



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

FOR IMMEDIATE RELEASE
JULY 16, 2004

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DISCIPLINARY ACTION REPORT

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

Licensee: Jacqueline James, LMT, Woodbury
Violation: Practicing in an unlicensed facility
Action: Assessed \$300 in civil penalties; and assessed costs

Licensee: Jennifer James, LMT, Lebanon
Violation: Practicing in an unlicensed facility
Action: Assessed \$800 in civil penalties; and assessed costs

Licensee: David Mills, LMT, Woodbury
Violation: Practicing in an unlicensed facility
Action: Assessed \$500 in civil penalties and assessed costs

Licensee: Joseph Robertson, LMT, Lebanon
Violation: Practicing in an unlicensed facility
Action: Assessed \$900 in civil penalties and assessed costs

Licensee: Sports Village, ME, Lebanon
Violation: Operating as a Massage Establishment without a license
Action: Assessed \$3000 in civil penalties and assessed costs

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

BOARD OF MEDICAL EXAMINERS

Licensee: Timothy Ashburn, MD, Germantown
 Violation: Unprofessional, dishonorable or unethical conduct; violating or attempting to violate, directly or indirectly, any provision of T.C.A. Chapter 6 or any criminal statute of the state of Tennessee; making false statements or representations, or being guilty of fraud or deceit in the practice of medicine; 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 medicine; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition.
 Action: License revoked; assessed costs

Licensee: Ferris Hallmark, MD, Fairfield Glade
 Violation: Unprofessional, dishonorable or unethical conduct; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; dispensing, prescribing or otherwise distributing any controlled substance or any other drug not in the course of professional practice, or not in good faith to relieve pain and suffering, or not to cure an ailment, physical infirmity or disease, or in amounts and/or for durations not medically necessary, advisable, or justified for a diagnosed condition; violation of dispensing, prescribing or otherwise distributing to any person a controlled substance or other drug if such person is addicted to the habit of using controlled substances without making a bona fide effort to cure the habit of such patient.
 Action: License revoked, assessed \$21,000 in civil penalties, and assessed costs.

BOARD OF NURSING

Licensee: Robert L. Bess, RN, Johnson City
 Violation: Unfit or incompetent by reason of negligence, habits or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; 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 work place location pertaining to the obtaining, possessing, or administration of any controlled substance as defined in the Federal Controlled Substance Act; Unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution, or other work place location.
 Action: License revoked; assessed \$18,000 in civil penalties and assessed costs.

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BOARD OF NURSING (CONT.)

Licensee: Nancy Huffman, LPN, Westmoreland
Violation: Unprofessional conduct; impersonating another licensed practitioner; engaging in acts of dishonesty which relate to the practice of nursing.
Action: License revoked; assessed \$2,500 in civil penalties; and assessed costs.

Licensee: Linda Hawkins Jeffrey, RN, Florence, AL
Violation: Unprofessional conduct
Action: Reprimand

Licensee: Christin M. Johnson, LPN, Wartrace
Violation: Guilty of a crime; unprofessional conduct
Action: Licensed revoked; assessed \$1,500 in civil penalties and assessed costs.

Licensee: Tonya L. Kane, LPN, Gainesboro
Violation: Guilty of a crime
Action: License revoked; assessed \$1,000 in civil penalties; and assessed costs.

Licensee: Sandra K. Legg, RN, Johnson City
Violation: Unfit or incompetent by reason of negligence, habits or other cause; unprofessional conduct; intentionally or negligently causing physical or emotional injury to a patient; failure to maintain a record for each patient, which accurately reflects the nursing problems and interventions for the patient; 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 Substance Act; failing to take appropriate action in safeguarding the patient from incompetent health care practices; performing nursing techniques or procedure without proper education and practice; engaging in acts of dishonesty which relate to the practice of nursing
Action: License revoked; assessed \$5,000 in civil penalties; and assessed costs.

Licensee: Sherry Jean Martin, LPN, Gainesboro
Violation: Guilty of a crime
Action: License revoked; assessed \$2,500 in civil penalties; and assessed costs.

Licensee: Lana B. McDowell, LPN, LaFollette
Violation: Guilty of a crime; unfit or incompetent by reason of negligence, habits, or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; unprofessional conduct.
Action: License revoked; assessed \$1,500 in civil penalties; and assessed costs.

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BOARD OF NURSING (CONT.)

Licensee: Douglas M. Miller, LPN, Rossville, GA
Violation: Unprofessional conduct; abandoning or neglecting a patient requiring nursing care; unauthorized use or removal of narcotics, drugs, supplies, or equipment from a health care facility, school, institution or other work place location; the use of 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; engaging in acts of dishonesty which relate to the practice of nursing.
Action: License revoked; assessed \$5,000 in civil penalties; and assessed costs.

Licensee: Janice E. Stewart, LPN, Newport
Violation: Practicing practical nursing on a lapsed license
Action: License revoked; assessed \$2,100 in civil penalties; and assessed costs.

Licensee: Michael R. Wiater, LPN, Oak Grove, KY
Violation: Unfit or incompetent by reason of negligence, habits or other cause; Is addicted to alcohol/drugs to degree of interfering with nursing duties; unprofessional conduct; intentionally or negligently causing physical or emotional injury to a patient; failure to maintain a record for each patient, which accurately reflects the nursing problems and interventions for the patient; the 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; 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 Substance Act; engaging in acts of dishonesty which relate to the practice of nursing.
Action: License revoked; assessed \$3,000 in civil penalties; and assessed costs

BOARD OF PSYCHOLOGICAL EXAMINERS

Licensee: Eftim Adhami, Unlicensed, Gainesville, FL
Violation: Practicing without a license
Action: Assessed \$500 in Civil Penalties; and assessed \$170 in court costs

Licensee: Steven Collins, LPE, Gatlinburg
Violation: Unprofessional, dishonorable or unethical conduct; making false statements or representations or being guilty of fraud or deceit in the course of professional practice.
Action: License placed on probation for two years; assessed costs

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BOARD OF PSYCHOLOGICAL EXAMINERS (CONT.)

Licensee: Richard Taran, Ph.D., Brentwood
 Violation: Unprofessional, dishonorable, or unethical conduct; being guilty of fraud or deceit in the practice as a licensee; a pattern of continued or repeated ignorance, negligence or incompetence in the course of practice as a licensee.
 Action: License suspended for one year, thereafter to be placed on probation for two years with terms and conditions.

Licensee: Curtis Wall, LPE, Bartlett
 Violation: Unprofessional, dishonorable or unethical conduct; the advertising of psychological practice in which untrue or misleading statements are made, or causing the publication or circulation of fraudulent advertising relative to any disease, human ailment or condition; practice of a level of psychology inappropriate, or beyond the scope of the particular license or licenses or certification held by the licensee or certified person.
 Action: License reprimanded; assessed \$500 in Civil Penalties; and assessed court costs.

JUNE 2004 ABUSE REGISTRY PLACEMENTS

Individual: Earnest Rainey, C N A, Madison
 Violation: Physical Abuse while working in a licensed or certified facility
 Action: CNA Certification Revoked
 Placed on State Abuse Registry

Individual: Eulla Lee Johnson, CNA, Lebanon
 Violation: Verbal Abuse while working in a licensed or certified facility
 Action: NA Certification Revoked
 Placed on State Abuse Registry

Individual: Holly Luttrell, CNA, Bradyville
 Violation: Physical Abuse while working in a licensed or certified facility
 Action: NA Certification Revoked
 Placed on State Abuse Registry

Individual: Fernando Levar Gant, Social Worker, Johnson City
 Violation: Verbal Abuse while working in a licensed or certified facility
 Action: laced on State Abuse Registry

Individual: Amanda Brown, Support Staff, Cumberland Furnace
 Violation: Neglect and Theft/Misappropriation
 Action: laced on State Abuse Registry

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JUNE 2004 ABUSE REGISTRY PLACEMENTS (CONT.)

Individual: Larry D. Davis, Business Manager, Oak Ridge
Violation: Neglect while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Dawn Dotson, Unknown, Dickson
Violation: Theft/Misappropriation of Property
Action: Placed on State Abuse Registry

Individual: William Wood, Unknown, Nashville
Violation: Neglect
Action: Placed on State Abuse Registry

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