NASHVILLE, Tenn. -- Tennessee Code Annotated, Section 68-1-114 requires the Tennessee Department of Health to issue a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. Below is a list of actions taken in March 2020. 

Detailed information about disciplinary actions is available on our website at https://apps.health.tn.gov/Licensure/default.aspx. Enter the name of the person. When the license information comes up, click either "disciplinary action" or “adverse licensure action” in the right column.

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BOARD FOR LICENSING HEALTH CARE FACILITIES

Licensee: The Bridge at Hickory Woods, Antioch, Tennessee
Violation: Respondent has violated the provisions of Rule 1200-08-25-.08(8) [Admissions, Discharges, and Transfers], the relevant portion of which reads as follows: (8) An ACLF may not retain a resident who cannot evacuate within 13 minutes unless the ACLF complies with Chapter 19 of the 2006 edition of the NFPA Life Safety Code and the Institutional Unrestrained Occupancy of the 2006 edition of the International Building Code.
Action: License is assessed civil penalties in the amount of $1,000.00

Licensee: Heritage Assisted Living Facility, Knoxville, Tennessee
Violation: Respondent has violated the provisions of Rule 1200-08-25-.07(5)(b)[SERVICES PROVIDED] the relevant portion of which reads as follows: (5) Resident medication. An ACLF shall: (b) Ensure that all drugs and biologicals shall be administered by a licensed or certified health care professional operating within the scope of the professional license or certification and according to the resident’s plan of care.
Respondent has violated the provisions of Rule 1200-08-25-.07(7)(a)(3)[SERVICES PROVIDED] the relevant portion of which reads as follows: (7) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services: (3) Daily awareness of the individual’s whereabouts.
Respondent has violated the provisions of Rule 1200-08-25-.08(5)(a) [ADMISSIONS, DISCHARGES, AND TRANSFERS], the relevant portion of which reads as follows: (5) An ACLF resident qualifying for hospice care shall be able to receive hospice care services and continue as a resident if the resident’s treating physician certifies that such care can by appropriately provided in the ACLF. (a) In the event that the resident is able to receive hospice services in an ACLF, the resident’s hospice provider and the ACLF shall be jointly responsible for a plan of care that is prepared pursuant to current hospice guidelines promulgated by the Centers for Medicaid and Medicare and ensures bot the safety and wellbeing of the resident’s living environment and provision of the resident’s health care needs.
Respondent has violated the provisions of Rule 1200-08-25-.12(5)(a) [RESIDENT RECORDS], the relevant portion of which reads as follows: (5) Plan of Care (a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident’s legal
representative, treating physician, or other licensed health care professionals or entity delivering patient services within 6 days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.

Action: License is assessed civil penalties in the amount of $2,500.00

Licensee: Legacy Assisted Living and Memory Care, Memphis, Tennessee
Violation: Respondent has violated the provisions of Tenn. Code Ann. Sec. 68-11-207(a)(3)(c), which indicates that the Board may suspend or revoke the license issued under this part based on any of the following grounds: (3) Conduct or practice found by the board to be detrimental to the welfare of the patients in such institutions. (c) In imposing the sanctions authorized in this section, the Board may consider all factors that it deems relevant, including, but not limited to, the following: (1) The degree of sanctions necessary to ensure immediate and continued compliance; (2) The character and degree of impact of the violation on the health, safety and welfare of the patients in the facility; (3) The conduct of the facility against whom the notice of violation is issued in taking all feasible steps or procedures necessary or appropriate to comply or correct the violation; and (4) Any prior violations by the facility of statutes; regulations or orders of the Board.

Respondent has violated the provisions of Rule 1200-08-25-.08(1)(d) [ADMISSIONS, DISCHARGES and TRANSFERS], the relevant portion of which reads as follows: (1) An ACLF shall not admit or permit the continued stay of any ACLF resident who has any of the following conditions: (d) Exhibits verbal or physically aggressive behavior which poses an imminent threat to self or others, based on behavior, not diagnoses.

Respondent has violated the provisions of Rule 1200-08-25-.08(1)(a)(1) [ADMINISTRATION] the relevant portion of which reads as follows: (1) Each ACLF shall meet the following staffing and procedural standards: (a) Staffing Requirements: (1) The licensee must designate in writing a capable and responsible person to act on administrative matters and to exercise all the powers and responsibilities of the licensee as set forth in this chapter in the absence of the licensee.

Respondent has violated the provisions of Rule 1200-08-25-.07(7)(a)(2) [SERVICES PROVIDED] the relevant portion of which reads as follows: (7) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services: (2) Safety when in the ACLF.

Action: License summarily suspended; not accept any new residents; immediately facilitate the transfer of its residents to appropriate facilities by April 2, 2020; grant immediate access to the facility to the Tennessee Department of Health and surveyors; have a monitor approved by the Division Director, placed in the facility and shall remain in the facility until every resident is transferred; and shall be responsible for the costs of any transfers and the cost of any monitoring; immediately submit a plan of correction to the Department. Suspension shall be effective immediately and shall remain in effect until the conclusion of the contested case hearing against Respondent or until otherwise ordered by the Board.

Licensee: Maybelle Carter Senior Living, Madison, Tennessee
Violation: Respondent has violated the provisions of Rule 1200-08-25-.07(7)(c)(5)
Licensee: Riverdale Assisted Living Facility, Memphis, Tennessee

Violation: Respondent has violated the provisions of Rule 1200-08-25-.07(2)[SERVICES PROVIDED] the relevant portion of which reads as follows: (2) Medical Services in an ACLF shall be provided by: (a) Appropriately licensed or qualified staff of an ACLF; (b) Appropriately licensed or qualified contractors of an ACLF; (c) A licensed home care organization; (d) Another appropriately licensed entity; or (e) Appropriately licensed staff of a nursing home.

Action: License to operate as an assisted living facility shall be placed on probation for one calendar; assessed civil penalties of $16,000.00; a representative shall appear on behalf of the Respondent facility in-person at each regularly scheduled Board meeting in June 2020 and October 2020 and provide reports.
regarding the progress of the facility to correct the outstanding deficiencies and maintain compliance.

Licensee: Schilling Gardens Assisted Living, Collierville, Tennessee
Violation: Respondent has violated the provisions of Rule 1200-08-25-07(7)(c)(2)[SERVICES PROVIDED] the relevant portion of which reads as follows: (7) An ACLF shall provide personal services as follows: (c) Dietary services. (2) An ACLF shall have an employee who: (i) Serves as director of the food and dietetic service: (ii) Is responsible for the daily management of the dietary services and staff training; and (iii) Is qualified by experience or training. Respondent has violated the provisions of Rule 1200-08-25-07(7)(c)(5)[SERVICES PROVIDED] the relevant portion of which reads as follows: (7) An ACLF shall provide personal services as follows: (c) Dietary services. (c) Dietary services. (5) An ACLF shall maintain a clean and sanitary kitchen.
Action: Assessed civil penalties totaling $1,000.00.

Licensee: Whitehaven Assisted Care Living Facility, Adams, Tennessee
Violation: Respondent has violated the provisions of Rule 1200-08-25-10(3)(a)[Life Safety] the relevant portion of which reads as follows: (3) An ACLF shall conduct fire drills in accordance with the following: (a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.
Action: Assessed civil penalties totaling $500.00.

BOARD OF MASSAGE LICENSURE

Licensee: Daily Spa, Establishment, Gallatin, Tennessee
Violation: Owner failed to ensure that all persons who perform massage therapy in the establishment maintained current licensure.
Action: License revoked.

Licensee: Healing Care Center, Establishment, Nashville, Tennessee
Violation: Owner failed to ensure that all persons who perform massage therapy in the establishment maintained current licensure.
Action: License revoked.

Licensee: Sunshine Massage, Establishment, Brentwood, Tennessee
Violation: Owner failed to ensure that all persons who perform massage therapy in the establishment maintained current licensure.
Action: License revoked.

Licensee: Hu Nan, LMT, Johnson City, Tennessee
Violation: Guilty of permitting an unlicensed person to perform massage in such licensee’s establishment and operating a massage establishment without a valid license.
Action: License revoked; assessed civil penalty of $1,000.00 plus the costs of prosecuting this case.

Licensee: Yuanjie Yang, LMT, Nashville, Tennessee
Violation: Guilty of permitting an unlicensed person to perform massage in such licensee’s establishments.
Action: License placed on probation for 2 years; assessed civil penalty of $3,000.00 plus the costs of prosecuting this case.

BOARD OF MEDICAL EXAMINERS

Licensee: Albert Bystritskii, MD, Winchester, Tennessee
Violation: Guilty of healthcare liability or a pattern of continued or repeated health care liability, ignorance, negligence or incompetence in the course of professional practice
Action: License reprimanded; assessed civil penalty of $500.00 plus the reasonable costs of prosecuting this case.

Licensee: David Chunn, MD, Nashville, Tennessee
Violation: Failed to submit documented proof of properly maintaining sufficient continuing education credits upon request by the Department
Action: License reprimanded; complete 35 hours of continuing education to include 2 hours related to controlled substance prescribing; complete additional 10 hours of continuing education for the current year; assessed civil penalty of $7,000.00 plus the reasonable costs of prosecuting this case.

Licensee: Terence Dunn, MD, Clarksville, Tennessee
Violation: Failed to comply with the conditions required by his November 2008 conditional licensure letter
Action: License voluntarily surrendered; assessed reasonable costs of prosecuting this case.

Licensee: Richard G. Farmer, MD, Memphis, Tennessee
Violation: Guilty of engaging in unprofessional conduct; dispensing, prescribing, or otherwise distributing any controlled substance or other drug not in the course of professional practice; ignorance, negligence, or incompetence in the course of medical practice.
Action: License surrendered – revoked; Respondent is permanently prohibited from applying for a new medical license or for reinstatement of his revoked medical license.

Licensee: Gregory Lewis, MD, Jonesboro, Tennessee
Violation: Guilty of receiving a disciplinary action against his license to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed in this state.
Action: License indefinitely suspended; assessed the reasonable costs of prosecuting this case.

Licensee: Steven R. Mynatt, MD,
Violation: Guilty of criminal conviction for allegedly conspiring to distribute controlled substances...and the unlawful distribution of controlled substances...both of which are felonies.
Action: License surrendered, permanently revoked and Respondent is permanently prohibited from applying for a new medical license or for reinstatement of his revoked medical license
Licensee: Katrina L. Mercer, AMDX, White House, Tennessee
Violation: Guilty of noncompliance with board ordered lifetime monitoring agreement.
Action: License revoked; assessed costs of prosecuting this case.

Licensee: Nirav Patel, MD, Jackson, Tennessee
Violation: Guilty of prescribing, dispensing or administering opioids in a manner that violates the board’s or committee’s statutes or rules…engaged in a significant deviation or pattern of deviation from sound medical judgment. Failed to maintain a medical record for every patient for whom he and/or any of his professionally licensed supervisees, performs services or provides professional consultation.
Action: License placed on probation for 6 months. Complete continuing education course “Prescribing Controlled Drugs: Critical Issues and Common Pitfalls” restricted from prescribing opioids for 6 months and until the continuing education course is completed; assessed civil penalty of $3,000.00; plus the reasonable costs of prosecuting this case.

Licensee: Randolph Richards, MD, Clarksville, Tennessee
Violation: Guilty of prescribing, dispensing or administering opioids in a manner that violates the board’s or committee’s statutes or rules…engaged in a significant deviation or pattern of deviation from sound medical judgment.
Action: License reprimanded; must successfully complete medical course entitled “Intensive Course in Controlled Substance Prescribing;” is restricted from prescribing opioids for 6 months; restricted from collaborating with any advanced practice registered nurses or physician assistants for prescribing opioids for 6 months; assessed civil penalty of $2,000.00 plus reasonable costs of prosecuting this case.

Licensee: Aftab A. Shaikh, MD, Memphis, Tennessee
Violation: Failed to submit documented proof of properly maintaining sufficient continuing education credits upon request by the Department
Action: License reprimanded; complete 24.75 hours of continuing education to include 2 hours related to controlled substance prescribing; complete additional 10 hours of continuing education for the current year; assessed civil penalty of $4,950.00 plus the reasonable costs of prosecuting this case.

Licensee: Lawrence Joseph Valdez, MD, Hendersonville, Tennessee
Violation: Plead guilty to one count of distribution of Schedule II controlled substances without medical purpose and outside of the usual course of professional practice. Conviction of a felony, conviction of any offense under state or federal laws relative to drugs or the practice of medicine constitutes a violation of Tennessee Law. Dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition, constitutes a violation of Tennessee Law.
Action: License voluntarily surrendered; assessed civil penalty of $2,000.00 plus the costs of prosecuting this case.
BOARD OF MEDICAL EXAMINERS’ ADVISORY COMMITTEE FOR ACUPUNCTURE

Licensee: Lyle C. Harvey, L.A.c., Orlinda, Tennessee
Violation: Failed to timely renew license and practiced acupuncture on a lapsed license.
Action: License reprimanded; assessed civil penalty of $2,100.00 plus the reasonable costs of investigation and enforcement in this matter.

BOARD OF NURSING

Licensee: Lori A. Adams, RN, Huntingdon, Tennessee
Violation: Respondent has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto.
Action: License voluntarily surrendered

Licensee: Wendy Lea Brady, RN, Hermitage, Tennessee
Violation: Guilty of unfit or incompetence by reason of negligence, habits or other cause; being addicted to alcohol or drugs to the degree of interfering with nursing duties; and unprofessional conduct to wit: Testing positive for any drug on any government or private sector pre-employment or employer-ordered confirmed drug test. Abandoning or neglecting a patient requiring nursing care; Being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty in any health care facility, school, institution or other work place location.
Action: License suspended; multi-state privileges deactivated; undergo evaluation approved by Tennessee Professional Assistance Program (hereafter “TnPAP”). Upon recommendation of return to practice license to be placed on probation for three (3) years.

Licensee: Lisa L. Copeland, APRN, Lebanon, Tennessee
Violation: Guilty of unprofessional conduct to wit: Is unfit or incompetent by reason of negligence, habits or other cause; is addicted to alcohol or drugs to the degree of interfering with nursing duties; Being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty in any health care facility, school, institution or other work place location. Refusing to submit to a drug test or testing positive for any drug on any government or private sector pre-employment, employer-ordered or confirmed drug test.
Action: License suspended; multi-state privileges deactivated; undergo evaluation approved by Tennessee Professional Assistance Program (hereafter “TnPAP”). Upon recommendation of return to practice license to be placed on probation for three (3) years.

Licensee: Christy M. Davis, RN, Medon, Tennessee
Violation: Guilty of unprofessional conduct.
Action: License reprimanded; assessed costs of investigation and enforcement; obtain 10 hours continuing education in de-escalation
Licensee: Jesseca Farr, RN, Nashville, Tennessee  
Violation: Guilty of unprofessional conduct by Abandoning and neglecting a patient requiring nursing care.  
Action: License placed on probation; multi-state license deactivated; required to obtain 10 hours of continuing education on patient safety and 10 hours of continuing education on care of a dialysis patient; Respondent must supply any employers with a copy of the Board’s Order and present proof of the supervisor’s acknowledgement on employer letterhead.

Licensee: Linda Gail Green, RN, Hayden, Alabama  
Violation: Guilty of unprofessional conduct to wit: practicing professional nursing in a manner inconsistent with T.C.A. Sec 63-7-103 by improperly administering oral medication  
Action: License placed on probation for not less than 12 months; multistate privilege to practice shall be voided during probationary period; obtain 30 hours of continuing education consisting of 10 hours in IV medication administration; 10 hours regarding central line management and 10 hours regarding patient safety.

Licensee: Leon Burnett Hensley, LPN, Clarksville, Tennessee  
Violation: Unfit or incompetent by reason of negligence, habits, or other cause; and guilty of unprofessional conduct  
Action: License summarily suspended

Licensee: James D. Jinkins, RN, Clarksville, Tennessee  
Violation: Guilty of unprofessional conduct, unfitness or incompetency by reason of negligence, habits or other cause including but not limited to (g) Being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty in any health care facility school, institution or other work place location; and (j) Revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state.  
Action: License suspended, multistate privileges are deactivated. Respondent must undergo an evaluation approved by the Tennessee Professional Assistance Program.

Licensee: Tracy L. Nutt, RN, Mount Laurel, New Jersey  
Violation: Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; and guilty of unprofessional conduct to wit: Revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state. Otherwise, discipline a holder of a license, certificate, permit or authorization, if the applicant, licensee or certificate or permit holder has been disciplined by another state of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed, certified, permitted or authorized in this state.  
Action: License voluntarily surrendered

Licensee: Deborah L. Petty, RN, Columbia, Tennessee  
Violation: Guilty of unprofessional conduct to wit: Unauthorized use or removal of
narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; Engaging in acts of dishonesty which related to the practice of nursing.

**Action:** License suspended, multistate privilege deactivated until an evaluation approved by Tennessee Professional Assistance Program and recommendation of a return to practice then license to be placed on probation for no less than three (3) years.

**Licensee:** Joseph A. Sawyer, RN, Memphis, Tennessee  
**Violation:** Refusing to submit to a drug test or testing positive for any drug on any government or private sector pre-employment, employer ordered, or confirmed drug test; and guilty of unprofessional conduct

**Action:** License suspended; multistate privilege deactivated until an evaluation approved by Tennessee Professional Assistance Program and recommendation of a return to practice then license to be placed on probation for no less than three (3) years

**Licensee:** Richard A. Smith, RN, Science Hill, Kentucky  
**Violation:** Guilty of testing positive for any drug on any government or private sector pre-employment, or employer ordered confirmed drug test; and guilty of unprofessional conduct to wit: unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; the use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty in any health care facility, school, institution, or other work place location; being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty in any health care facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing

**Action:** License summarily suspended

**Licensee:** Tracy L. Spriggs, RN, Kingsport, Tennessee  
**Violation:** Guilty of unprofessional conduct; (e) Unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location.

**Action:** License suspended, multistate privilege deactivated until an evaluation approved by Tennessee Professional Assistance Program and recommendation of a return to practice then license to be placed on probation for no less than three (3) years.

**Licensee:** Loretta D. Upton, RN, Lewisburg, Tennessee  
**Violation:** Guilty of unprofessional conduct to wit: intentionally or negligently causing physical or emotional injury to a patient.

**Action:** License voluntarily surrendered

**Licensee:** Robert Floyd Warner, RN, Clarksville, Tennessee  
**Violation:** Guilty of unprofessional conduct to wit: Revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state.
Otherwise discipline a holder of a license, certificate, permit or authorization, if the applicant, licensee or certificate or permit holder has been disciplined by another state of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed, certified, permitted or authorized in this state.

Action: License voluntarily surrendered

Licensee: Joel T. Wruble, LPN, Sparta, Tennessee
Violation: Guilty of unprofessional conduct
Action: License suspended with terms; must obtain 20 hours of continuing education, assessed civil penalty of $1,000.00 and costs not to exceed $1,500.00.

Licensee: Carla R. Yarbrough, LPN, Huntington, Tennessee
Violation: Guilty of refusing to submit to a drug test or testing positive for any drug on any government or private sector pre-employment, or employer-ordered confirmed drug test.
Action: License suspended with terms.

BOARD OF OSTEOPATHIC EXAMINERS

Licensee: Willie J. Chester, Jr., DO, Pike Road, Alabama
Violation: Guilty of unprofessional, dishonorable or unethical conduct. Conviction of a felony, conviction of any offense under state or federal drug laws or conviction of any offense involving moral turpitude.
Action: License reprimanded; and assessed the costs of prosecuting this case.

Licensee: Vinson M. DiSanto, DO, McKinney, Texas
Violation: Guilty of a disciplinary action against a license to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed in this state.
Action: License placed on probation until Respondent successfully complies with Kentucky’s emergency order of restriction and has established compliance with all terms of the Kentucky Board; and is assessed the costs associated with the prosecution of the cause.

Licensee: William Williams, DO, Morristown, Tennessee
Violation: Guilty of unprofessional, dishonorable, or unethical conduct by serving as a supervising physician which was in direct violation of a previous Order by the Board prohibiting Respondent from serving in a supervisory position for the full 5 year probationary period.
Action: License placed on probation for additional 9 months; assessed additional civil penalty of $2,700.00 plus the costs associated with the prosecution of the cause.

BOARD OF VETERINARY EXAMINERS

Licensee: Lisa Michelle Martin, DVM, Murfreesboro, Tennessee
Violation: Respondent is guilty of professional incompetence to wit: Respondent
performed a liver biopsy and punctured the gallbladder ultimately causing the patient to expire.

Action: License reprimanded; submit proof of completion of 14 continuing education hours; assessed civil penalty of $500 plus the costs of prosecution of this matter.

*Received late from December, 2019.*

**ABUSE REGISTRY**

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