



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

FOR IMMEDIATE RELEASE
FEBRUARY 23, 2004

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DISCIPLINARY ACTION REPORT

EDITORS: Tennessee Code Annotated, Section 68-1-114 requires the Department of Health to issue a monthly press release listing all disciplinary actions taken by the health related boards during the prior month. Below is a list of actions taken during the month of January 2004.

Detailed information about disciplinary actions is available on our web site at www.tennessee.gov/health. Click on "License Verification" and enter the name of the person. When the license information comes up, click on "disciplinary action" and then "view board order."

BOARD OF MEDICAL EXAMINERS

- Licensee: Joanne Lynch, MD, Jonesboro, TN
Violation: Unprofessional conduct; malpractice; dispensing/prescribing Controlled substance or other drug not in the course of professional practice.
Action: 2-Years probation; must complete 3-day course at Vanderbilt, "Prescribing Controlled Drugs." Must pay costs associated with this matter; must appear before the board to show compliance before probation will be lifted.
- Licensee: Mark Robert Wade, MD, Germantown, TN
Violation: Conviction of a felony; unprofessional conduct; malpractice; dispensing/prescribing controlled substance or other drug in violation of any State or U.S law.
Action: License suspended for 90 days beginning 02/20/04; will be suspended for the entire period he is incarcerated, if he is incarcerated in the federal conspiracy case; at the end of suspension, license will be placed on probation for 5-years; must attend University of Florida CARE Program; must complete 40-hours of CME each year during probation, of which 20-hours shall be in prescribing practices and record keeping; must pay \$25,000 in Civil Penalties @ \$5,000 per year (due before 12/31 each year); must pay costs assessed in this matter; and, shall surrender his DEA.
- Licensee: Anne Ostrosky, Medical X-Ray Operator, Bartlett, TN
Violation: Practiced without certification.
Action: Letter of Reprimand

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CORDELL HULL BUILDING, 3RD FLOOR
425 FIFTH AVENUE NORTH
NASHVILLE, TN 37247
WWW.TENNESSEE.GOV/HEALTH

BOARD OF NURSING

- Licensee: Brenda J. Givens, RN, Woodbury, TN
Violation: Unfit or incompetent to practice by reason of negligence; unprofessional conduct; failure to maintain record for each patient; making false or materially incorrect, inconsistent, or intelligible entries in patient records; unauthorized use or removal of narcotics, drugs, supplies or equipment.
Action: License suspended until respondent contracts with TNPAP; assessed 10 Type-A Civil Penalties totaling \$10,000 payable before suspension is lifted; shall enroll in a specially designed baccalaureate level one-hour course in pharmacology and complete before suspension is lifted; shall undergo therapy as recommended by evaluation by Cornerstone; when respondent returns to practice, she shall cause quarterly reports to be submitted to the board from the Pharmacy Director, concerning her handling of controlled substances, for a period of one-year.
- Licensee: Monique S. Johnson, LPN, Knoxville, TN
Violation: Unauthorized use or removal of narcotics, drugs, supplies or equipment from any health care facility or work place location.
Action: Letter of Reprimand
- Licensee: Tiffany Murry, RN, Fort Campbell, KY
Violation: Unprofessional conduct; making false or materially incorrect entries in patient records; unauthorized use or removal of narcotics drugs, supplies or equipment; use of intoxicating beverage or illegal use of any narcotic or dangerous drug while on duty; being under the influence of alcohol/drugs while on duty.
Action: Must enter into a contract with TNPAP; license placed on probation for the length of TNPAP contract, or a minimum of 3-years; if respondent moves out of Tennessee, she must contract with a program similar to TNPAP.
- Licensee: Carolyn J. Thomas, LPN, Whitwell, TN
Violation: Unprofessional conduct; engaging in acts of dishonesty which relate to the practice of nursing.
Action: 1-Year probation, commencing 12/03/03; assessed \$250 Civil Penalty; during probation, will cause to be sent 2 written, semi-annual reports (1 from respondent, 1 from employer) to the board.
- Licensee: Rita J. Usery, LPN, Athens, TN
Violation: Unprofessional conduct; failure to keep appropriate patient records.
Action: Must undergo assessment by TNPAP and enter into a contract if warranted, by 12/22/03; license placed on probation to run concurrent with TNPAP contract, or a minimum of 2-years; shall furnish 2 reports to board (1 from respondent, 1 from employer).
- Licensee: Melissa R. Wee, LPN, Kingston, TN
Violation: Unfit or incompetent to practice by reason of negligence, habits or other causes; unprofessional conduct; intentionally or negligently causing physical or emotional injury to a patient; failing to take appropriate action in safeguarding a patient from incompetent health care practices; performing nursing techniques or procedures without proper education and practice.

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BOARD OF NURSING (CONT.)

Action: License suspended for 180-days, beginning 12/12/03; at completion of suspension, license will be on probation for a minimum of 1-year; shall enroll in a board-approved Medication Administration course; must submit 2 written reports to the board (1 from the respondent, 1 from employer).

Licensee: Dawn Michelle Williams, LPN, Knoxville, TN

Violation: Unprofessional conduct; unauthorized use or removal of narcotics, drugs, supplies, or equipment from a health care facility or other work place.

Action: Letter of Reprimand

Licensee: Julie Lynn Williamson, RN, Jackson, TN

Violation: Criminal conviction; impersonating another licensed practitioner; unprofessional conduct; engaging in acts of dishonesty which relate to the practice of nursing.

Action: License suspended to run concurrent with court-ordered probation; shall enter into a contract with TNPAP by January 11, 2004; at the end of suspension, license will be placed on probation to run concurrent with TNPAP contract, but not less than 3-years.

BOARD OF DENTISTRY

Licensee: Murray S. Alperin, DDS, Memphis, TN

Violation: Failure to test heat sterilizing devices for proper function by means of a biological monitoring system that indicates microorganism kill. Failure to maintain logs reflecting dates and persons conducting the testing.

Action: Reprimand

Licensee: Franklin J. Prout, DDS, Knoxville, TN

Violation: Failed to diagnose a radiolucent, cancerous lesion, which resulted in a malpractice settlement in the amount of \$75,000 with no admission of liability. Dr. Prout failed to disclose the malpractice settlement as required by law.

Action: Reprimand

Licensee: Theresa Presley, DDS, Franklin, TN

Violation: Dr. Presley failed to maintain nineteen patient dental records in such a manner that a subsequent treating dentist could readily ascertain the treatment provided to the patients of the dental practice.

Action: Reprimand

Licensee: Ted R. McCurdy, DDS, Clarksville, TN

Violation: An investigation revealed that from December of 1998 through April of 2000, Dr. McCurdy prescribed various pharmaceuticals for a patient without confining the prescriptions to an identified dental procedure, ailment, or infirmity, without documenting the prescriptions in the dental record and/or separate log, and without maintaining the dental record in such a manner that a subsequent treating dentist could readily ascertain the treatment provided.

Action: Reprimand

BOARD OF DENTISTRY (CONT.)

Licensee: Campbell Sowell, Jr., DDS, Columbia, TN
Violation: Failed to obtain the required informed consent on two occasions from a patient or her legally authorized personal representative.
Action: Reprimand

BOARD OF SOCIAL WORKER CERTIFICATION AND LICENSURE

Licensee: Kathleen McCracken, LCSW, Nashville, TN
Violation: Willful or repeated violation of any rules of the board; unprofessional/unethical conduct; conduct reflecting unfavorably upon the profession of social work.
Action: License placed on probation for 2-years, effective January 26, 2004; during probation, shall seek supervision and submit quarterly reports to board from her supervisor, with the first report due in February 2004; shall seek an evaluation from a peer assistance program and follow recommendations of that program, submitting quarterly reports to the board; assessed \$5,000 in Civil Penalties, due and payable by February 26, 2004.

Licensee: Cathy L. Weedman, LCSW, Bristol, TN
Violation: Conviction of a felony; willful or repeated violation of board rules; conduct reflecting unfavorably upon the profession of Social Work.
Action: LCSW and CMSW licenses revoked; assessed \$1,000 in Civil Penalties, due and payable by February 26, 2004.

BOARD OF VETERINARY MEDICAL EXAMINERS

Licensee: Higgs, Wilbur S., Veterinarian, Madisonville, TN
Violation: Issued pre-signed certificates for the movement of livestock.
Action: Placed on 2-years probation; assessed Civil Penalties totaling \$5,000, payable within 2-years.; assessed costs of prosecuting this matter; must appear before the board in 1-year to show compliance; and, must appear before the board at the end of 2-years probation to request lifting of probation.

January 2004 Abuse Registry Placements

Individual: Jennifer Phipps, CNA, Ethridge
Violation: Neglect while working in licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

Individual: Darlene Walters, Unknown, Greeneville
Violation: Theft/Misappropriation of Property while working in a licensed or certified facility
Action: Placed on State Abuse Registry

January 2004 Abuse Registry Placements (CONT.)

Individual: Clemente Morales, CNA, Chattanooga
Violation: Physical and Verbal Abuse while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

Individual: Betty Franklin, CNA, Knoxville
Violation: Physical and Verbal Abuse while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

Individual: Tongela L. Fields, CNA, Clinton
Violation: Physical Neglect and Abandonment while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

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