

DISCIPLINARY ACTION REPORT

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 **AUGUST 2024**. 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. Abuse Registry information is available on our website at <https://apps.health.tn.gov/AbuseRegistry/default.aspx>. Facility information is available on our website at <https://apps.health.tn.gov/facilityListings/>

TENNESSEE BOARD OF ALCOHOL AND DRUG ABUSE COUNSELORS

Licensee: Angela M. Shankle, LADAC 1245, Nashville
Violation: On September 15, 2022, while working as a contract therapist at the Nashville Recovery Center (NRC), Licensee admitted to a patient that Licensee had engaged in a sexual relationship with the patient's former boyfriend. The patient's former boyfriend was also one of Licensee's patients from NRC. On November 29, 2023, Licensee admitted to having engaged in a sexual relationship with a former patient Licensee had provided group counseling for while employed at Tennessee Center for Change as an independent contractor. Failed to conduct his professional practice in conformity with the NAADAC Code of Ethics, to wit: Engaged in Multiple/Dual Relationships with clients; and engaged in Sexual Relationships with any current or former clients.
Action: Voluntary surrender, with the same effect as a revocation, of license for a minimum of twenty-four (24) months with conditions; If Licensee wishes to petition the Board for reinstatement, must first have completed an evaluation deeming Licensee safe to practice from an approved evaluator, and twenty-four (24) hours of continuing education. If a petition is granted, then revocation is stayed, and license is placed on probation a minimum of twenty-four (24) months and follow any conditions for monitoring and treatment recommended in the evaluation.

BOARD OF CHIROPRACTIC EXAMINERS

Licensee: Chaz Barnes, CTA 1795, Alcoa
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Matthew Barnes, DC #1363, Stantonville
Violation: T.C.A. 63-4-114; (4) Immoral, unethical, unprofessional or dishonorable conduct.
Action: License placed on probation for a period of two years. Must continue individual psychotherapy treatment from a Tennessee Medical Foundation ("TMF") approved provider. Must obtain fitness to practice evaluations on an annual basis from a TMF approved provider annually for the next two years. Results of this evaluation must be submitted to the disciplinary coordinator. Prohibited from treating female patients under the age of forty for a period of not less than two (2) years. Licensee must obtain

a practice monitor that is approved by Affiliated Monitors, Inc. ("AMI") prior to treating or having any interactions with any patients. The practice monitor must be present for any form of interaction or treatment of patients for a period of not less than two (2) years from the effective date of this conditional license agreement. Licensee must cause AMI to submit quarterly reports to the Board's Disciplinary Coordinator regarding his participation and compliance with the practice monitor program. Licensee must enter into a TMF monitoring agreement within 30 days. This agreement must continue for 5 years. Licensee must cause TMF to submit quarterly reports to the disciplinary coordinator.

Licensee:	Larry Burchard, DC 2028, Mt. Juliet
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00
Licensee:	Judie Clifford, CTA 1725, Goodlettsville
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00
Licensee:	Barry L. Cole, DC 125, Dyersburg
Violation:	Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such manner as to adversely affect the person's ability to practice chiropractic; Immoral, unethical, unprofessional or dishonorable conduct
Action:	License surrendered; costs not to exceed \$3,000
Licensee:	Scott Courtley, DC 1326, Farragut
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00
Licensee:	Justin Dearing, DC 2528, Franklin
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00
Licensee:	Evann Desjardins, DC 3630, Nashville
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00
Licensee:	Cindy Dunne, DC 2772, Kingsport
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00
Licensee:	Alissa Dutz, X-RAY TECH 855, Winchester
Violation:	Failure to complete continuing education requirements
Action:	Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Trevor Eason, DC 3219, Cookeville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Michael Elliott, DC 1817, Lenoir City
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Brittany Gillespie, CXT 772, Russellville
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$700.00

Licensee: Robin Green, CTA 143, Nashville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Dean Grillo, DC 3357, Spring Hill
Violation: Licensee, a Chiropractic Physician, failed to submit proof, upon request, of completion of the annual continuing education requirements to the Board's administrative staff. When requested, licensees shall provide the board satisfactory proof of the licensee's attendance at a chiropractic education program or programs conducted by either the American Chiropractic Association, the International Chiropractors Association, the Tennessee Chiropractic Association, or any other educational program approved or conducted by the board which consists of the minimum number of hours established hereunder for the period beginning the preceding January 1. Prior approval of such a course may be obtained by submitting the following information to the board's administrative office at least thirty (30) days prior to the scheduled date of the course[.] Each chiropractic physician must retain independent documentation of continuing education hours attained for a period of four (4) years from the end of the calendar year in which the training is received. Such proof must be produced for inspection and verification, if requested in writing by the board during its verification process. Any other unprofessional or unethical conduct that may be specified by the board from time to time by means of rules and regulations duly published and promulgated by the board or the violation of any provision of this chapter; The Board of Chiropractic Examiners requires each licensee to complete twenty-four (24) clock hours of Board-approved continuing education each calendar year (January 1 - December 31).
Action: License Reprimanded, Licensee has been assessed a civil penalty of six hundred dollars (\$600), and Licensee shall pay costs, not to exceed \$500. Licensee must complete twenty-four (24) hours of continuing education.

Licensee: Michael Hanley, DC 3399, Lebanon
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$2000.00

Licensee: Zackery Harper, DC 3126, Knoxville
Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: John D. Hasenbank, DC 2611, Nashville

Violation: Licensee, a Chiropractic Physician, practiced on a lapsed license for forty-one (41) months. It is unlawful for any person to practice chiropractic within this state without having procured a license. Any other unprofessional or unethical conduct that may be specified by the board from time to time by means of rules and regulations duly published and promulgated by the board or the violation of any provision of this chapter. Any Person who possesses a valid unsuspended and unrevoked license issued by the Board has the right to use the title licensed chiropractic physician. No other person shall assume this title on any work, letter, sign, figure, advertisement, or device to indicate that the person using the same is a licensed chiropractic physician. The work performed includes offering case management procedures and recommendations for health care and secrecies to the public.

Action: License Reprimanded, Licensee has been assessed a civil penalty of seven thousand two hundred dollars (\$7,200), and Licensee shall pay costs, not to exceed \$500.

Licensee: David Hausmann, DC 2666, Nashville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Terence Humann, DC 1739, Morristown

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Samantha Hurst, DC 3121, Nashville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Jeffrey Ingleby, DC 492, Knoxville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Joseph Jackson, DC 2963, Murfreesboro

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Donna Kile, DC 411, Oak Ridge

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Erin LeFort, CXT 842, Mosheim

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$200.00

Licensee: Benjamin Lensgraf, DC 2933, Nashville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Brett Long, DC 3599, Spring Hill
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: Kelsey Luff, CTA 1499, Memphis
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Kelsey Luff, CTX 797, Memphis
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Jeffrey Malone, DC 3623, Spring Hill
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Lynessa Mason, CTA 1712, Mount Carmel
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Brock Mattson, DC 3257, Spring Hill
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Kristen McArthur, CTA 1799, Murfreesboro
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Meagan McArthur, DC 3614, Knoxville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Derek S. Miller, D.C. 2998, Bowling Green, KY
Violation: Respondent failed to submit proof that he completed the twenty-four (24) continuing education hours for the 2022 calendar year. Any licensee who falsely certifies attendance and completion of the required hours of continuing education requirements, or who does not or cannot adequately substantiate completed

continuing education hours with the required documentation, may be subject to disciplinary action; Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraph (b) above may be subject to disciplinary action. That disciplinary action will include: (1) Assessment of a civil penalty in the amount of six hundred dollars (\$600.00), which must be paid no later than 30 days after the assessment becomes final; and (2) A requirement that the licensee must make up the hours in which he/she is deficient, in addition to the continuing education hours necessary to be obtained annually. The deficient hours must be made up in the subsequent year. Failure to fulfill these requirements may result in additional disciplinary action; Immoral, unethical, unprofessional or dishonorable conduct; When requested, licensees shall provide the board satisfactory proof of the licensee's attendance at a chiropractic education program or programs conducted by either the American Chiropractic Association, the International Chiropractors Association, the Tennessee Chiropractic Association, or any other educational program approved or conducted by the board which consists of the minimum number of hours established hereunder for the period beginning the preceding January 1; Each chiropractic physician must retain independent documentation of continuing education hours attained for a period of four (4) years from the end of the calendar year in which the training is received. Such proof must be produced for inspection and verification, if requested in writing by the board during its verification process.

Action: License reprimand; Respondent was required to make-up the deficient continuing education hours, pay a \$600 civil penalty and costs.

Licensee: Christopher Motley, DC 2030, Franklin

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: John Negley, DC 3059, Brentwood

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Caelyn Newport, DC 2703, Lafayette, AL

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Nola Parsons, CTA 1529, Burlison

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Nancy Rackley, DC 747, Chattanooga

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Hannah Ray, CXT 885, Spring Hill

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Crystal Rhinehart, CTA 1710, Munford

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Sharon Sassen-Croy, DC 3064, Lake Worth, FL

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Robert Schneider, DC 3513, Scottsdale, AZ

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Clayton Schumacher, DC 3653, Franklin

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Shirlee Tant, CTA 359, Clarksville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Robert Thompson, DC 1871, Talladega, AL

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Elizabeth Totty, DC 2410, Hermitage

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Brittany Treadway, DC 3472, College Grove

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Jacqueline Vaughn, CTA 1696, Ashland City

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Jacqueline Vaughn, CXT 862, Ashland City

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Desirae Warren, DC 3636, New Carrollton, MD
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Courtney Weinblatt, CTA 1769, Crossville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Courtney Weinblatt, CXT 883, Crossville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Meredith Whitock, CTA 892, Chattanooga
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

MASSAGE LICENSURE BOARD

Licensee: 18 Spa, LME 5802, Hermitage
Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has 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 to this chapter; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action
Action: License revoked, costs not to exceed \$3,000.

Licensee: A Better You LLC, LME 1661, Chattanooga
Violation: Failure to timely renew license
Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: A Knead for Wellness, LME 5903, Franklin
Violation: Failure to timely renew license
Action: Agreed Citation; assessed civil penalty in the amount of \$750.00

Licensee: Taletha Adkins, LMT 2577, Chattanooga
Violation: Operated an establishment with a lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$100.00

Licensee: Christopher Barbour, LMT 12387, Maryville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$287.50

Licensee: Haley N. Corbin, LMT 13908, Seymour

Violation: Persons or massage establishments engaged in massage for compensation shall be licensed by the massage licensure board; Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; Is guilty of unethical or unprofessional conduct.

Action: Licensure reprimanded. Civil penalty of \$1,500. Costs not to exceed \$2,000.

Licensee: Ahmon Rishard Goodrum, LMT #3611, Nashville, TN

Violation: T.C.A. 63-18-108 Has violated this chapter or any substantive rule promulgated under the authority of this chapter; Has violated or attempted to violate, directly or indirectly, or has 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 to this chapter

Action: License placed on probation until January 31, 2025. Payment of civil penalties in the amount of \$100.00 and payment of costs in the amount of \$246.69. Complete continuing education requirements contained in the Board Order for Case No. 2015036521. This includes a total of eight (8) continuing education hours, two (2) of which must be in statutes and rules concerning massage therapists and establishments. These must be completed in the 2023/2024 cycle.

Licensee: Shaoming Guo, LMT 9925, McKinney, TX

Violation: Is guilty of willful negligence in the practice of massage; Is guilty of unethical or unprofessional conduct; Proper draping technique is of the utmost importance when performing massage therapy to ensure the comfort and safety of the therapist and the client. At all times massage therapists must provide draping and treatment in a way that ensures the safety, comfort and privacy of the client; Before beginning a massage, the therapist must explain to the client the draping techniques that will be used and provide the client a clean drape large enough for the purpose of draping the buttocks and genitalia and, in the case of female clients, the breasts. Such body parts must remain covered except during therapeutic treatment of those specific areas, with the exception of the genitalia, which shall always remain covered; Sexual conduct, sexual activity, or sexualizing behavior involving a client is strictly prohibited at all times. A massage therapist may not initiate, arrange for, or engage in such activities, including if the client attempts to sexualize the relationship; Respect the client's boundaries with regard to privacy, disclosure, exposure, emotional expression, beliefs, and autonomy, as well as the client's reasonable expectations of professional behavior[.]

Action: Licensure surrendered, same as revocation. Costs not to exceed \$2,000.

Licensee: Tammy Hammond, LMT 11000, Nashville

Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$750.00

Licensee: Cynthia Jagers, LMT 2917, Cleveland
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$200.00

Licensee: Zhimei Lu, LMT 10208, Murfreesboro

Violation: Allowing the unlicensed practice of massage therapy; guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; Has violated this chapter or any substantive rule promulgated under the authority of this chapter; Has violated or attempted to violate, directly or indirectly, or has 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 to this chapter; Is guilty of unethical or unprofessional conduct. Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; Establishment owners and responsible persons are responsible for ensuring that all persons who perform massage therapy in a massage establishment maintain current licensure by the Board pursuant to rule 0870-01-.05. Massage therapy is one of the healing arts and, as such, the practice is restricted to those persons issued a credential by this Board. Persons engaging in the practice of massage therapy without being licensed or expressly exempted by the laws are in violation of T.C.A. §§ 63-1-123 and 63-18-104.
Action: Probation for three (3) years. Licensee agrees that she will not own a massage establishment for five (5) years. Licensee shall pay a \$3,000.00 Civil Penalty and the actual and reasonable costs not to exceed three thousand dollars (\$3,000.00). License must complete an additional fifteen (15) hours of continuing education.

Licensee: Angelica Marin, LMT 10604, Rossville, GA
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$750.00

Licensee: Robert W. McNitt, Jr., LMT 976, Johnson City
Violation: Persons or massage establishments engaged in massage for compensation shall be licensed by the massage licensure board; Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; Has practiced as a licensed massage therapist in an unlicensed massage establishment; Is guilty of unethical or unprofessional conduct.
Action: Licensure reprimanded. Civil penalty of \$3,450. Costs not to exceed \$3,000.

Licensee: Patricia Milner, LMT 12640, Hendersonville
Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$200.00

Licensee: Nails Plus Day Spa, LME 590, Memphis (Vontyna Winfrey, Owner)
Violation: Operated an establishment on a lapsed license for 22 months
Action: Conditional license Reprimanded; assessed civil penalty in the amount of \$2,600.00.

Licensee: Natural Body Spa, LME 4987, Chattanooga
Violation: Failure to timely renew license
Action: Agreed Citation; assessed civil penalty in the amount of \$250.00

Licensee: Tiffany Scarpelli, LMT 13585, Franklin
Violation: Operated an establishment with a lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$200.00

Licensee: Megan Schneider, LMT 13333, East Ridge
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Lewinfred A. Shack, LMT 4952, Memphis
Violation: From 2016 through December 2023, Respondent operated and practiced in an unlicensed massage establishment. Respondent also failed to properly drape a female client during a massage therapy session. Persons or massage establishments engaged in massage for compensation shall be licensed by the massage licensure board; Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Has violated any of the provisions of this chapter or any substantive rule promulgated under the authority of this chapter; Has practiced as a licensed massage therapist in an unlicensed massage establishment; Is guilty of unethical or unprofessional conduct; It is the responsibility of establishment owners to ensure compliance with all provisions of this rule and any violation of any portion of this rule may result in disciplinary action or denial of licensure pursuant to T.C.A. § 63-18-108; Before beginning a massage, the therapist must explain to the client the draping techniques that will be used and provide the client a clean drape large enough for the purpose of draping the buttocks and genitalia and, in the case of female clients, the breasts. Such body parts must remain covered except during therapeutic treatment of those specific areas, with the exception of the genitalia, which shall always remain covered.

Action: Respondent's license was placed on probation for three years. Respondent was required to complete 15 continuing education hours, pay civil penalties and costs.

Licensee: Deanna Shrader, LMT 8785, Chattanooga
Violation: Operated an establishment with a lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$200.00

Licensee: Cynthia Stiles, LMT 555, Lookout Mountain
Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board

commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has 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 to this chapter; guilty of unethical or unprofessional conduct; has practiced as a licensed massage therapist in an unlicensed massage establishment; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: License reprimanded, civil penalties in the amount of \$1,375 and costs not to exceed \$3,000.

Licensee: Amber R. Taylor, LMT 13019, Sale Creek

Violation: From March 2022 through December 2023, Respondent performed massage therapy in an unlicensed establishment. Persons or massage establishments engaged in massage for compensation shall be licensed by the massage licensure board; Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; Has practiced as a licensed massage therapist in an unlicensed massage establishment.

Action: Respondent's license was reprimanded. Respondent was required to pay a \$3,000 civil penalty and costs.

Licensee: Myracle Thompson, LMT 8984, Hendersonville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$500.00

Licensee: Randy Vickers, LMT 14768, Chattanooga

Violation: Guilty of willful negligence in the practice of massage; has violated any of the provisions of this chapter or any substantive rule promulgated under the authority of this chapter; guilty of unprofessional or unethical conduct; Proper draping technique is of the utmost importance when performing massage therapy to ensure the comfort and safety of the therapist and the client. At all times massage therapists must provide draping and treatment in a way that ensures the safety, comfort and privacy of the client; Before beginning a massage, the therapist must explain to the client the draping techniques that will be used and provide the client a clean drape large enough for the purpose of draping the buttocks and genitalia and, in the case of female clients, the breasts. Such body parts must remain covered except during therapeutic treatment of those specific areas, with the exception of the genitalia, which shall always remain covered; Sexual conduct, sexual activity, or sexualizing behavior involving a client is strictly prohibited at all times. A massage therapist may not initiate, arrange for, or engage in such activities, including if the client attempts to sexualize the relationship; Respect the client's boundaries with regard to privacy,

disclosure, exposure, emotional expression, beliefs, and autonomy, as well as the client's reasonable expectations of professional behavior.

Action: License summarily suspended.

Licensee: Misty White, LMT 7491, Ooltewah
Violation: Operated an establishment with a lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$100.00

Licensee: Zhenni Spa, LME 4845, Murfreesboro
Violation: Failure to timely renew license
Action: Agreed Citation; assessed civil penalty in the amount of \$1800.00

Licensee: Hong Zhou, LMT 10457, Nashville
Violation: Operated an establishment with a lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$850.00

BOARD OF MEDICAL EXAMINERS

Licensee: Helen Susan Bidawid, MD 30918, Maryville
Violation: Indictment of a state or federal offense that involves a controlled substance violation
Action: Automatic Restriction of Schedule II Prescriptive Authority in accordance with T.C.A. § 63-1-170

Licensee: Keri Jane McFarlane, MD 45236, Knoxville
Violation: Conviction of a state or federal offense that involves a controlled substance violation
Action: License automatically revoked in accordance with T.C.A. § 63-1-170

Licensee: William Schaffner II, MD 6260, Nashville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$4,000.00.

Licensee: Jack R. Woodside, Jr., MD 17275, Johnson City
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$1,700.00.

BOARD OF NURSING

Licensee: Chelsea Artigliere, RN 255654, Flanders NJ
Violation: Respondent was employed as a full-time staff nurse at TriStar Centennial Medical Center (CMC), in Nashville, Tennessee. Respondent overrode then withdrew injectable hydromorphone for a patient in the care of another nurse. Respondent did not waste the hydromorphone's container, a vial, at the Station. Respondent walked to and entered Patient A's room but immediately exited back into the hallway where Respondent met Patient A's Nurse in passing and handed the needle containing some hydromorphone to Patient A's nurse for Patient A's nurse to administer to Patient A. After, Respondent went into another room to document administration and waste of the hydromorphone that Respondent did not administer to Patient A. Respondent also withdrew for Patient B and documented wasting fentanyl that shift.

- Around midnight, Respondent went to the employee restroom with a tourniquet and a needle. Later, an empty syringe, tourniquet, empty 10 mg oxycodone package, and open alcohol packet were found in the trashcan along with a needle cap on the employee restroom the floor. Accordingly, Respondent is unfit or incompetent by reason of negligence, habits, or other cause; and is guilty of unprofessional conduct.
- Action: Voluntary surrender of registered nurse license; costs not to exceed five hundred dollars (\$500).
- Licensee: Susan Ashford, RN 93812, McMinnville
- Violation: Respondent failed to comply with terms of the discipline ordering her to, among other things, timely pay one type A civil penalty and costs; accordingly, Respondent is guilty of unprofessional conduct; to wit, 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 revoked; civil penalties totaling one thousand dollars (\$1,000.00); and costs not to exceed fifteen thousand dollars (\$15,000.00).
- Licensee: Amanda Benton, LPN No. 83495, Gallatin
- Violation: On February 22, 2022, Licensee pled guilty to and was convicted of Driving Under the Influence but did not inform the Board and on October 20, 2022, Licensee failed to answer truthfully on Licensee's practical nurse license ("LPN") renewal about whether she had been convicted of a crime and not previously notified the Board of the conviction. In November 2023, Licensee diverted narcotics while employed as an LPN at Hickory Hills Alzheimer Specialty Care Center in Hendersonville, Tennessee by falsely documenting administration of the narcotics to patients. Police searched Licensee when arresting Licensee for diversion of the narcotics and discovered synthetic urine. On April 22, 2024, Licensee pled guilty and was convicted of two (2) counts of Neglect of an Elderly or Vulnerable Adult, one (1) count of Forgery, one (1) count of Theft of Property, \$1,000.00 or Less, and one (1) count of Falsifying a Drug Test; Sale of Synthetic Urine. Guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing, guilty of a crime, addicted to alcohol or drugs to the degree of interfering with nursing duties, unfit or incompetent by reason of negligence, habits or other cause, guilty of unprofessional conduct; to wit, failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care, abandoning or neglecting a patient requiring nursing care, making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act, unauthorized use or removal of narcotics, drugs, supplies, or equipment from 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 voluntarily surrendered.
- Licensee: Paula Billings, RN 120927, Munford
- Violation: On or about July 23, 2023, while employed as an RN at St. Jude Children's Research Hospital (SJCRH) in Memphis, Tennessee, Licensee administered enteral sterile free water through an IV rather than through an NG tube as ordered. Licensee admitted to not checking the order despite being told where to locate it, administering the free

water via IV instead of NG, and administering the free water without following all safeguards, such as scanning patient barcodes and medications. As a result of Licensee's error, the patient required continuous cardiac monitoring, serial neuro checks, and lab work to monitor for seizures and electrolyte imbalances. However, the patient suffered no permanent harm as a result of Licensee's mistake. Guilty of unprofessional conduct; to wit: Intentionally or negligently causing physical or emotional injury to a patient; Failing to take appropriate action in safeguarding the patient from incompetent health care practices; Practicing professional nursing in a manner inconsistent with T.C.A. § 63-7-103; and, Performing nursing techniques or procedures without proper education and practice.

Action: Revocation of license, but the revocation is stayed, and license placed on probation for thirty-six (36) months; must obtain continuing education, complete Ethics and Boundaries Services Assessment Services "Unprofessional Conduct" examinations plus costs not to exceed two thousand dollars (\$2,000.00).

Licensee: Joshua Allen Blankenbecler, RN 264453, Bristol

Violation: On April 20, 2024, Licensee reported to work a shift as an RN in the Intensive Care Unit at the Bristol Regional Medical Center (BRMC) in Bristol, Tennessee. Licensee's colleagues noticed Licensee appeared to show signs of impairment due to an inability to perform patient care, remain awake while on his feet or while seated in a noisy environment, or provide report. When asked to submit to a drug screen, staff witnessed Licensee attempt to procure urine from a patient's catheter. Licensee admitted to management that during the shift that day, Licensee had diverted Ativan three times and had injected himself with the medication. Licensee accomplished this by administering only partial amounts of prescribed medications to patients and diverting the remainder. Licensee falsified the documentation in the patients' records to indicate the full amount had been administered. In an April 23, 2024, meeting with BRMC staff, Licensee admitted he had been diverting Ativan, Morphine, Fentanyl vials, Fentanyl from infusions, Oxycodone pills, and Hydrocodone pills since approximately December 2022. Unfit or incompetent by reason of negligence, habits, or other cause; Addicted to alcohol or drugs to the degree of interfering with nursing duties; Guilty of unprofessional conduct; to wit: Failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; Abandoning or neglecting a patient requiring nursing care; Making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; Unauthorized use or removal of narcotics, drugs, supplies, or equipment from 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.

Action: License suspended with terms; suspension stayed if Licensee obtains a TNPAP approved evaluation and receives a safe to practice recommendation; then, license placed on probation for no less than three years or to run concurrent with TNPAP monitoring, whichever is longer.

Licensee: Tiffany Bradshaw, LPN applicant, Cedar Hill

- Violation: Applicant began working as a practical nurse in Clarksville, Tennessee on her California license under what she and her employer described as a COVID waiver. The Board has no record of Applicant applying to practice on a COVID waiver or ever applying for a Tennessee license prior to Applicant's January 26, 2024, application. Applicant practiced as a nurse without a license or multistate privilege in Tennessee from August 4, 2021 to May 17, 2024, when Applicant was notified by the Board's staff to cease and desist from practice. This constitutes approximately 34 months of unlicensed practice. The purpose of this chapter is to safeguard life and health by requiring each person who is practicing or is offering to practice nursing to submit evidence that the person is qualified to practice and to be licensed as provided in this chapter...., practice nursing as defined by this chapter unless duly licensed to do so under the provisions of this chapter, any person who holds a license to practice practical nursing under this chapter shall, during the effective period of such license, be entitled to use the title "nurse," "licensed practical nurse" or the abbreviation "L.P.N." No other person shall assume such titles or use such abbreviation or any other words, letters or signs to indicate that the person using the same is a licensed practical nurse and has violated ... any provision of this chapter.
- Action: Application for license granted, once assessed civil penalties, totaling seven hundred and fifty dollars (\$750.00) are paid.
- Licensee: Rebecca Ann Briggs, RN 202614, Goodlettsville
- Violation: In February 2021, Respondent was arrested and charged with DUI, and due to the COVID pandemic, pled guilty to DUI – 1st offense in April 2022. Respondent had previous alcohol-related arrests (no DUIs) that were considered when she applied for her initial nursing license. Due to this history, Respondent was directed to the Tennessee Professional Assistance Program for evaluation and possible treatment. Being unfit or incompetent by reason of negligence, habits, or other cause; Guilty of unprofessional conduct; to wit: engaging in acts of dishonesty which relate to the practice of nursing.
- Action: License suspended with terms.
- Licensee: Heather Bruno, RN 218581, Nolensville
- Violation: On or about February 11, 2024, while on shift at the TriStar Southern Hills Medical Center in Nashville, the Charge Nurse observed Licensee remove two 2500 mcg Fentanyl IV bags from the CCU Pyxis for a patient within five (5) hours when one bag should have lasted for ten (10) hours based upon the ordered rate of infusion. Upon investigating, the Charge Nurse found Licensee had left an IV fentanyl drip primed and capped but not secured to an IV site on the patient. Licensee was observed exiting a restroom and appeared impaired to be unsteady on her feet. When confronted, Licensee's was observed to have puncture marks and when asked to reveal the other arm Licensee refused. Licensee also refused to submit to a for cause drug screen, and instead, immediately left without completing charting. A healthcare practitioner violates the practitioner's practice act by refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug. Is addicted to alcohol or drugs to the degree of interfering with nursing duties; Guilty of unprofessional conduct; to wit: Failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; Unauthorized use or removal of

- narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; 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; and, 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 with terms; suspension stayed if Licensee obtains a TNPAP approved evaluation and receives a safe to practice recommendation; then, license placed on probation for no less than three years or to run concurrent with TNPAP monitoring, whichever is longer.
- Licensee: Amanda Cooper, RN 189375, Goodlettsville
- Violation: In January 2024, Respondent covertly signed for a delivery from the pharmacy that contained a card of 30 oxycodone pills. Respondent had to stay overnight at her workplace due to bad weather, and during that night and the next morning, Respondent consumed a majority of the pills with liquor. A for-cause search of her belongings and vehicle revealed numerous controlled substances for which she lacked prescriptions. The case was referred to law enforcement, and Respondent was arrested and charged. Guilty of a crime; Being addicted to alcohol or drugs to the degree of interfering with nursing duties; Guilty of unprofessional conduct; to wit: engaging in acts of dishonesty which relate to the practice of nursing; making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from 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 suspended with terms.
- Licensee: Karli G. Davis, RN 260393, Chattanooga
- Violation: Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; Is guilty of unprofessional conduct; 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; Engaging in acts of dishonesty which relate to the practice of nursing
- On or about May 11, 2023, the Wisconsin Board of Nursing ratified a Final Order in which Respondent's multistate privilege was reprimanded with a restriction and Respondent was ordered to complete Continuing Education credits and pay costs. The Final Order states that a hospital audit found that Respondent had unusually high and wasteful use of controlled substances, along with significant documentation gaps. Respondent's urine drug screen was negative, and diversion was not substantiated. On or about February 21, 2024, Respondent renewed her Tennessee R.N. license. Respondent did not report the discipline in Wisconsin on Respondent's application, nor did Respondent previously report the discipline to the Board when it occurred. On or about May 2, 2024, Respondent's multistate privilege was reinstated in Wisconsin, after Respondent completed the terms of the Wisconsin Final Order.

Action: Voluntary Surrender of TN license, within six (6) months of issuance of assessment of costs, pay costs not to exceed \$500, within six (6) months' pay civil penalties totaling \$1,000.

Licensee: Ashley Donaldson, RN 210942, Riceville

Violation: Is guilty of unprofessional conduct; Making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other workplace location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; Unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location.

Respondent was flagged by the Omnicell Dispensing Practice Report due to above average narcotic dispensing activity by Respondent for the period of November 16, 2022 – December 15, 2022. Tennova conducted an investigation of Respondent's medication administration from November 2022 through February 2023. Review of the data showed Respondent had dispensed more hydrocodone and oxycodone for her patients than any other nurse assigned to those patients. Tennova suspected Respondent of diverting opioids and making false entries to cover the diversion.

As allowed by law, Respondent requested TNPAP services on February 21, 2023. Respondent presented for a TNPAP evaluation on February 28, 2023. Respondent entered into a TNPAP monitoring agreement on March 29, 2023. Respondent has received TNPAP's advocacy for a return to practice.

Action: License suspended with terms; suspension stayed; license placed on probation for no less than three years to run concurrent with TNPAP monitoring

Licensee: Brittany M-C Dye, R.N. License No. 177357, A.P.R.N. Certificate No. 21574, Arlington

Violation: On October 20, 2022, the Texas Board of Nursing (Texas Board) ratified an Agreed Order for Eligibility and Discipline (Texas Order) related to licensee's application as an RN and as an APRN with prescriptive authority. The Texas Order included in its Findings of Fact that licensee falsified time in the payroll system during two (2) consecutive pay periods for days licensee did not work at UT Health. Additionally, on March 14, 2024, the California Board of Nursing ratified a Stipulated Settlement and Disciplinary Order for Public Reproval with the Decision and Order becoming effective on April 12, 2024, disciplining licensee's California RN license related to discipline by the Texas Order. 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.

Action: License and certificate reprimanded and costs.

Licensee: Latoya Enoch, LPN 82916, Paris

Violation: On January 11, 2024, Licensee submitted to a pre-employment urine drug screen ("UDS") for University of Tennessee Medical Center in Knoxville, Tennessee. Licensee's UDS was subsequently confirmed positive for marijuana. Guilty of unprofessional conduct; to wit: A healthcare practitioner violates the practitioner's practice act by ... testing positive for any drug on any government or private sector

preemployment ... confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug.

Action: License suspended with terms; suspension stayed; license placed on probation for three years; no TNAP monitoring recommended.

Licensee: Aleta Evans, RN 255205 LPN 85313, Knoxville

Violation: On October 15, 2023, Licensee reported for her 12-hour shift at Johnson City Medical Center. Licensee accepted the assignment but reported that she was unhappy with the floor assignment but would work the shift. Licensee left approximately an hour and twenty minutes into her shift without arranging for patient hand off or completing charting on Licensee's assigned patients. Guilty of unprofessional conduct; to wit failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; and abandoning or neglecting a patient requiring nursing care.

Action: Revocation of license, but the revocation is stayed, and license placed on probation for thirty-six (36) months; must obtain continuing education, must pass the Unprofessional Conduct portion of the EBAS; assessed civil penalties totaling five hundred dollars (\$500.00) and costs not to exceed five hundred dollars (\$500.00) from this action.

Licensee: Kelli B. Flatt, RN 226118, Dickson

Violation: Is guilty of unprofessional conduct; Failed to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; made false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the federal Controlled Substances Act; engaged in acts of dishonesty which relate to the practice of nursing. Respondent was employed as a registered nurse (RN) and assistant director of nursing in Murfreesboro, Tennessee. On or about October 8, 2023, staff witnessed Respondent put the Fiorinal controlled substance log in the shred bin and create a new log with fabricated dates and times. On or about October 27, 2023, following a facility investigation, Respondent resigned from employment after she admitted to falsifying the records within the Fiorinal controlled substance log.

Action: Revocation stayed, Probation for 24 months, within 8 months complete 4 additional CEs, within 8 months pass the EBAS fraud section. Within 8 months of issuance of assessment of costs, pay costs not to exceed \$800; within 8 months pay civil penalties totaling \$1,000.

Licensee: Stephanie Morgan Frye, LPN 260393, Thompson Station

Violation: Is unfit or incompetent by reason of negligence, habits or other cause; is guilty of unprofessional conduct; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; impersonated another licensed practitioner; failed to take appropriate action in safeguarding the patient from incompetent health care practices; performed nursing techniques or procedures without proper education and practice; engaged in acts of dishonesty which relate to the practice of nursing. Respondent has a PhD in Philosophy. Respondent's only health related license in the state of Tennessee is her

LPN license referenced in paragraph one above. Respondent is a Board-Certified Bariatric Counselor, researcher and owner, and sole employee at W.A.T.E.R. Bariatrics and Weightloss Research, PLLC (WATER). Respondent was granted a research license and a Drug Enforcement Administration (DEA) license for an approved research project focusing on the effects of phentermine. The research license and DEA license permitted Respondent to prescribe only phentermine and only per the approved study protocol.

On or about April 8, 2024, the DEA and Pharmacy Board investigators made an unannounced visit to WATER. During the visit, the investigators found:

- A. Respondent did not have her inventory and dispensing logs, controlled and non-controlled medications, injectables, or purchase orders on site.
- B. Respondent was unable to access the on-site safe.
- C. Respondent admitted to storing the phentermine and other medications at her home and not the WATER site.

Respondent admitted to running a weight loss clinic. Respondent prescribed phentermine outside the approved protocol, and prescribed, administered, and dispensed non-controlled medications and injectables to patients for weight loss.

Respondent voluntarily surrendered her research license and DEA license.

Respondent has held herself out to the public as a medical doctor and referred to herself as Stephanie D. Morgan Frye, MD. Respondent has used this title on medication purchase orders. Respondent used her title of Dr. Stephanie Morgan Frye in a misleading way that would confuse the public by using the title Dr. Stephanie Morgan Frye on the prescription labels and social media pages for WATER.

Action: Voluntary Surrender of TN license.

Licensee: Regina Gray, RN 86884, Humboldt

Violation: Respondent failed to disclose on a nursing license renewal application that Respondent pled guilty to a crime earlier that year; accordingly, Respondent: is guilty of unprofessional conduct.

Action: Probation of six (6) months; assessed civil penalty in the amount of \$500.00

Licensee: Sallie Guthrie, RN 133286, Knoxville

Violation: On October 27, 2023, while providing in-home care for a patient, Licensee practiced outside her scope by making a change to a patient's medication without obtaining orders or notifying any provider of the medication change. Licensee recorded in the patient's medical record that verbal orders had been given for the medication change when in fact, no such change in medication orders had been authorized. Licensee later stated that she had partial amnesia concerning the event due to recently been hospitalized for psychiatric treatment. Guilty of unprofessional conduct; to wit: A healthcare practitioner violates the practitioner's practice act by ... Failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; Making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; Practicing professional nursing in a manner inconsistent with T.C.A. § 63-7-103; and Engaging in acts of dishonesty which relate to the practice of nursing.

Action: License suspended with terms; suspension stayed if Licensee obtains a TNAP approved evaluation and receives a safe to practice recommendation; then, license

placed on probation for no less than three years or to run concurrent with TNPAP monitoring, whichever is longer.

Licensee: Shannon Hager, RN 191352, Memphis

Violation: While Respondent was employed as an RN at Stern Cardiovascular Center in Shelby County, Tennessee, consumed alcohol while on duty at Stern and was impaired on duty. Respondent refused a urine drug screen but admitted to the violation. Respondent states she has been in recovery from alcoholism since 2002, and this was a regrettable relapse. Accordingly, Respondent, Respondent refused to submit to a drug test; is guilty of unprofessional conduct; to wit, 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.

Action: License suspended, suspension eligible for stay and license placement on probation for no less than three (3) years to run concurrent with TNPAP monitoring agreement.

Licensee: Stoney Harmon, LPN 62267, McMinnville

Violation: Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; Is guilty of crime.

Action: Conditional reinstatement granted; License suspended with terms; assessed civil penalties in the amount of \$450.00

Licensee: Mitzi Henderlight, LPN 58925, Knoxville

Violation: In December 2022, Respondent requested the services of the Tennessee Professional Assistance Program (TNPAP) for substance abuse. At this time, Respondent was participating in an inpatient treatment program, which she left against medical advice. Despite being so enrolled, Respondent provided a negative response to a question on her renewal application that asked, "Are you currently participating in a supervised rehabilitation program or professional assistance program?" Guilty of fraud or deceit in procuring a license to practice nursing; Guilty of unprofessional conduct; to wit: engaging in acts of dishonesty which relate to the practice of nursing.

Action: License revoked; revocation immediately stayed and placed on probation upon receipt of safe-to-practice recommendation after TNPAP substance abuse evaluation, for no less than three (3) years to run concurrent with TNPAP participation; must pass the Fraud section of the EBAS exam; plus costs not to exceed \$20,000.00.

Licensee: Marcus Holcombe, LPN 93278, Jonesborough

Violation: Respondent had been disciplined several times and shown signs of substance abuse with his previous employer, who offered him placement in their treatment program. When he refused, they terminated him. In November 2022, Respondent was arrested after a brutal attack on his girlfriend, and he was charged with aggravated assault; she reported several prior incidents of physical abuse, as well as drug use and mental health issues. Guilty of a crime; Being unfit or incompetent by reason of negligence, habits or other cause; Guilty of unprofessional conduct.

Action: License revoked; revocation immediately stayed and placed on probation upon receipt of safe-to-practice recommendation after TNPAP substance abuse and anger management / mental health evaluation, for no less than three (3) years to run

concurrent with TNPAP participation; must take an additional ten (10) Continuing Education hours beyond those required for licensure on the topic of Ethics; must pass the Substance Abuse section of the EBAS exam; one (1) Type A civil penalty; plus costs not to exceed \$2,000.00.

Licensee: Deborah Hollowell, RN 84723, Memphis

Violation: A healthcare practitioner violates the practitioner's practice act by refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; 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; Is guilty of unprofessional conduct; 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; Engaging in acts of dishonesty which relate to the practice of nursing. In or about September 2023, Respondent's direct supervisor received an alert from the pharmacy regarding "above average" activity in the narcotic monitoring program, Anomalous, from Respondent.

Regional One Health conducted an investigation of Respondent and discovered several inconsistencies for Respondent in July, August, and September of 2023, such as failure to properly dispose of or return unused narcotics, accessing narcotics without an order, and discrepancies between dosages and orders of narcotics.

Respondent exhibited signs of impairment, such as dry mouth, glassy eyes, and frustration episodes. Regional One Health requested Respondent submit to an employer-requested urine drug screen (UDS).

On or about September 19, 2023, Respondent was suspended from Regional One Health pending the result of Respondent's employer-requested UDS.

On or about October 2, 2023, Respondent's UDS was confirmed positive for meperidine, hydrocodone, hydromorphone, and morphine. Respondent relayed to Regional One Health that Respondent only had a prescription for hydrocodone. Respondent's employment was subsequently terminated from Regional One Health.

Action: License suspended with terms

Licensee: Amy D. Howden, APRN 11910 RN 119738, Hendersonville

Violation: The State represents that, if a hearing were held in this matter, it is prepared to present evidence that Licensee diverted intravenous ("IV") controlled substances and an IV anesthetic used for procedural sedation, for personal use while working as a certified registered nurse anesthetist ("CRNA") at TriStar Centennial Medical Center in Nashville, Tennessee ("CMC"), TriStar Skyline Medical Center in Nashville, Tennessee ("SMC"), and TriStar Hendersonville Medical Center in Hendersonville, Tennessee ("HMC"). Licensee diverted the medications from her own patients as well as from patients of other CRNAs by falsely documenting waste of the medications in the patient's record. Licensee generally injected the diverted medications while off duty, but occasionally injected the medications while on duty as a CRNA at the three (3) hospitals. In total, Licensee diverted over two hundred ninety (290) vials of controlled substances from the three (3) hospitals. Licensee

entered and completed two (2) previous monitoring agreements with a peer assistance program. Licensee admittedly is addicted to alcohol and controlled substances. Addicted to alcohol or drugs to the degree of interfering with nursing duties; unfit or incompetent by reason of negligence, habits or other cause, guilty of unprofessional conduct; to wit, making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act, engaging in acts of dishonesty which relate to the practice of nursing; 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; and 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: APRN/CRNA certificate voluntarily surrendered, RN license suspended until receives a safe to practice recommendation. Then, suspension stayed if Licensee maintains TNPAP advocacy; then, license placed on probation for no less than five (5) years or to run concurrent with TNPAP monitoring, whichever is longer.

Licensee: Brittney Jenks, KY RN 11151292, Brandenburg KY

Violation: While Respondent, a Kentucky RN, was employed as an RN on contract at Tristar Southern Hills Medical Center in Nashville, Respondent's medication documentation practices were suspicious for diversion for injectable and tablet opioids. Respondent conducted null transactions to access and divert two oxycodone tablets. Accordingly, Respondent: is guilty of unprofessional conduct; to wit, making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location.

Action: Revocation of privilege to practice in Tennessee; civil penalties totaling seven thousand dollars (\$7,000.00); and costs not to exceed fifteen thousand dollars (\$15,000.00).

Licensee: Kay Snead Jones, RN 80297, Nashville

Violation: Is unfit or incompetent by reason of negligence, habits or other cause; Is guilty of unprofessional conduct; Impersonating another licensed practitioner; Performing nursing techniques or procedures without proper education and practice; Engaging in acts of dishonesty which relate to the practice of nursing.

From 2018 until 2023, Respondent ordered medications for her family without the prescriber's knowledge or permission. The medications included non-controlled substances such as anti-cholesterol medications, and controlled substances such as Klonopin. Respondent was interviewed by a Tennessee Department of Health investigator and provided a sworn statement. Respondent stated, "I regret my actions and take full responsibility."

Action: License revoked; revocation stayed, Probation for 36 months, within 6 months complete 20 additional CEs, within 12 months pass all sections of the EBAS, Within

12 months of issuance of assessment of costs, pay costs not to exceed \$2000; within 12 months pay civil penalties totaling \$2500.

Licensee: Ray Joyner, RN 75973, Soddy Daisy

Violation: On April 12, 2024, while employed as a nurse by the Chattanooga Pain Surgery Center (CPSC) in Hixson, Tennessee, Licensee confessed to taking at least thirty-six (36) vials of fentanyl during a routine audit. Licensee later admitted to diverting medication for years by falsifying medication counts. An investigation determined Licensee had diverted 296 vials of fentanyl. Unfit or incompetent by reason of negligence, habits or other cause; Addicted to alcohol or drugs to the degree of interfering with nursing duties; 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; Making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other workplace location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; and Engaging in acts of dishonesty which relate to the practice of nursing.

Action: Revocation and costs not to exceed one thousand dollars (\$1,000.00).

Licensee: Christopher Kidd, RN 204956, Memphis

Violation: 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; Is guilty of unprofessional conduct; A healthcare practitioner violates the practitioner's practice act by refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; Failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; 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; Engaging in acts of dishonesty which relate to the practice of nursing.

On or about January 3, 2024, a facility investigation revealed discrepancies by Respondent in the documentation of medication administration, wastage, and returns. The pharmacy suspended Respondent's access to controlled substances in the automated dispensing cabinets. Additionally, the St. Francis Hospital HR department collected a urine drug screen (UDS) and suspended Respondent pending the investigation. Subsequently, the pharmacy investigation determined that Respondent had diverted two hundred and sixty (260) hydrocodone/oxycodone tablets, and the UDS confirmed Respondent tested positive for oxycodone. On or about January 11, 2024, Respondent voluntarily signed termination papers and was dismissed from employment at St. Francis Hospital. On or about May 6, 2024, in an interview with a Tennessee Department of Health investigator, Respondent denied improper documentation of medication administration, asserting that he followed the

proper procedures when administering narcotics to patients. However, Respondent admitted to diverting narcotics intended for patients for his personal use three (3) to four (4) times per shift. Additionally, in a sworn statement, Respondent acknowledged substance abuse of narcotics stemming from issues in Respondent's personal life.

Action: License suspended, suspension stayed with conditions.

Licensee: Erin Kim, RN, APRN, APRN Cert. No. 28280, Orlando FL

Violation: Indictment of a state or federal offense that involves a controlled substance violation

Action: Automatic Restriction of Schedule II Prescriptive Authority in accordance with T.C.A. § 63-1-170

Licensee: Anita Darlene Langley, RN 200567, Newbern

Violation: Respondent had been employed for three years as an instructor in the LPN program at a nursing school in northwest Tennessee. Complaints were raised that Respondent was reducing the number of the students' clinical hours by dismissing the class early; showing favoritism; accepting gifts from students for her and her family; and retaliating against students who complained to school administration. To varying degrees, Respondent admitted, and the school acknowledged several of these allegations, and Respondent resigned from her teaching position. Guilty of unprofessional conduct.

Action: License revoked, but revocation immediately stayed and placed on probation for no less than twelve (12) months, with multistate privilege deactivated until probation complete, subject to timely completion of the following: must take an additional ten (10) Continuing Education hours beyond those required for licensure, with at least three (3) hours each in Ethics, Professionalism, and Boundaries; must pass the Professional Standards section of the Ethics and Boundaries Assessment Services exam; two (2) Type C civil penalties of \$250 each; plus costs not to exceed \$500.00.

Licensee: Brianne Loughrige, RN 261857, St. Louis MO

Violation: On October 3, 2023, the Missouri State Board of Nursing issued an Order against Licensee's privilege to practice in Missouri immediately suspending the multistate privilege to practice in Missouri due to testing positive for cocaine on an employer ordered drug screen. Testing positive for any drug on any government or private sector pre-employment or employer-ordered confirmed drug test; 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.

Action: Voluntary Surrender with the same effect as revocation and costs not to exceed one thousand dollars (\$1,000.00) from this action.

Licensee: Tamecea McClendon, LPN 87550, East Ridge

Violation: After becoming upset over scheduling, Respondent left the premises without telling any co-workers. Guilty of unprofessional conduct; to wit: abandoning or neglecting a patient requiring nursing care; and engaging in acts of dishonesty relating to practice of nursing.

- Action: License revoked; revocation stayed; license placed on probation for no less than 2 years; must obtain continuing education; assessed civil penalties in the amount of \$750.00; plus costs not to exceed \$3,000.00.
- Licensee: Christina Racheal North, LPN 88819, LaFollette
Violation: Respondent was working as a home health nurse when she charted a visit, including details of her interventions and the patient's vital signs, despite the patient being admitted to a hospital two days earlier. Respondent admitted to documenting a visit that did not occur. Guilty of unprofessional conduct, to wit: failing to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient; and engaging in acts of dishonesty which relate to the practice of nursing.
- Action: License revoked, and revocation immediately stayed and placed on probation for no less than twenty-four (24) months, with multistate privilege deactivated until probation complete; must take an additional five (5) Continuing Education hours beyond those required for licensure on the topic of Documentation; must take and pass the Fraud section of the EBAS exam; plus costs not to exceed \$2,000.00.
- Licensee: Heather Overall, MS LPN 318269, Mississippi
Violation: While Respondent was employed as the Director of Wellness of the Gardens of Germantown, a memory care facility in Germantown, Tennessee, Respondent failed to destroy a large quantity of discontinued legend and controlled medications and improperly stored them in unsecured locations around her office. Accordingly, Respondent is guilty of unprofessional conduct.
- Action: Voluntary surrender of privilege to practice in Tennessee; costs not to exceed one thousand five hundred (\$1500).
- Licensee: Tiffany M. Pendarvis, LPN 74732, Dickson
Violation: Is guilty of unprofessional conduct; 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 workplace location. From on or about July 18, 2023, until July 25, 2023, Respondent was employed as a practical nurse at AHC Waverly. On or about July 25, 2023, Respondent reported to work showing visible signs of impairment including slurred speech, dilated pupils, and oral secretions from her mouth. On or about July 25, 2023, AHC Waverly terminated Respondent's employment.
- Action: License suspended with terms.
- Licensee: Jacquelyn Pickell, RN 192089, Murfreesboro
Violation: On May 23, 2023, the Board ratified a Consent Order as a result of the Licensee failing to appear for scheduled patient visits and for submitting an inaccurate patient record regarding those missed visits. Licensee failed to comply with the terms of the consent order by not paying the civil penalties or costs but did complete all required continuing education. Guilty of unprofessional conduct; to wit: 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: Revocation of license, but the revocation is stayed, and license placed on probation for twelve (12) months and eight (8) days; Reassessed civil penalties and costs from the prior order, and additional civil penalties totaling \$200.00.

- Licensee: Elizabeth Rainwater, RN 138079, La Vergne
Violation: While Respondent was employed as an RN at NHC Healthcare Franklin, Respondent diverted hydrocodone from three (3) narcotic cards and disposed of the narcotic card count sheets in the shredder bin; accordingly, Respondent: is unfit or incompetent by reason of negligence, habits, or other cause; is guilty of unprofessional conduct; to wit, making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; 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 relate to the practice of nursing.
Action: License suspended, suspension eligible for stay and license placement on probation for no less than three (3) years to run concurrent with TNPAP monitoring agreement.
- Licensee: Jamie Ricker, LPN 67997, Greenville
Violation: While Respondent was employed as an LPN for Maxim Healthcare Services, Respondent was impaired on duty for a patient requiring extensive fulltime one-on-one care and agreed but failed to follow through with a for-cause urine drug screen requested by her employer; accordingly, Respondent refused a drug screen requested by her employer; is unfit or incompetent by reason of negligence, habits or other cause; is guilty of unprofessional conduct; to wit, being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment on duty in any health care facility, school, institution or other work place location.
Action: License suspended, suspension eligible for stay and license placement on probation for no less than three (3) years to run concurrent with TNPAP monitoring agreement; civil penalties totaling one thousand five hundred dollars (\$1500.00); and costs not to exceed fifteen thousand dollars (\$15,000.00).
- Licensee: Jacqueline Roberson, LPN 67526, Memphis
Violation: In June 2023, while employed as a practical nurse at Cordova Wellness and Rehabilitation Center in Cordova, Tennessee, Licensee was in possession of a patient's card when unauthorized purchases totaling more than three hundred seventy-seven dollars (\$377.00) were made. Licensee claimed patient gave her his debit card to purchase snacks for patient, but the failed to purchase the snacks and failed to return patient's debit card. Licensee further claimed Licensee's daughter used patient's debit card to make the unauthorized purchases believing it was Licensee's. Guilty of unprofessional conduct.
Action: Probation, "Unprofessional Conduct" examination of the Ethics and Boundaries Assessment Services, LLC (EBAS), and \$500.00 civil penalty.
- Licensee: Penny Louise Rogers, LPN 90977, Huntingdon
Violation: Is guilty of unprofessional conduct; 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. On or about February 8, 2023, the Board entered an Agreed Order regarding Respondent's L.P.N. license. The Agreed Order stated that Respondent had an inappropriate sexual relationship with an inmate at the Henderson County Criminal Justice Center where she worked. Respondent also had criminal convictions

related to the inappropriate sexual relationship. Respondent's license was placed on Probation. Respondent was required to complete five (5) Continuing Education hours and pass the unprofessional conduct and professional standards portions of the Ethics and Boundaries Assessment Services (EBAS) Essay Exam. Respondent was also required to pay civil penalties totaling one thousand dollars (\$1,000.00) and costs not to exceed two thousand dollars (\$2,000.00). Respondent has failed to comply with the terms of the Agreed Order by not completing and passing the required sections of the EBAS exam within the required time or completing the required continuing education hours. Respondent is in violation of the Board Agreed Order. As of the date of this filing, Respondent has not completed 0.5 hours of continuing education hours and the unprofessional conduct, and professional standards portions of the Ethics and Boundaries Assessment Services (EBAS) Essay Exam.

Action: Voluntary Surrender of TN license; Before Respondent can apply to get back her TN license, she must pay costs not to exceed \$1500

Licensee: Lydia K. Scoggins RN License No. 235611, Cleveland

Violation: The State represents that, if a hearing were held in this matter, it is prepared to present evidence that on January 15, 2023, Licensee presented to an emergency department ("ED") as a patient and Licensee's treating provider noted in her medical record that Licensee had been prescribed a total of three hundred (300) hydrocodone within the previous two (2) months, with different providers. The State represents that, if a hearing were held in this matter, it is prepared to present evidence that on March 15, 2023, Licensee presented to an ED as a patient. Licensee's treating provider noted in her medical record that Licensee was seeking controlled substances. Additionally, that Licensee was extremely manipulative and had someone call the hospital operator impersonating an ED physician to the nocturnist hospitalist on-call to order intravenous ("IV") hydromorphone ("Dilaudid") and other pain medications for herself. Testing for Licensee's medical complaints failed to yield any diagnostic findings. When an ED physician refused to enter an order for IV pain medication when there was no indication for it, Licensee expressed her desire to be discharged. On June 1, 2023, Licensee presented to an ED as a patient. Licensee requested pain medication upon initial assessment but was advised pain medication would not be ordered until labs were collected. A CT was ordered, and the results were unremarkable and was without acute findings. Licensee was ultimately discharged without receiving narcotics. The State represents that, if a hearing were held in this matter, it is prepared to present evidence that on June 25, 2023, Licensee presented to an ED as a patient. After Licensee had interactions with two (2) other ED patients during which time she claimed to be and believed she was on duty at the ED as a nurse, security searched Licensee's bag and discovered syringes and two (2) bloody saline flushes. On April 6, 2024, Licensee was evaluated by a Tennessee Professional Assistance Program ("TNPAP") approved evaluator. Subsequently, on May 10, 2024, Licensee entered a monitoring agreement with TNPAP. The Evaluator deemed Licensee unsafe to practice at this time and opined that Licensee needed a recommendation from a psychologist, a therapist, and twelve (12) months of negative drug screens before she should be allowed to practice under the advocacy of TNPAP. Unfit or incompetent by reason of negligence, habits or other cause, guilty of unprofessional conduct; to wit, impersonating another licensed provider, and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License suspended until receives a safe to practice recommendation. Then, suspension stayed if Licensee maintains TNPAAP advocacy; then, license placed on probation for no less than three (3) years or to run concurrent with TNPAAP monitoring, whichever is longer.

Licensee: Andrea Gail Scribner, LPN 90712, Murfreesboro

Violation: Respondent agreed to a prior Consent Order in May 2023 with the Board of Nursing, arising from an incident where an infant almost coded. The agreed-upon discipline consisted of twelve (12) months of probation, additional Continuing Education hours, completion of a comprehensive in-person, hands-on pediatric CPR course, and payment of the costs of investigation and enforcement. Respondent completed the CE hours several months late, but never paid the costs nor took or completed the CPR course. A hearing was held fourteen (14) months after the prior Consent Order, and Respondent was found to have violated a valid Board Order. Violating, directly or indirectly, any lawful Board order.

Action: License revoked; plus costs not to exceed \$2,000.00.

Licensee: Teresa Joyce Shannon, LPN 79192, Springfield

Violation: Is guilty of unprofessional conduct; 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. On or about May 23, 2023, the Board ratified an Agreed Order regarding Respondent's L.P.N. license. The Agreed Order stated that on June 2, 2022, Respondent left work at Franklin Wellness and Rehabilitation four (4) hours into a twelve (12) hour shift without reporting to another nurse before leaving. Respondent's license was placed on Probation. Respondent was required to complete five (5) Continuing Education hours and pass the unprofessional conduct and professional standards portions of the Ethics and Boundaries Assessment Services (EBAS) Essay Exam. Respondent was also required to pay civil penalties totaling two hundred and fifty dollars (\$250.00) and costs not to exceed two hundred and fifty dollars (\$250.00).

Respondent has completed all elements of her previous Board Order except passing the EBAS professional standards section. Respondent has attempted the EBAS professional standards section two times and has scored close to passing but has not succeeded. The matter was discussed with a Board consultant to find an alternative to requiring Respondent to continue to retake the EBAS section or surrender her license. It was decided that Respondent can substitute the EBAS section for thirty-one and eight-tenths hours (31.8 hrs.) new CE hours.

Action: License revoked; revocation stayed; license placed on probation for not less than 12 months, within 6 months complete 31.8 additional CEs, Within 12 months of issuance of assessment of costs, pay costs not to exceed \$500; within 6 months pay civil penalties totaling \$100.

Licensee: David M. Slaughter, APRN 9866 RN 94836, Brentwood

Violation: In or about August 2017, while employed as a certified registered nurse anesthetist ("CRNA") by U.S. Anesthesia Partners ("USAP"), Licensee admitted to diverting fentanyl and hydromorphone for personal use from Williamson Medical Center, in Franklin, Tennessee which was contracted with USAP. Licensee subsequently took a leave of absence and participated in a peer assistance monitoring agreement from November 2017 through November 2022. On March 11, 2024, USAP requested Licensee submit to a random urine drug screen. After two (2) separate

attempts, Licensee was unable to provide a sufficient urine sample. Licensee subsequently called in sick the next three (3) days. USAP requested Licensee submit to a hair follicle drug test upon Licensee's return to duty. Licensee refused to submit to the hair follicle drug test and resigned from USAP, effective immediately. A healthcare practitioner violates the practitioner's practice act by refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; 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; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License and certificate suspended with terms; suspension stayed if Licensee obtains and maintains TNPAP advocacy; then, license and certificate placed on probation for no less than three (3) years or to run concurrent with TNPAP monitoring, whichever is longer.

Licensee: Melissa N. Taylor, LPN 88813, Greeneville

Violation: On January 8, 2024, the North Dakota Board of Nursing entered an Order requiring Respondent to cease and desist the practice of nursing in North Dakota and revoking her multi state privilege to practice in North Dakota. Respondent failed to measure and document a resident's wound, dressed a wound with a dressing that was different from what was ordered, failed to obtain a second signature on the narcotic log when a narcotic was discontinued, failed to input narcotics into the narcotic log until the day after receiving them from the pharmacy, and documented the administration of narcotics that had not actually been administered. Unprofessional conduct, unfitness, or incompetency by reason of negligence, habits, or other cause, including revocation, suspension, probation, or other discipline of a license to practice nursing by another state for any act or omission which would constitute grounds for discipline in Tennessee.

Action: License suspended and multistate privilege deactivated. If Respondent complies with Tennessee Professional Assistance Program (TNPAP) monitoring, suspension stayed and license on probation during TNPAP monitoring, three-year minimum. Respondent to complete ten (10) hours of online wound-care continuing education.

Licensee: Kara Thomas Moore, RN applicant, Memphis

Violation: Applicant failed to renew her South Carolina license when it expired on April 30, 2022, nor did she apply for Tennessee licensure by endorsement. Instead, she continued to work at CCHS until June 5, 2024, when she was notified by the Board's administrative office that Applicant must stop working until such time as her application for endorsement was approved and ratified by the Board. Applicant practiced as an APRN in Tennessee for a little more than 25 months without an RN license or RN multistate privilege. The purpose of this chapter is to safeguard life and health by requiring each person who is practicing or is offering to practice nursing to submit evidence that the person is qualified to practice and to be licensed as provided in this chapter..., practice nursing as defined by this chapter unless duly licensed to do so under the provisions of this chapter, any person who holds a license to practice practical nursing under this chapter shall, during the effective period of such license, be entitled to use the title "nurse," "registered nurse" or the abbreviation "R.N." No other person shall assume such titles or use such abbreviation or any other words, letters or signs to indicate that the person using

- the same is a professional or registered nurse and has violated ... any provision of this chapter.
- Action: Application for license granted, once assessed civil penalties, totaling one thousand five hundred dollars (\$1,500.00) are paid.
- Licensee: Carrie Thomas, RN 137184, Chattanooga
- Violation: The Georgia Board of Nursing ratified a consent order revoking Respondent's privilege to practice in Georgia after Respondent's urine drug screen was confirmed positive for hydrocodone and opiates while practicing in Georgia on her multistate privilege pursuant to her Tennessee RN license; accordingly, Respondent: Is 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.
- Action: License suspended; suspension stayed; license placed on probation for no less than five years to run concurrent with TNPA.
- Licensee: Kimberly Thornton, RN 120681, Arlington
- Violation: Violating patient confidentiality and falsifying documentation of patient care, constituting unprofessional conduct, unfitness, or incompetency by reason of negligence, habits, or other cause.
- Action: Respondent's license revoked and multistate privilege deactivated; revocation will be stayed and license placed on probation for two (2) years. Respondent must: pay five Type A Civil Penalties of \$500.00 each within 24 months; complete fifteen (15) additional hours continuing education in professional ethics within three months; and pass the Professional Standards section of the Ethics and Boundaries Assessment Services (EBAS) exam within six months.
- Licensee: Donella Marie Tolbert, TX LPN 164342, Spring TX
- Violation: While working as an LPN for Erlanger ContinuCare Home Health in Chattanooga, Tennessee, on the multistate privilege afforded to Respondent by her Texas nursing license, Respondent falsified a home health visit. Accordingly, Respondent is guilty of unprofessional conduct, to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care.
- Action: Voluntary surrender of privilege to practice in Tennessee; costs not to exceed five hundred dollars (\$500.00).
- Licensee: Sharon Tucker, RN 256328, Memphis
- Violation: Respondent withdrew but failed to document or otherwise account for approx. 10 narcotics between April and July 2023. Respondent documented administering controlled medication to several patients who were prescribed the controlled medication 'as needed' when those patients had not needed the controlled medication in the days leading or following Respondent's withdrawal. Respondent withdrew and failed to document or otherwise account for a collection of legend drugs and non-controlled medication during that time as well. For some of these transactions, Respondent documented that the patient refused or was unavailable for the medication; however, Respondent failed to document whether Respondent wasted or returned the medication. Respondent failed to document administering a controlled substance for more than an hour and withdrew 5mg but documented

administered 10mg of a narcotic. Respondent documented withdrawing controlled and noncontrolled substances that another nurse documented administering; accordingly, Respondent: is unfit or incompetent by reason of negligence, habits, or other cause; and is guilty of unprofessional conduct; to wit, failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; (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 with terms; must obtaining continuing education hours

Licensee: Benjamin David Vander Ploeg, IA RN 163887

Violation: Suspected of diversion, Respondent submitted to a UDS which tested positive for cannabinoids and tetrahydrocannabinol metabolites. Testing positive for any drug on an employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; making false or materially incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility, school, institution or other work place location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act, unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location.

Action: Voluntary surrender of privilege to practice nursing in the State of Tennessee; must cease and desist practice of nursing in the State of Tennessee.

Licensee: Tonya Wall, LPN 45872, Clarksville

Action: License suspended and multistate privilege deactivated. If Respondent complies with Tennessee Professional Assistance Program (TNPAP) monitoring, suspension stayed and license placed on probation for the duration of TNPAP monitoring, but not less than three (3) years.

Licensee: Jennifer Warmingham, RN 228239, Fayetteville

Violation: Respondent previously owned and operated J. Lynn Skin & Medical Aesthetics a medical spa in Fayetteville. Respondent operated J. Lynn Skin on a lapsed med spa registration for five months. When an inspector appeared, Respondent did not have written medical protocols onsite for review. When found, the medical protocols were not sufficient. J. Lynn Skin's signage was inadequate pursuant to statute. An Alabama certified registered nurse practitioner, single state licensee practiced without a Tennessee license at J. Lynn Skin just before the CRNP was issued a Tennessee license; accordingly, Respondent is guilty of unprofessional conduct; to wit, aiding, abetting, assisting, or hiring an individual to violate or circumvent any law or duly promulgated rule intended to guide the conduct of a nurse or any other licensed health care provider; practicing professional nursing in a manner inconsistent with T.C.A. 63-7-103; R.N.s who manage the medical aspects of a patient's care must have written medical protocols, jointly developed by the nurse and the sponsoring physician(s).

Action: Probation of license for nine (9) months; civil penalties totaling two thousand five hundred and fifty dollars (\$2,550.00); and costs not to exceed one thousand two hundred and fifty dollars (\$1,250.00).

Licensee: Shannel Washington, RN 257575, Smyrna
Violation: On August 21, 2023, Licensee admitted to being guilty of the crime of possession of marijuana, in the Circuit Court of Warren County Indiana. Guilty of unprofessional conduct; to wit: Guilty of a crime.

Action: License suspended with terms; suspension stayed if Licensee obtains a TNAP approved evaluation and receives a safe to practice recommendation; then, license placed on probation for no less than three years or to run concurrent with TNAP monitoring, whichever is longer.

Licensee: Katherine Weaver, RN 208991, Gallatin
Violation: Practicing nursing and using the title "nurse," "registered nurse" or the abbreviation "R.N." without an active Tennessee registered nurse license or multistate privilege to practice nursing in Tennessee.

Action: Application for reinstatement granted once assessed civil penalties, totaling one thousand dollars (\$1,000.00), are paid.

Licensee: Shelby Katherine White, RN 220371, Paris
Violation: On October 17, 2022, Licensee submitted to a pre-employment urine drug screen ("UDS") for Heritage Medical Associates in Knoxville, Tennessee. Licensee's UDS was subsequently confirmed positive for marijuana. Guilty of unprofessional conduct; to wit: A healthcare practitioner violates the practitioner's practice act by testing positive for any drug on any government or private sector preemployment confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug.

Action: License suspended with terms; plus costs not to exceed \$1,000.00.

Licensee: Shari Ervin, LPN 51285 reinstatement Applicant, Millington
Violation: Practiced nursing in Tennessee for over 4 years without an active license.
Action: LPN Reinstatement application denied

Licensee: Charla Nicole Williams, LPN 47558, Franklin
Violation: Is guilty of a crime; Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; Is guilty of unprofessional conduct; Engaging in acts of dishonesty which relate to the practice of nursing.

On November 29, 2019, Respondent was arrested by the Walton County Sheriff's Department in Santa Rosa Beach, Florida and charged with DRIVING UNDER THE INFLUENCE (DUI), FAILURE TO MAINTAIN SINGLE LANE, and OPEN CONTAINER. On March 17, 2020, Respondent pled "No Contest" to DUI, FAILURE TO MAINTAIN SINGLE LANE, and OPEN CONTAINER in connection with Respondent's November 29, 2019 arrest. The Walton County Court (Court) found Respondent guilty of DUI and the Court dismissed the FAILURE TO MAINTAIN SINGLE LANE and OPEN CONTAINER charges.

Following Respondent's March 17, 2020, DUI conviction, Respondent was sentenced to pay fines/costs, perform fifty (50) hours of community service, be placed on probation for eleven (11) months and twenty-nine (29) days, complete DUI school, have driver's license revoked/suspended for six (6) months, and

granted temporary driver's permit. On March 19, 2021, Respondent pled "No Contest" and was convicted of VIOLATION OF PROBATION in Walton County Court, Florida. On July 17, 2020, Respondent submitted her renewal application and answered "NO" to the question, "I have been convicted of a crime and I have not previously notified the Board of the Conviction." On April 18, 2022, Respondent submitted her renewal application and answered "NO" to the question, "I have been convicted of a crime and I have not previously notified the Board of the Conviction."

Action: Probation for no less than twelve months; assessed civil penalties in the amount of \$750.00; plus costs not to exceed \$200.00.

BOARD OF NURSING HOME ADMINISTRATORS

Licensee: Natalie Berkley, NHA 2484, Memphis

Violation: While licensee was the nursing home administrator at a long-term care facility, licensee failed to ensure the facility properly followed the Plan of Correction and licensee failed to provide sufficient oversight to protect residents with elopement behaviors. The license and/or registration of any person practicing or offering to practice nursing home administration or the license of a nursing home administrator holding a provisional license may be revoked or suspended, or the licensee be disciplined in accordance with this section upon decision and after due hearing by the board in any of the following cases: Upon proof that the licensee has willfully or repeatedly violated this chapter or the rules or regulations promulgated in accordance therewith; or willfully or repeatedly acted in a manner inconsistent with the health and safety of the patients in the home in which the licensee is the administrator.

Action: License Reprimand; assessed a civil penalty of one thousand dollars (\$1,000). Licensee must complete six (6) hours of Board approved continuing education concerning safe environment of care and/or elopement.

BOARD OF OCCUPATIONAL THERAPY

Licensee: Kristin Ciorra, OT 7012, Franklin

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$800.00

Licensee: Jacquelyn Sexton, OTA 2013, Oneida

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: Benjamin P. Wright, OT 4144, Morristown

Violation: On or around January 5, 2023, Respondent was on duty working for Interim Health Care when he arrived at the home of a patient impaired. When the sheriff arrived, he found a prescription bottle belonging a patient, that had previously been reported missing, in the Respondent's vehicle. The medication was identified as Acetaminophen and Hydrocodone Bitartrate 325 mg/10 mg. Following successful completion of inpatient treatment, Respondent entered into a Tennessee Professional Assistance Program monitoring agreement on May 7, 2024. Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, controlled substance analogues or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice;

Engaging in practice when mentally or physically unable to safely do so; and violating the code of ethics adopted by the board

Action: Respondent's license was placed on probation for five years, and he was required to maintain TNPAP advocacy while his license is on probation. Respondent was assessed a \$1,000 civil penalty and costs.

BOARD OF OSTEOPATHIC EXAMINATION

Licensee: Shawn Stachler, DO 3419, Cookeville

Violation: On October 18, 2023, Respondent was scheduled to perform four surgeries. Prior to any hands-on patient care, an alcohol test confirmed a blood alcohol limit above the legal limit for driving. Respondent completed an inpatient program on January 18, 2024, and was deemed fit to practice. Unprofessional, dishonorable, or unethical conduct; Habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, controlled substance analogues or other drugs or stimulants in such manner as to adversely affect the person's ability to practice medicine.

Action: The Respondent's license was placed on probation until at least January 19, 2029. The Respondent was required to maintain the Tennessee Medical Foundation's advocacy, pay a \$1,000 civil penalty and costs. The Respondent was also restricted from collaborating with mid-level practitioners.

Licensee: Jeffrey Taylor, DO 5674, Nashville

Violation: Self-reported substance abuse

Action: Conditional license issued contingent upon extending TMF-PHP monitoring agreement for an additional five years and conditioned upon maintaining TMF-PHP advocacy for the remainder of your TMF-PHP monitoring agreement.

BOARD OF PHARMACY

Licensee: Apotheco Pharmacy Nashville, Pharmacy Lic. No. 6661, Nashville

Violation: Licensee, a Pharmacy, failed to have a pharmacist-in-charge at their pharmacy practice site for one (1) month and failed to conduct a controlled substance inventory. The licensee failed to immediately notify the Board's administrative staff of the change in pharmacist-in-charge. Licensee failed to comply with a lawful order or duly promulgated rule of the board. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge). Except in case of death or incapacity, the outgoing pharmacist in charge shall, prior to departure, conduct with the successor pharmacist in charge a joint inventory of all controlled substances. In case of failure of the outgoing pharmacist in charge to comply with this requirement, the successor pharmacist in charge shall conduct such inventory alone. In the event of death of a pharmacist in charge, the successor pharmacist in charge shall, immediately upon assuming the appointment as pharmacist in charge, conduct an inventory of all controlled substances. In the event of disability for a period exceeding thirty (30) days of a pharmacist in charge, the successor pharmacist in charge (temporary or permanent) shall conduct an inventory of all controlled substances. Should the disabled pharmacist in charge return, the disabled pharmacist in charge and successor pharmacist in charge shall immediately conduct a joint inventory of all controlled substances. A record of any inventory

required by this rule shall be signed by the pharmacist(s) in charge conducting it and maintained at the pharmacy practice site with other controlled substance records for at least two (2) years. The inventory record shall indicate: The name and address of the pharmacy practice site, The name, strength, dosage form, and quantity of each controlled substance on hand, The date of inventory; and whether the inventory was taken as of the opening or close of business on that date.

Action: Licensee's license has been Reprimanded and Licensee has been assessed a Civil Penalty of six hundred and fifty dollars (\$650).

Licensee: Michael Blahut, Pharmacy Technician 82606, Knoxville

Violation: Licensee diverted drug products including Adderall, Gabapentin, Hydrocodone, and Oxycodone.

Action: Licensee voluntarily surrendered his Pharmacy Technician license, which shall have the same practical effect and be reported as a revocation.

Licensee: CVS PHARMACY #4479, Pharmacy Lic. #3240 Crossville

Violation: Failure to notify the Board of a change in the pharmacist in charge. Failed to comply with a lawful order or duly promulgated rule of the board. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to T.C.A. § 63-10-506 to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge) [.]

Action: Licensee assessed a civil penalty of \$3,500.00.

Licensee: CVS PHARMACY #6143, Pharmacy Lic. #469, Columbia

Violation: After dispensing incorrect medication to a patient, the licensee failed to retrieve the information concerning the transaction and they failed to have the information concerning the transaction readily available when requested by Board investigators. Failed to comply with a lawful order or duly promulgated rule of the board. Each medical and prescription order when dispensed shall be serially numbered, filed numerically and maintained so as to be readily retrievable at the pharmacy practice site for at least two (2) years from the date the medical and prescription order was last dispensed. Institutional pharmacies shall not be required to serially number medical and prescription orders dispensed for administration to inpatients of that institution. A pharmacist upon refilling a medical or prescription order shall enter on the back of that medical or prescription order: the date such medical or prescription order was refilled, the pharmacist's initials, and the amount of any product dispensed on such refill. If the pharmacist merely initials and dates the back of the medical or prescription order the pharmacist shall be deemed to have dispensed a refill for the full-face amount of the medical or prescription order. As an alternative to recording refill information on the back of medical and prescription orders, an automated data processing system may be used for the storage and retrieval of refill information for medical and prescription orders, subject to the following conditions: Any such computerized system must provide on-line retrieval (via CRT display or hard-copy printout) of the original medical or prescription order information and the complete refill history of all medical and prescription orders which are currently authorized for refilling. This shall include all the information contained in and required to be entered on each such medical or prescription order. This data must include at least the medical or prescription order serial number; date of issuance of the medical or prescription order; patient's name (and address on controlled substance medical and prescription orders); prescriber's name (and address and DEA registration number

on controlled substance medical and prescription orders); product name, strength, dosage form, and quantity prescribed; directions for use, and labeling instructions; refill instructions; and the date of dispensing, quantity dispensed, and identity (name, initials, or identification code) of the dispensing pharmacist for the original dispensing and each refill. Each individual pharmacist using a computerized system in the refilling of a medical or prescription order shall certify that the information entered into the computer for such a refill is correct by verifying, dating, and signing a hard-copy printout of each day's medical or prescription order refill data, or in lieu of such a printout, by signing a statement in a book or file each day attesting that the refill information entered that day has been reviewed by the pharmacist and is correct as shown. Such documentation shall be separately maintained at the pharmacy practice site for at least two (2) years from the date of the last dispensing. No pharmacist, or pharmacy intern or pharmacy technician under the supervision of a pharmacist, shall compound or dispense any medical or prescription order except upon the following conditions: All medical and prescription orders shall be compounded and dispensed in strict conformity with any directions of the prescriber. Nothing in this rule shall prohibit a pharmacist from substituting a therapeutically equivalent prescription drug or device or related material containing the same active ingredient or ingredients, dosage form and strength.

Action: Licensee assessed a civil penalty of \$1,000.00.

Licensee: Joshua Harrison D.Ph., 34216, Johnson City

Violation: Licensee worked for about two (2) months as a Pharmacist-In-Charge while Licensee's license to practice as a pharmacist was expired. Licensee failed to comply with a lawful order or duly promulgated rule of the board. Except as otherwise provided in parts 2-7 of this chapter, it is unlawful for a person to engage in the practice of pharmacy unless the person is licensed or otherwise authorized to practice under parts 2-7 of this chapter.

Action: License is assessed a civil penalty of one thousand dollars (\$1,000).

Licensee: Andrew Kenneth Hicks, Pharmacist Lic. #39576, Nashville

Violation: Multiple practice site and sterile compounding violations; Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy; Exhibited an incapacity of a nature that prevents a pharmacist from engaging in the practice of pharmacy with reasonable skill, confidence, and safety to the public; Been guilty of dishonorable, immoral, unethical, or unprofessional conduct; Failed to comply with a lawful order or duly promulgated rule of the board; A pharmacist shall conspicuously display the pharmacist's license and certificate of registration at the pharmacist's primary practice site, unless it is an institutional pharmacy practice site, in which case, the pharmacist's license and certificate of registration shall be maintained at the site.

All sterile products shall be prepared in compliance with applicable USP standards for pharmaceutical compounding. Noncompliance by a licensee with applicable standards and guidelines, or any other violation of the provisions of this rule shall be considered unprofessional conduct within the meaning of T.C.A. 63-10-305 and a violation of a duly promulgated rule of the Board of Pharmacy. Any licensed pharmacy which compounds and dispenses sterile products shall provide at a minimum upon request of the Board of Pharmacy the following information for any sterile drug product compounded, dispensed, traded, sold, or otherwise distributed: Name, strength, and dosage form; Quantity compounded, dispensed, traded, sold, or otherwise distributed during the preceding quarterly period; All components and an

accurate statement of the weight or measure of each component; The beyond-use date; Storage requirements; Labels and labeling with appropriate beyond-use date and instructions for storage and use. Any licensed pharmacy which compounds and dispenses sterile products must ensure that the following information is on file at the practice site and readily accessible for sterile products: Documentation of the name and strength of all drug products compounded over the past two (2) years; The sources and lot numbers of the components used in those drug products; The total number of dosage units compounded over the past two (2) years; The name of the person who prepared the drug product; The name of the pharmacist who approved the drug product; The name of the practitioner or the name of the patient or healthcare entity who received the compounded drug product; The results of any sampling, testing or other quantitative evaluation conducted for the purposes of quality control for any sterile compounded products, as defined by chapter 1140-01, compounded over the past two (2) years. A policy and procedure manual related to sterile product compounding shall be available for inspection at the pharmacy practice site. The manual shall include policies and procedures for sterile compounding pursuant to USP standards, and shall, at a minimum, include: Dispensing of sterile products; Record keeping; Quality assurance; Quality control; The pharmacist in charge or pharmacist designee shall be responsible for, at a minimum, the following: Procurement, storage, compounding, labeling, repackaging, dispensing, and distribution of all prescription drugs and devices and related materials necessary in compounding and dispensing sterile products; Establishment of policies and procedures for the compounding and dispensing of sterile products; Documentation of competency in aseptic techniques of all pharmacists, pharmacy interns and pharmacy technicians. The aseptic technique of each person compounding and dispensing sterile products shall be observed and evaluated as satisfactory during orientation and training and at least on an annual basis or whenever unacceptable techniques are observed or detected; Establishment of a quality assurance program; Reviewing and updating annually all policies and procedures; and Provision of sterile products on a twenty-four (24) hour a day basis. All pharmacists, pharmacy interns and pharmacy technicians as defined in 1140-2-.02 responsible for compounding or dispensing sterile products shall: Obtain practical and/or academic training in the compounding and dispensing of sterile products; Complete annual continuing education related to sterile product compounding and dispensing and utilization; and maintain, in the pharmacy practice site, documentation of completion of the required training and continuing education. Use proper aseptic technique in all sterile product compounding as defined by the pharmacy practice site's policies and procedures. The pharmacist in charge shall be assisted by such additional pharmacists, pharmacy interns, pharmacy technicians as defined by 1140-2-.02 and supportive personnel necessary to operate the pharmacy practice site competently and safely and to provide services in a timely and appropriate manner. All pharmacists, pharmacy interns and pharmacy technicians must be qualified through an appropriate combination of specific training and experience to operate or manipulate any item of equipment, apparatus, or device to which such pharmacists, interns and technicians will be assigned to use to compound and dispense sterile products. A written record of initial and subsequent training and competency evaluations shall be maintained in the pharmacy practice site and contain the following information: Name of the person receiving the training or evaluation; Date(s) of the training or evaluation; General description of the topics covered; and Signature of the person receiving the training or evaluation and the pharmacist in charge or pharmacist designee of the pharmacist in charge. There shall be a documented, ongoing quality assurance program that

monitors process validation; pharmacist(s), pharmacy intern(s), and pharmacy technician(s) performance; equipment; and environment. The program shall be designed to assure that the pharmacy practice site is capable of consistently compounding quality sterile products. All quality assurance programs shall follow applicable USP standards. As part of its quality assurance program, any licensed facility which engages in sterile compounding shall perform a gap analysis pursuant to guidelines adopted by the Board of Pharmacy. Any exceptions or serious deficiencies noted in this analysis shall be reported to the Board of Pharmacy. Any person acting as a pharmacy technician shall register with the Board by submitting a complete application on a form prescribed by the Board accompanied by the following: An affidavit signed by both the applicant and employer attesting that the applicant has read and understands the laws and rules relative to pharmacy technicians and the practice of pharmacy in Tennessee. (A copy of this affidavit shall be retained at the applicant's place of employment); A pharmacist and pharmacy intern shall wear appropriate identification showing name and appropriate title. A regulated seller must submit to the Administration the self-certification referred to in §1314.35(a) in order to sell any scheduled listed chemical product. The certification is not effective for purposes of this section unless, in addition to provisions regarding the training of individuals referred to in §1314.35(a), the certification includes a statement that the regulated seller understands each of the requirements that apply under this part and agrees to comply with the requirements. When a regulated seller files the initial self-certification, the Administration will assign the regulated seller to one of twelve groups. The expiration date of the self-certification for all regulated sellers in any group will be the last day of the month designated for that group. In assigning a regulated seller to a group, the Administration may select a group with an expiration date that is not less than 12 months or more than 23 months from the date of the self-certification; After the initial certification period, the regulated seller must update the self-certifications annually. The regulated seller must provide a separate certification for each place of business at which the regulated seller sells scheduled listed chemical products at retail. Each person registered or authorized (by §§ 1301.13(e), 1307.11, 1307.13, or part 1317 of this chapter) to manufacture, distribute, dispense, import, export, reverse distribute, destroy, conduct research with controlled substances, or collect controlled substances from ultimate users, shall maintain records with the information listed in paragraphs (a) through (f) of this section. Records for importers and exporters. Each person registered or authorized to import or export controlled substances shall maintain records with the same information required of manufacturers pursuant to paragraphs (a)(2) (i), (iv), (v) and (vii) of this section. In addition, the quantity disposed of in any other manner by the registrant (except quantities used in manufacturing by an importer under a registration as a manufacturer), which quantities are to be recorded pursuant to paragraphs (a)(1) (iv) and (v) of this section; and the quantity (or number of units or volume in finished form) exported, including the date, quantity (or number of units or volume), and the export permit or declaration number for each exportation, but excluding all quantities (and number of units and volumes) manufactured by an exporter under a registration as a manufacturer, which quantities (and numbers of units and volumes) are to be recorded pursuant to paragraphs (a)(1)(xiii) or (a)(2)(xiii) of this section; A license to operate a new or remodeled pharmacy practice site, or an existing pharmacy practice site which changes location or ownership, will not be issued unless the pharmacy practice site meets the following standards. The pharmacy practice site and equipment therein shall be maintained in a clean, sanitary, orderly and well-lighted condition, and all persons working in the pharmacy

practice site shall be required to keep themselves and their apparel in a clean and sanitary condition; The owner or pharmacist in charge of a pharmacist practice site shall immediately return or destroy all outdated, defective, or deteriorated prescription drugs and devices and related materials; except that the destruction of controlled substances listed in any schedule shall be performed by a Board approved agent or vendor. Upon request, the Board may waive selected portions of these requirements so long as any waiver granted is consistent with the Board's authority under Tenn. Code Ann. Title 63, Chapter 1 and 10, and Tenn. Code Ann. Title 4, Chapter 5; A pharmacist upon refilling a medical or prescription order shall enter on the back of that medical or prescription order: the date such medical or prescription order was refilled, the pharmacist's initials, and the amount of any product dispensed on such refill. If the pharmacist merely initials and dates the back of the medical or prescription order the pharmacist shall be deemed to have dispensed a refill for the full-face amount of the medical or prescription order. As an alternative to recording refill information on the back of medical and prescription orders, an automated data processing system may be used for the storage and retrieval of refill information for medical and prescription orders, subject to the following conditions: Each individual pharmacist using a computerized system in the refilling of a medical or prescription order shall certify that the information entered into the computer for such a refill is correct by verifying, dating, and signing a hard-copy printout of each day's medical or prescription order refill data, or in lieu of such a printout, by signing a statement in a book or file each day attesting that the refill information entered that day has been reviewed by the pharmacist and is correct as shown. Such documentation shall be separately maintained at the pharmacy practice site for at least two (2) years from the date of the last dispensing; Each registered manufacturer, distributor, importer, exporter, mobile narcotic treatment program, narcotic treatment program and compounder for narcotic treatment program shall maintain inventories and records of controlled substances as follows: Inventories and records of controlled substances listed in Schedules I and II shall be maintained separately from all of the records of the registrant; and Inventories and records of controlled substances listed in Schedules III, IV, and V shall be maintained either separately from all other records of the registrant or in such form that the information required is readily retrievable from the ordinary business records of the registrant. Each registered individual practitioner required to keep records and institutional practitioner shall maintain inventories and records of controlled substances in the manner prescribed in paragraph (f) of this section. Each registered pharmacy shall maintain the inventories and records of controlled substances as follows: Inventories and records of all controlled substances listed in Schedule I and II shall be maintained separately from all other records of the pharmacy. Paper prescriptions for Schedule II controlled substances shall be maintained at the registered location in a separate prescription file. Inventories and records of Schedules III, IV, and V controlled substances shall be maintained either separately from all other records of the pharmacy or in such form that the information required is readily retrievable from ordinary business records of the pharmacy; Each inventory shall contain a complete and accurate record of all controlled substances on hand on the date the inventory is taken, and shall be maintained in written, typewritten, or printed form at the registered location. An inventory taken by use of an oral recording device must be promptly transcribed. Controlled substances shall be deemed to be "on hand" if they are in the possession of or under the control of the registrant, including substances returned by a customer, ordered by a customer but not yet invoiced, stored in a warehouse on behalf of the registrant, and substances in the possession of employees of the registrant and

intended for distribution as complimentary samples. A separate inventory shall be made for each registered location and each independent activity registered, except as provided in paragraph (e)(4) of this section. In the event controlled substances in the possession or under the control of the registrant are stored at a location for which he/she is not registered; the substances shall be included in the inventory of the registered location to which they are subject to control or to which the person possessing the substance is responsible. The inventory may be taken either as of opening of business or as of the close of business on the inventory date and it shall be indicated on the inventory. Initial inventory date. Every person required to keep records shall take an inventory of all stocks of controlled substances on hand on the date he/she first engages in the manufacture, distribution, or dispensing of controlled substances, in accordance with paragraph (e) of this section as applicable. In the event a person commences business with no controlled substances on hand, he/she shall record this fact as the initial inventory. Inventories of manufacturers, distributors, registrants that reverse distribute, importers, exporters, chemical analysts, dispensers, researchers, and collectors. Each person registered or authorized (by §§ 1301.13, 1307.11, 1307.13, or part 1317 of this chapter) to manufacture, distribute, reverse distribute, dispense, import, export, conduct research or chemical analysis with controlled substances, or collect controlled substances from ultimate users, and required to keep records pursuant to § 1304.03 shall include in the inventory the information listed below. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to T.C.A. § 63-10-506 to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge) [.] Except in case of death or incapacity, the outgoing pharmacist in charge shall, prior to departure, conduct with the successor pharmacist in charge a joint inventory of all controlled substances. In case of failure of the outgoing pharmacist in charge to comply with this requirement, the successor pharmacist in charge shall conduct such inventory alone. In the event of death of a pharmacist in charge, the successor pharmacist in charge shall, immediately upon assuming the appointment as pharmacist in charge, conduct an inventory of all controlled substances. In the event of disability for a period exceeding thirty (30) days of a pharmacist in charge, the successor pharmacist in charge (temporary or permanent) shall conduct an inventory of all controlled substances. Should the disabled pharmacist in charge return, the disabled pharmacist in charge and successor pharmacist in charge shall immediately conduct a joint inventory of all controlled substances. A record of any inventory required by this rule shall be signed by the pharmacist(s) in charge conducting it and maintained at the pharmacy practice site with other controlled substance records for at least two (2) years. The inventory record shall indicate: The name and address of the pharmacy practice site; The name, strength, dosage form, and quantity of each controlled substance on hand; The date of inventory; and Whether the inventory was taken as of the opening or close of business on that date; The pharmacist in charge shall maintain a current registry of individuals employed at the pharmacy practice site performing the functions of a pharmacy technician; Each healthcare practitioner or healthcare practitioner's agent shall, regarding each controlled substance dispensed, submit to the database all of the following information: Prescriber identifier; Dispensing date of controlled substance; Patient identifier; Controlled substance dispensed identifier; Quantity of controlled substance dispensed; Strength of controlled substance dispensed; Estimated days' supply; Dispenser identifier; Date the prescription was issued by the prescriber; Whether the prescription was new or a refill; Source of

payment; The ICD-10 code for any prescription that contains an ICD-10 code; provided, that this shall not be mandatory prior to January 1, 2019, for a dispenser who has not updated the dispenser's software system to enable submission of ICD-10 codes; A value signifying opioid treatment is occurring pursuant to a medical necessity under § 63-1-164 for any prescription containing the words "medical necessity." The value will be determined by the committee and published through the committee's website; and Other relevant information as required by rule; The information in the database, as required by subdivision (b)(1), shall be submitted by a procedure and in a format established by the committee, for each business day but no later than the close of business on the following business day; provided, that a veterinarian shall submit information at least once every fourteen (14) days and shall not be required to use a computerized system in order to submit required information pursuant to this section.

Action: Probation for three (3) Years; Licensee shall not be a pharmacist in charge during probation period; Licensee shall not perform sterile compounding or have any oversight involving compounding sterile products for three (3) years; Licensee shall complete forty (40) hours of continuing education related to pharmacy law and sterile compounding within six months of signed Order; Licensee shall pay the actual and reasonable costs of these matters not to exceed ten thousand dollars (\$10,000.00) within one hundred eighty (180) days of being sent the assessment of costs.

Licensee: Alysia Hughes, Pharmacy Technician 80162, Butler

Violation: Licensee, who had a previously disclosed history of opioid use disorder, self-reported she had diverted one tablet of Hydrocodone.

Action: Licensee voluntarily surrendered her Pharmacy Technician license, which shall have the same practical effect and be reported as a revocation.

Licensee: Jefferson County HMA, LLC, dba Tennova Healthcare, Pharmacy #140, Jefferson City

Violation: Failure to have a pharmacist in charge and properly conduct a controlled substance inventory during a change in pharmacist in charge. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to T.C.A. § 63-10-506 to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge) [.] Except in case of death or incapacity, the outgoing pharmacist in charge shall, prior to departure, conduct with the successor pharmacist in charge a joint inventory of all controlled substances. In case of failure of the outgoing pharmacist in charge to comply with this requirement, the successor pharmacist in charge shall conduct such inventory alone. In the event of death of a pharmacist in charge, the successor pharmacist in charge shall, immediately upon assuming the appointment as pharmacist in charge, conduct an inventory of all controlled substances. In the event of disability for a period exceeding thirty (30) days of a pharmacist in charge, the successor pharmacist in charge (temporary or permanent) shall conduct an inventory of all controlled substances. Should the disabled pharmacist in charge return, the disabled pharmacist in charge and successor pharmacist in charge shall immediately conduct a joint inventory of all controlled substances. A record of any inventory required by this rule shall be signed by the pharmacist(s) in charge conducting it and maintained at the pharmacy practice site with other controlled substance records for at least two (2) years. The inventory record shall indicate: The name and address of the pharmacy practice site; The name, strength, dosage form, and quantity of each controlled substance on hand;

The date of inventory; and whether the inventory was taken as of the opening or close of business on that date. The designated pharmacist in charge at a particular pharmacy practice site shall be on duty a minimum of fifty percent (50%) of the hours that the pharmacy is in operation. Except, in any event, the pharmacist in charge shall not be required to be on duty more than an average of forty (40) hours per week.

Action: Licensee assessed a civil penalty of \$150.00.

Licensee: Tammy Lynn Johnson, Pharmacy Technician #47167, Surgoinville

Violation: Licensee, a Pharmacy Technician, diverted merchandise from the pharmacy practice site while employed and on duty as a pharmacy technician. Licensee has been guilty of dishonorable, immoral, unethical, or unprofessional conduct. A person commits theft of property if, with intent to deprive the owner of property, the person knowingly obtains or exercises control over the property without the owner's effective consent.

Action: Licensees' registration to practice as a Pharmacy Technician has been placed on probation for one year.

Licensee: Timothy Marsingill, Pharmacist Lic. #40965, Talbott

Violation: Licensee allowed an unlicensed pharmacy technician to engage in the practice of pharmacy without proper supervision. Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy; Been guilty of dishonorable, immoral, unethical, or unprofessional conduct; Failed to comply with a lawful order or duly promulgated rule of the board. A pharmacist shall hold the health and safety of patients to be the first consideration and shall render to each patient the full measure of the pharmacist's ability as an essential health practitioner. The pharmacist in charge at each pharmacy practice site is responsible for compliance with the provisions of this chapter by pharmacy technicians at that pharmacy practice site. All pharmacy technician functions shall be performed under the supervision of a pharmacist, who shall direct and verify the accuracy of all pharmacy technician functions. The practice of pharmacy and the performance of supportive pharmacy personnel associated with any institutional facility shall be under the direction, supervision, and responsibility of the pharmacist in charge. The pharmacist in charge shall also be responsible for the dispensing, distribution, compounding, storage and the procurement of prescription and nonprescription drugs used throughout the institutional facility. Policies and procedures defining the scope of pharmacy practice, collaborative working relationships, the responsibilities of the pharmacists and supportive personnel, and the safe use and management of drugs, devices and related materials shall be established by the pharmacist in charge.

Action: Licensee assessed a civil penalty of \$900.00.

Licensee: National HME, Inc., Wholesaler/distributor Lic. No. 3530, Memphis

Violation: Licensee, a wholesaler/distributor failed to notify the Board of changes in company name, business address, and telephone numbers indicating a relocation for the licensee. Licensee failed to comply with a lawful order or duly promulgated rule of the board. The board shall require the following minimum information from each manufacturer, outsourcing facility, oxygen supplier or wholesaler/distributor applying for a license or any renewal of such license: (a) The name, full business address, and telephone number of the manufacturer, outsourcing facility, oxygen supplier or wholesaler/distributor; (b) All trade or business names used by the manufacturer, outsourcing facility, oxygen supplier or wholesaler/distributor; (c) Addresses, telephone numbers, and the names of contact persons for all facilities used by the

manufacturer, outsourcing facility, oxygen supplier or wholesaler/distributor for storage, handling, and distribution; (4) Changes in any information in paragraphs (1), (2), or (3) of this rule shall be submitted in writing to the Board of Pharmacy immediately.

Action: Licensee has been assessed a Civil Penalty of one thousand dollars (\$1,000).

Licensee: Stephens Pharmacy, Lic. #1068, Pikeville

Violation: Licensee allowed two unregistered "technicians in training" to continue practicing by performing tasks that may be completed by a pharmacy technician beyond the ninety (90) day probationary exemption window.

Action: Licensee must pay a civil penalty in the amount of \$400, which represents a civil penalty in the amount of \$100 per employee per month in which that unregistered employee continued to perform tasks that may be completed by a pharmacy technician beyond the ninety (90) day probationary exemption window.

Licensee: Traci White, Pharmacy Technician #56636, Dayton

Violation: Licensee, a Pharmacy Technician, diverted prescription drug products from the pharmacy practice site while employed and on duty as a pharmacy technician. Licensee Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy, been guilty of dishonorable, immoral, unethical, or unprofessional conduct, and failed to comply with a lawful order or duly promulgated rule of the board. It is unlawful for any person, firm or corporation to possess, sell, barter or give away any drug known as legend drugs, as defined in §53-10-101, except upon the written prescription of a duly licensed physician, certified physician's assistant, nurse authorized pursuant to §63-6-204 or §63-9-113, who is rendering service under the supervision, control and responsibility of a licensed physician, and who meets the requirements pursuant to §63-7-123, a dentist, an optometrist authorized pursuant to §63-8-102(12), or a veterinarian, and compounded or dispensed by a duly registered pharmacist. It is unlawful for any person, firm or corporation to obtain or attempt to obtain a legend drug, or to procure to attempt to procure the administration of a legend drug, by fraud, deceit, misrepresentation, subterfuge, forgery, alteration of a prescription, by the concealment of a material fact, or by the use of a false name or address. It is unlawful for any person to have in the person's possession, any drug defined or enumerated in this part, without the drug having been prescribed by a duly licensed physician, certified physician assistant, dentist, optometrist authorized pursuant to § 63-8-102(12), or veterinarian, and having been dispensed by a pharmacy duly licensed and registered in this state, unless the person was a resident of another state and had the prescription filled by a duly licensed and registered pharmacist of the other state. It is unlawful for any person knowingly or intentionally to acquire or obtain, or attempt to acquire or attempt to obtain, possession of a controlled substance by misrepresentation, fraud, forgery, deception, or subterfuge.

Action: Licensees' registration to practice as a Pharmacy Technician has been revoked.

BOARD OF PHYSICAL THERAPY

Licensee: Julia Blevins, PTA 4439, Robbins

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$1000.00

Licensee: Shelia Brown, PTA 4566, McMinnville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$1300.00

Licensee: Deidre Buselmeier, PTA 5821, Murfreesboro
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$1000.00

Licensee: Kenneth Chessman, PTA 4724, Smyrna
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$1100.00

Licensee: Shauna Douglas, PTA 5604, Maynardville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$3000.00

Licensee: Mary Graves, PT 5390, Nashville
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$750.00

Licensee: Philip Anthony Hill, PTA 4335, Tullahoma
Violation: Making false or misleading statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the licensee's practice; Engaging in the performance of substandard care by a physical therapist due to ignorance, incompetence or a deliberate or negligent act or failure to act, regardless of whether actual injury to the patient is established; Failing to adhere to standards of ethics of the physical therapy profession; Acting in a manner inconsistent with generally accepted standards of physical therapy practice
Action: License reprimanded; four (4) hours of physical therapy ethics and jurisprudence(s) pre-approved by the Board's consultant; 1 Type B civil penalty in the amount of \$300.00; costs not to exceed \$3,000.

Licensee: Chris Kszos, PT 12954, Denver, CO
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$2000.00

Licensee: Trevor Ling, PT 7772, Germantown
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$400.00

Licensee: Alison Quinn, PT 8293, Elizabethton
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$600.00

Licensee: Benjamin Patrick Rice, PTA 5644, Ringgold, GA
Violation: Failing to adhere to standards of ethics of the physical therapy profession; Acting in a manner inconsistent with generally accepted standards of physical therapy practice; The Board shall require each licensed physical therapist and physical therapist assistant to participate in a minimum number of experiences to promote continuing competence for the twenty –four (24) months that precede the licensure renewal month. Beginning January 1, 2005, all applicants for licensure, renewal of license, reactivation of license, or reinstatement of license must demonstrate competency; Physical Therapist Assistant – Thirty (30) hours are required for the twenty-four (24) months that precede the licensure renewal month. At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities as provided in paragraph (5), and only ten (10) may be acquired online. Up to ten (10) hours of the thirty (30) hour requirement may be from Class II activities as provided in paragraph (6). Four (4) of the hours required in parts (3)(a)1. and (3)(b)1. must consist of ethics and jurisprudence education courses. These four (4) hours are required every renewal cycle. Any licensee who fails to complete the continuing competence activities or who falsely certifies completion of continuing competence activities may be subject to disciplinary action
Action: License reprimanded; 19 Type B in civil penalties for a total of \$1900; complete nineteen (19) continuing competence credits from 2021-2023 cycle within 90 days of order; costs not to exceed \$3,000.

Licensee: Ryan W. Schaefer, PT 9698, Nashville
Violation: On or about June 9, 2020, the Respondent performed a dry needling procedure on a patient. This dry needling procedure led the patient to “undergo a cervical laminectomy at C3-C7 with intradural exploration and removal of an intradural hematoma.” Respondent’s insurance carrier settled a malpractice lawsuit filed by the patient. However, Respondent denied all allegations of negligence and did not admit fault for any injury to the patient.
Action: Respondent’s license was reprimanded. Respondent was required to complete ten continuing education hours in dry needling, pay a \$500 civil penalty, and costs.

Licensee: Katelyn Spruell, PT 10962, Maryville
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$750.00\

BOARD OF PODIATRIC MEDICAL EXAMINERS

Licensee: David A. Cloud, PED 105, Nashville
Violation: Acts in a manner unprofessional, dishonorable or unethical or has been found guilty of unprofessional, dishonorable or unethical conduct. Violates, or attempts to violate, directly or indirectly, or assists or aids in the violation of, or conspires to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter or any of the rules or regulations promulgated pursuant to this chapter, or any criminal statute of the state. On and after January 1, 2008, no person shall practice orthotics, prosthetics or pedorthics in this state, or hold out as being able to practice either profession, or dispense an orthosis, prosthesis or pedorthic device, unless such person is licensed in accordance with the requirements of this part. Licenses shall be issued and renewed by the board pursuant to the division’s biennial issuance and renewal system. The Board of Podiatric Medical Examiners recognizes that an individual may inadvertently allow his/her license to expire. However,

applicable law prohibits an individual from working as a podiatrist, orthotist, pedorthist, prosthetist or x-ray operator in a podiatry office unless he/she has an active license. If the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be: A formal and reportable Reprimand on the license; Assessment of civil penalties in an amount to exceed \$1000 per month for every month in which the individual has worked at least one day beyond the ninety (90) calendar day grace period; Assessment of costs associated with investigating and prosecuting the matter; and Any and all other remedies the Board deems appropriate

Action: Reprimand of the Respondent's license. Thirty-four (34) "Type C" penalties which are one hundred dollars (\$100.00) each for a total of three thousand four hundred dollars (\$3,400.00). Costs not to exceed five thousand dollars (\$5,000.00). Disciplinary Action will be reported to the National Practitioner Data Bank.

Licensee: Nathan Lucas, DPM 481, Sandy Springs, SC

Violations: Conviction of a felony, conviction of any offense under state or federal drug laws or conviction of any offense involving moral turpitude. Immoral, unethical, unprofessional or dishonorable conduct. Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation o, or conspiring to violate this chapter or any lawful order of the board; issued pursuant thereto, or any criminal statute of this state. Any other unprofessional or unethical conduct that may be specified by the board from time to time by means of rules and regulations duly published and promulgated by the board or the violation of any provision of this chapter. Making false statements or representations or being guilty of fraud or deceit in the practice of podiatry. 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. Dispensing, prescribing or otherwise distributing any controlled substance, controlled substance analogue or any other drug to any person in violation of any law of the state or of the United States. Immoral, unprofessional, unethical, or dishonorable conduct including conduct designed to, or likely to, deceive or harm the public. Immoral, unprofessional, unethical, or dishonorable conduct including being a party to or aiding and abetting the violation of these regulations or the laws of the State of Tennessee regulating the practice of podiatry.

Action: Voluntarily retired, same as revocation. No petition for reinstatement and no new application for licensure from a person whose license was revoked shall be considered prior to the expiration of at least one (1) year from the effective date of the order; costs not to exceed \$5,000.00 and shall be paid in full within 10 years from the issuance of the Assessment of Costs.

BOARD OF RESPIRATORY CARE

Licensee: Christine Butler, RRT 8061, Nashville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Miranda Edwards, RRT 6475, Cordova

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Johnathan Lewis RRT 7842, Bartlett

Violation: Any other unprofessional or unethical conduct specified in the rules of the board. Every licensed respiratory care practitioner shall obtain, during each calendar year, at least ten (10) hours of continuing professional respiratory care education that meets the guidelines established for such continuing education by the rules of the board. Each licensed practitioner shall maintain written proof of obtaining such continuing education for a period of at least three (3) years and shall, upon request, make such proof available to the board or the division. Each therapist and assistant licensed by the Board must complete twelve (12) hours of approved continuing education every calendar year. 1. At least five (5) of those twelve (12) hours must pertain to the clinical practice of respiratory care or to research relating to the cardiopulmonary system. 2. At least one (1) of those twelve (12) hours must pertain to patient safety as defined by the T.J.C. 3. At least one (1) of those twelve (12) hours must be a course focused on the professional or ethical standards required of respiratory therapists by their governing rules and statutes. 4. The remaining five (5) hours may pertain to, among other topics, education or management.

Action: Respondent's license hereby reprimanded, Respondent will obtain twenty-four (24) continuing education hours, payment of one (1) type B civil penalty in the amount of \$300.00 and payment of costs not to exceed five thousand dollars (\$5,000.00). Disciplinary Action will be reported to the National Practitioner Data Bank.

Licensee: Amie Renee Locust, RRT, License No. 8033, Nesbit, MS

Violation: Immoral, unethical, unprofessional or dishonorable conduct. Violation or attempted violation, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board or any criminal statute of this state. Any other unprofessional or unethical conduct specified in the rules of the board. Every licensed respiratory care practitioner shall obtain, during each calendar year, at least ten (10) hours of continuing professional respiratory care education that meets the guidelines established for such continuing education by the rules of the board. Each licensed practitioner shall maintain written proof of obtaining such continuing education for a period of at least three (3) years and shall, upon request, make such proof available to the board or the division. Each therapist and assistant licensed by the Board must complete twelve (12) hours of approved continuing education every calendar year. 1. At least five (5) of those twelve (12) hours must pertain to the clinical practice of respiratory care or to research relating to the cardiopulmonary system. 2. At least one (1) of those twelve (12) hours must pertain to patient safety as defined by the T.J.C. (The Joint Commission). 3. At least one (1) of those twelve (12) hours must be a course focused on the professional or ethical standards required of respiratory therapists by their governing rules and statutes. 4. The remaining five (5) hours may pertain to, among other topics, education or management. Each individual must retain independent proof of attendance and completion of all continuing education requirements. This documentation must be retained for a period of three (3) years from the end of the renewal period in which the continuing education was acquired. This documentation must be produced for inspection and verification, if requested in writing by the Board during its verification process. . . If, after request by the Board during its verification process, a person submits documentation for training that is not clearly identifiable as appropriate continuing education, the Board will request a written description of

the training and how it applies to the practice of respiratory care. If the Board determines that the training cannot be considered appropriate continuing education, the individual will be given ninety (90) days to replace the hours not allowed. Those hours will be considered replacement hours and cannot be counted during the next renewal period. Violations - Any licensee who fails to successfully complete or who falsely certifies attendance and completion of the required hours of continuing education may be subject to disciplinary action. (a) Prior to the institution of any disciplinary proceedings, a letter shall be issued to the last known address of the individual stating the facts or conduct which warrant the intended action. (b) The licensee has thirty (30) days from the date of notification to show compliance with all lawful requirements for the retention of the license. (c) Any licensee who fails to show compliance with the required continuing education hours in response to the notice contemplated by subparagraphs (7)(a) and (7)(b) above may be subject to disciplinary action. Continuing education hours obtained as a result of compliance with the terms of a Board Order in any disciplinary action shall not be credited toward the continuing education hours required to be obtained in any renewal period. A respiratory care practitioner licensed in Tennessee is required to complete twelve (12) contact hours of continuing education every calendar year. (See Tenn. Comp. R. & Regs. 1330-1-.12 regarding continuing education requirements.) Prior to the institution of any disciplinary proceedings for continuing education deficiencies, a letter shall be sent from the board's administrative office to licensee's last known address of record in the board's office stating the deficiency and asking that licensee cure the deficiency within ninety (90) days from the date of notification. If the deficiency is cured within the 90 days grace period, no disciplinary action shall ensue. Should the respiratory care practitioner fail to obtain the continuing education ("CE") hours for a calendar year after notification or fail to cure the deficiency within the allowed grace period, the following shall occur: 1. The respiratory care practitioner must pay a civil penalty in the amount of three hundred dollars (\$300.00). Payment must be rendered within ninety (90) days of notification from the Board that the respiratory care practitioner has been found to have failed to obtain the required continuing education hours. Discipline for CE violations will be assessed by the Department via Agreed Citation, which will detail the licensee's rights and obligations under the Uniform Administrative Procedures Act, T.C.A. §§ 4-5-301, et seq. The discipline assessed in accordance with this Continuing Education Policy constitutes formal discipline against a practitioner's license, and as such, it is reportable on the Department's Disciplinary Action Report ("DAR") and will be noted on the practitioner's licensure profile. 2. The respiratory care practitioner must make up the amount of continuing education hours that he/she is lacking, in addition to completing the continuing education hours requirement for the current calendar year. The deficient hours must be made up within ninety (90) days of receipt of this policy. Documented proof of the deficient hours obtained must be submitted to the Board upon completion. 3. The respiratory care practitioner must complete an additional five (5) continuing education hours. This requirement is in addition to the requirement that the respiratory care practitioner make up the continuing education hours that he/she is lacking, and in addition to the continuing education hours requirement for the current calendar year. The five (5) hours must be made up within ninety (90) days of receipt of this policy. Documented proof of completion of the deficient hours must be submitted to the Board upon completion. If such licensee fails to demonstrate that he or she has cured the continuing education deficiency in the manner prescribed by this policy, the Department will file a licensure complaint and the licensee will be

prosecuted in accordance with the Uniform Administrative Procedures Act, T.C.A, §§ 4-5- 301, et seq.

Action: Reprimand; Make up the seventeen (17) hours of continuing education credits, which includes the deficient twelve (12) hours of continuing education hours Respondent failed to complete, as well as the additional required five (5) hours, including one (1) hour of patient safety as defined by the Joint Accreditation Commission and one (1) hour of a course focused on the professional or ethical standards required of respiratory therapists; \$300 civil penalties; and costs not to exceed \$3,000

Licensee: Jeffrey Miller, RRT 6296, Tullahoma
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Cameron Mitchell Hill, RRT 6969, Hixson
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: Alice Nsawi, CRT 7338, Clarksville
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Pierra Rogers, RRT 6647, Arlington
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Brandi Ruffin, RRT 6975, Cordova
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Cara Savage, CRT 3167, Bristol
Violation: Failure to complete continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Danielle Volz, RRT 5530, Ooltewah
Violation: Practiced on lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

BOARD OF VETERINARY EXAMINERS

Licensee: All Creatures Veterinary Clinic, VFV 2435, Manchester
Violation: Licensee, a veterinary facility, failed to obtain an initial premises permit. Licensee operated a veterinary facility without a premises permit from August 2021, through May 16, 2023.
Action: License Reprimanded; Licensee shall pay a CIVIL PENALTY of four thousand dollars (\$4,000.00), which represents a civil penalty in the amount of two hundred dollars

(\$200.00) for each of the twenty months its veterinary facility where veterinary medicine was practiced without a premises permit.

Licensee: Tammy Hudson, VT 518, Dyersburg

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$100.00

Licensee: Heather Renee Lollar, DVM 4900, Maryville

Violation: Licensee failed to obtain the requisite number of continuing education (CE) hours for the calendar years 2020 and 2021. Licensee was deficient a total of forty (40) CE credit hours.

Action: License Reprimanded; Licensee shall pay a CIVIL PENALTY of two thousand dollars (\$2,000.00), which represents a civil penalty in the amount of fifty dollars (\$50.00) for each deficient credit hour within sixty (60) days. Licensee must also make up the forty (40) deficient credit hours within one (1) year of the signing of the Order.