DISCIPLINARY ACTION REPORT

EDITORS: Tennessee Code Annotated, Section 68-1-114 requires the Department of Health to issue a monthly press release listing all disciplinary actions taken by the health related boards during the prior month. Below is a list of actions taken during the month of January 2004. Detailed information about disciplinary actions is available on our web site at www.tennessee.gov/health. Click on "License Verification" and enter the name of the person. When the license information comes up, click on "disciplinary action" and then "view board order."

BOARD OF MEDICAL EXAMINERS

Licensee: Joanne Lynch, MD, Jonesboro, TN
Violation: Unprofessional conduct; malpractice; dispensing/prescribing Controlled substance or other drug not in the course of professional practice.
Action: 2-Years probation; must complete 3-day course at Vanderbilt, “Prescribing Controlled Drugs.” Must pay costs associated with this matter; must appear before the board to show compliance before probation will be lifted.

Licensee: Mark Robert Wade, MD, Germantown, TN
Violation: Conviction of a felony; unprofessional conduct; malpractice; dispensing/prescribing controlled substance or other drug in violation of any State or U.S law.
Action: License suspended for 90 days beginning 02/20/04; will be suspended for the entire period he is incarcerated, if he is incarcerated in the federal conspiracy case; at the end of suspension, license will be placed on probation for 5-years; must attend University of Florida CARE Program; must complete 40-hours of CME each year during probation, of which 20-hours shall be in prescribing practices and record keeping; must pay $25,000 in Civil Penalties @ $5,000 per year (due before 12/31 each year); must pay costs assessed in this matter; and, shall surrender his DEA.

Licensee: Anne Ostrosky, Medical X-Ray Operator, Bartlett, TN
Violation: Practiced without certification.
Action: Letter of Reprimand
Licensee: Brenda J. Givens, RN, Woodbury, TN  
Violation: Unfit or incompetent to practice by reason of negligence; unprofessional conduct; failure to maintain record for each patient; making false or materially incorrect, inconsistent, or intelligible entries in patient records; unauthorized use or removal of narcotics, drugs, supplies or equipment.  
Action: License suspended until respondent contracts with TNPAP; assessed 10 Type-A Civil Penalties totaling $10,000 payable before suspension is lifted; shall enroll in a specially designed baccalaureate level one-hour course in pharmacology and complete before suspension is lifted; shall undergo therapy as recommended by evaluation by Cornerstone; when respondent returns to practice, she shall cause quarterly reports to be submitted to the board from the Pharmacy Director, concerning her handling of controlled substances, for a period of one-year.

Licensee: Monique S. Johnson, LPN, Knoxville, TN  
Violation: Unauthorized use or removal of narcotics, drugs, supplies or equipment from any health care facility or workplace location.  
Action: Letter of Reprimand

Licensee: Tiffany Murry, RN, Fort Campbell, KY  
Violation: Unprofessional conduct; making false or materially incorrect entries in patient records; unauthorized use or removal of narcotics drugs, supplies or equipment; use of intoxicating beverage or illegal use of any narcotic or dangerous drug while on duty; being under the influence of alcohol/drugs while on duty.  
Action: Must enter into a contract with TNPAP; license placed on probation for the length of TNPAP contract, or a minimum of 3-years; if respondent moves out of Tennessee, she must contract with a program similar to TNPAP.

Licensee: Carolyn J. Thomas, LPN, Whitwell, TN  
Violation: Unprofessional conduct; engaging in acts of dishonesty which relate to the practice of nursing.  
Action: 1-Year probation, commencing 12/03/03; assessed $250 Civil Penalty; during probation, will cause to be sent 2 written, semi-annual reports (1 from respondent, 1 from employer) to the board.

Licensee: Rita J. Usery, LPN, Athens, TN  
Violation: Unprofessional conduct; failure to keep appropriate patient records.  
Action: Must undergo assessment by TNPAP and enter into a contract if warranted, by 12/22/03; license placed on probation to run concurrent with TNPAP contract, or a minimum of 2-years; shall furnish 2 reports to board (1 from respondent, 1 from employer).

Licensee: Melissa R. Wee, LPN, Kingston, TN  
Violation: Unfit or incompetent to practice by reason of negligence, habits or other causes; unprofessional conduct; intentionally or negligently causing physical or emotional injury to a patient; failing to take appropriate action in safeguarding a patient from incompetent health care practices; performing nursing techniques or procedures without proper education and practice.
BOARD OF NURSING (CONT.)

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

Licensee: Dawn Michelle Williams, LPN, Knoxville, TN
Violation: Unprofessional conduct; unauthorized use or removal of narcotics, drugs, supplies, or equipment from a health care facility or other work place.
Action: Letter of Reprimand

Licensee: Julie Lynn Williamson, RN, Jackson, TN
Violation: Criminal conviction; impersonating another licensed practitioner; unprofessional conduct; engaging in acts of dishonesty which relate to the practice of nursing.
Action: License suspended to run concurrent with court-ordered probation; shall enter into a contract with TNPAP by January 11, 2004; at the end of suspension, license will be placed on probation to run concurrent with TNPAP contract, but not less than 3-years.

BOARD OF DENTISTRY

Licensee: Murray S. Alperin, DDS, Memphis, TN
Violation: Failure to test heat sterilizing devises for proper function by means of a biological monitoring system that indicates microorganism kill. Failure to maintain logs reflecting dates and persons conducting the testing.
Action: Reprimand

Licensee: Franklin J. Prout, DDS, Knoxville, TN
Violation: Failed to diagnose a radiolucent, cancerous lesion, which resulted in a malpractice settlement in the amount of $75,000 with no admission of liability. Dr. Prout failed to disclose the malpractice settlement as required by law.
Action: Reprimand

Licensee: Theresa Presley, DDS, Franklin, TN
Violation: Dr. Presley failed to maintain nineteen patient dental records in such a manner that a subsequent treating dentist could readily ascertain the treatment provided to the patients of the dental practice.
Action: Reprimand

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

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BOARD OF DENTISTRY (CONT.)

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

BOARD OF SOCIAL WORKER CERTIFICATION AND LICENSURE

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

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

BOARD OF VETERINARY MEDICAL EXAMINERS

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

January 2004 Abuse Registry Placements

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

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

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January 2004 Abuse Registry Placements (CONT.)

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

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

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

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