer was issued to Respondent by the Division. Said professional engineer license was given a public reprimand and Respondent was ordered to meet with the board to discuss this Order within 60 days.

Date:

July 9, 2014

***SIMON, George Jay II**

Outfitter

License No. 7589325-7500

Docket No. 2014-394

Central Valley, Utah

Cause of Action:

Respondent engaged in unprofessional conduct in his practice as an outfitter.

Order:

Respondent's license to practice as an outfitter is suspended until December 13, 2017 with conditions during the period of suspension.

Date:

July 18, 2014

OTHER REGULATED PROFESSIONS - continued

***SORENSEN, Vickie D./SORENSEN, Vicki**

Licensed Direct-Entry Midwife

License No. 8858598-3400

Docket No. 2014-272

Cedar City, Utah

Cause of Action:

Respondent engaged in unlawful conduct when she made material misrepresentations and omissions on an application for licensure.

Order:

Respondent's license to practice as a licensed direct-entry midwife was revoked effective the date of the Order along with any residual rights to the license.

Date:

July 22, 2014

***SPEER, Lelani Musette**

Burglar Alarm Company Agent

License No. 6954945-6052

Docket No. OSC-2013-130

Provo, Utah

Cause of Action:

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

Order:

Respondent's license to practice as a burglar alarm company agent was revoked effective the date of the Order. Respondent may not reapply for licensure as a burglar alarm company agent for a period of five years.

Date:

July 30, 2014

***TRUJILLO, Nathan Joseph**

Massage Therapist

License No. 9037558-4701

Docket No. 2014-311

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 three years with conditions and restrictions.

Date:

July 2, 2014

***TURNER, Brad G.**

Outfitter

License No. 7620601-7500

Docket No. OSC-2010-123

Elk Ridge, Utah

Cause of Action:

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

Order:

Respondent's license to practice as an outfitter was revoked effective the date of the Order.

Date:

July 29, 2014

OTHER REGULATED PROFESSIONS - continued

***WANN, Timothy Andrew, DC**

Chiropractic Physician

License No. 5636714-1202

Docket No. 2014-412

Lehi, Utah

Cause of Action:

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

Order:

Respondent's license to practice as a chiropractic physician was suspended for 24 months retroactive to June 1, 2014 with a stay of enforcement on 23 months of the suspension. The remaining one month suspension commenced retroactively on June 1, 2014 and ending June 30, 2014. Respondent's license to practice as a chiropractic physician is now placed on probation for 24 months retroactive to June 1, 2014 with conditions.

Date:

July 30, 2014

NOTE: The Division has an "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.

If you need assistance with copies of citations, please contact Kim or Carol as shown below.

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.

PROFESSION_NAME	PARTICIPANT_NAME	LICENSE_NO	VIOLATION	CITATION_NO	DATE_ISSUED	STATUS	AMOUNT	DATE_PAID
Accountancy	CRAIG B AINGE	UNLICENSED	Unauthorized Practice	26299	04-08-2014	Fine Assessed - Paid	\$ 1,000.00	07-02-2014
Burglar Alarm	Cobus Vanzyl	UNLICENSED	Unauthorized Practice	27112	04-08-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Burglar Alarm	Michael Tyler Torgenson	7858304-6502	Unauthorized Practice	27115	04-23-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Clinical Mental Health	Mark Wayne Wiseman	8588489-6004	Unauthorized Practice	31237	04-23-2014	Fine Assessed - Paid	\$ 500.00	07-09-2014
Contractor	4K CONSTRUCTION, INC.	4946527-5501	Unauthorized Practice	28820	07-11-2014	Fine Assessed - Paid	\$ 500.00	07-16-2014
Contractor	Aaron Webb	UNLICENSED	Unauthorized Practice	25952	04-23-2014	Fine Assessed - Paid	\$ 200.00	07-30-2014
Contractor	Above & Beyond Construction, Inc.	5912325-5501	Unauthorized Practice	28522	03-28-2014	Fine Assessed - Paid	\$ 500.00	07-02-2014
Contractor	Amped Up Electric Inc	6181235-5501	Unauthorized Practice	28571	07-23-2014	Fine Assessed - Paid		07-25-2014
Contractor	Asco Masonry Inc	7667986-5501	Unauthorized Practice	70019	06-06-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Better Basements LLC	6468834-5501	Unauthorized Practice	31268	08-05-2014	Fine Assessed - Paid		07-28-2014
Contractor	CLAYTON VAI LANGSTON	UNLICENSED	Unauthorized Practice	25964	05-06-2014	Fine Assessed - Paid	\$ 300.00	07-11-2014
Contractor	DABS Painting Inc	7617326-5501	Unauthorized Practice	28532	05-16-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Darwin Kent Jensen	8063090-5500	Unauthorized Practice	25992	07-21-2014	Cease and Desist Only		
Contractor	David B Huey	432595-S220	Unauthorized Practice	31232	04-23-2014	Fine Assessed - Collections	\$ 1,000.00	07-16-2014
Contractor	David Shayne Hatch	430520-S300	Unauthorized Practice	31255	07-16-2014	Cease and Desist Only		
Contractor	Elite Landscape & Maintenance, LLC	UNLICENSED	Unauthorized Practice	25814	07-12-2013	Fine Assessed - Paid	\$ 500.00	07-11-2014
Contractor	Hector Matute	UNLICENSED	Unauthorized Practice	28511	03-18-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Home Center Construction Company, LLC	5711117-5501	Aiding Unlicensed Practice	28578	08-05-2014	Fine Assessed - Paid		07-29-2014
Contractor	J. Jesus Correa-Quintero	UNLICENSED	Unauthorized Practice	26757	04-09-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Jade James Elkins	UNLICENSED	Unauthorized Practice	28582	08-05-2014	Fine Assessed - Paid	\$ 500.00	07-29-2014
Contractor	John Post	UNLICENSED	Unauthorized Practice	28171	02-07-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Joseph Wayne Riggs, Jr	435819-R100	Unauthorized Practice	26752	03-14-2014	Fine Assessed - Paid	\$ 500.00	07-02-2014
Contractor	Lamoni Graymountain	UNLICENSED	Unauthorized Practice	28580	08-05-2014	Fine Assessed - Paid	\$ 500.00	07-29-2014
Contractor	Lawrence W Acheson	UNLICENSED	Unauthorized Practice	25976	07-16-2014	Cease and Desist Only		
Contractor	Legacy Flooring LLC	6546005-5501	Unauthorized Practice	26761	07-01-2014	Fine Assessed - Paid	\$ 400.00	07-02-2014
Contractor	Lexington Construction Inc	247621-5501	Practice Beyond Scope of License	25989	07-11-2014	Cease and Desist Only		
Contractor	MATTHEW OVIATT	UNLICENSED	Aiding Unlicensed Practice	28546	06-13-2014	Fine Assessed - Paid	\$ 500.00	07-14-2014
Contractor	Matthew L. Peery	UNLICENSED	Unauthorized Practice	27079	04-23-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Michael W Dunning	6987923-5501	Unauthorized Practice	28565	07-11-2014	Fine Assessed - Paid	\$ 500.00	07-02-2014
Contractor	Owen Ika Landscaping	UNLICENSED	Unauthorized Practice	28802	04-23-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Remodeling Specialists	UNLICENSED	Unauthorized Practice	27141	08-14-2013	Fine Assessed - Paid	\$ 500.00	07-17-2014
Contractor	SIDE ONE GUTTER, INC.	4842923-5501	Practice Beyond Scope of License	25968	05-23-2014	Fine Assessed - Paid	\$ 500.00	07-11-2014
Contractor	Steven Lee Bancroft	UNLICENSED	Unauthorized Practice	26756	03-28-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Texpro Painters	UNLICENSED	Unauthorized Practice	25981	06-13-2014	Fine Assessed - Paid	\$ 500.00	07-31-2014
Contractor	Trent Riding	436921-B100	Aiding Unlicensed Practice	26751	03-14-2014	Fine Assessed - Paid	\$ 800.00	07-02-2014
Contractor	V K Electric Inc	4971198-5501	Unauthorized Practice	28559	06-27-2014	Fine Assessed - Paid	\$ 1,000.00	07-02-2014
Contractor	Wasatch Cowboys Painting*	UNLICENSED	Unauthorized Practice	28561	07-01-2014	Fine Assessed - Paid	\$ 500.00	07-23-2014
Contractor	Wasatch Painting	UNLICENSED	Unauthorized Practice	25922	04-23-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Whitney's Handyman Service	UNLICENSED	Unauthorized Practice	25970	07-16-2014	Cease and Desist Only		
Contractor	William Fifita	UNLICENSED	Unauthorized Practice	27690	10-25-2013	Fine Assessed - Paid	\$ 500.00	07-03-2014
Contractor	William Heaps	UNLICENSED	Unauthorized Practice	28528	05-13-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Contractor	Woodworks Refurbishing Inc	UNLICENSED	Unauthorized Practice	70710	07-16-2014	Cease and Desist Only		
Cosmetology	3 D Nails	UNLICENSED	Unauthorized Practice	26915	02-05-2014	Fine Assessed - Paid	\$ 200.00	07-16-2014
Cosmetology	Conchitas Nail and Beauty	UNLICENSED	Unauthorized Practice	26961	11-01-2013	Fine Assessed - Paid	\$ 800.00	07-29-2014
Cosmetology	Dana Lynn Giles	6888137-1101	Probation Violation	28725	06-03-2014	Fine Assessed - Paid	\$ 100.00	07-28-2014
Cosmetology	Genaro Montalvo	UNLICENSED	Unauthorized Practice	28224	05-16-2014	Fine Assessed - Collections	\$ 200.00	07-16-2014
Cosmetology	Jeannie Nguyen	UNLICENSED	Unauthorized Practice	28732	07-01-2014	Fine Assessed - Paid	\$ 100.00	07-07-2014
Cosmetology	Lorraine Adele Willis	UNLICENSED	Unauthorized Practice	31244	07-16-2014	Cease and Desist Only		
Cosmetology	Mychelle Barela	UNLICENSED	Unauthorized Practice	28228	07-11-2014	Fine Assessed - Paid	\$ 200.00	07-10-2014
Cosmetology	Studio 12	UNLICENSED	Unauthorized Practice	28224	05-16-2014	Fine Assessed - Collections	\$ 200.00	07-16-2014
Cosmetology	Watercreek Nails Spa	UNLICENSED	Incompetence/Negligence	28733	07-01-2014	Fine Assessed - Paid	\$ 200.00	07-07-2014
Electrician	Daniel Ray Lindquist	5579105-5506	Probation Violation	26300	04-08-2014	Fine Assessed - Paid	\$ 250.00	07-30-2014
Electrician	Danny Lee Larson	4883705-5505	Probation Violation	27001	07-15-2014	Fine Assessed - Paid	\$ 250.00	07-11-2014
Electrician	Garrett Micah Carter	9115532-5505	Unauthorized Practice	28581	08-06-2014	Fine Assessed - Paid	\$ 500.00	07-29-2014
Electrician	Matthew Ammon Smith	UNLICENSED	Unauthorized Practice	28579	08-05-2014	Fine Assessed - Paid	\$ 500.00	07-29-2014
Electrician	Sergio Mario Rocha	5665907-5505	Unauthorized Practice	28550	06-17-2014	Fine Assessed - Paid	\$ 300.00	07-10-2014
Electrician	Steven Jerry McPherron, Jr	6085855-5505	Falsification of Application	26995	05-21-2014	Fine Assessed - Paid	\$ 250.00	07-02-2014

PROFESSION_NAME	PARTICIPANT_NAME	LICENSE_NO	VIOLATION	CITATION_NO	DATE_ISSUED	STATUS	AMOUNT	DATE_PAID
Funeral Service	SWINDLEHURST FUNERAL HOME	5698528-0901	Unauthorized Practice	25985	06-27-2014	Fine Assessed - Paid	\$ 500.00	07-18-2014
Massage	Aubry McNaughtan	UNLICENSED	Unauthorized Practice	28710	04-23-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Massage	Dakota Tuck	UNLICENSED	Unauthorized Practice	28366	04-25-2014	Fine Assessed - Paid	\$ 100.00	07-11-2014
Massage	Hua Yang	UNLICENSED	Unauthorized Practice	28806	06-20-2014	Fine Assessed - Collections	\$ 500.00	07-16-2014
Nurse	Lorie Lee Pierce	8785435-3101	Falsification of Application	31218	02-12-2014	Fine Assessed - Paid	\$ 50.00	07-11-2014
Nurse	Tyler Richard Bauer	7666228-3102	Probation Violation	26589	03-27-2014	Fine Assessed - Paid	\$ 250.00	07-08-2014
Pharmacy	Costco Pharmacy #733	6267451-1703	Pharmacy Violation	31259	07-11-2014	Fine Assessed - Paid	\$ 1,050.00	07-14-2014
Pharmacy	Hurricane Family Pharmacy	7274007-1703	Incompetence/Negligence	31262	07-23-2014	Fine Assessed - Paid	\$ 2,000.00	07-22-2014
Pharmacy	K-Mart Pharmacy #4159	125698-1703	Pharmacy Violation	31258	07-11-2014	Fine Assessed - Paid	\$ 1,050.00	07-14-2014
Pharmacy	Smith's Pharmacy #139	131492-1703	Pharmacy Violation	31257	06-27-2014	Fine Assessed - Paid	\$ 1,250.00	07-03-2014
Pharmacy	Taylor Drug	371000-1703	Pharmacy Violation	31260	07-11-2014	Fine Assessed - Paid	\$ 1,050.00	07-09-2014
Plumber	Cyle John Van Komen	8782581-5509	Probation Violation	28804	04-23-2014	Fine Assessed - Collections	\$ 250.00	07-16-2014
Plumber	Jose R Balderrama	7272093-5509	Falsification of Application	26759	05-21-2014	Fine Assessed - Paid	\$ 500.00	07-11-2014
Plumber	Viron Mikel Argyle	5985619-5509	Unauthorized Practice	28170	02-07-2014	Fine Assessed - Collections	\$ 1,000.00	07-16-2014
Psychologist	Pamela Lemons	UNLICENSED	Unauthorized Practice	31261	07-23-2014	Fine Assessed - Paid		07-30-2014
Psychologist	William D Draney	UNLICENSED	False Advertising	27823	07-11-2014	Fine Assessed - Paid	\$ 500.00	07-09-2014