



STATE OF TENNESSEE
DEPARTMENT OF HEALTH

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 March 2005.

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 DISPENSING OPTICIANS

Licensee: Vickie Woodard, DPO, Nashville, TN
Violation: Working on a lapsed license and allowing others who are unlicensed to perform services which require licenses
Action: Ordered to Cease & Desist practice until reinstatement process completed. Thereafter, license Suspended for six (6) months followed by Probation for six (6) months; assessed \$4,900.00 in civil penalties

COUNCIL OF HEARING INSTRUMENT SPECIALISTS

Licensee: Karen Torbett, HIS, Whitesburg, TN
Violation: Failed to obtain and/or submit proof documenting completion of mandatory continuing education
Action: License revoked; assessed costs

BOARD OF MEDICAL EXAMINERS

Licensee: William J. Bentz, M.D., Neosho, Missouri
Violation: Out-of-state action; conviction of a felony
Action: License revoked

Licensee: Charles Drummond, MD, Tullahoma, TN
Violation: Pattern of continued or repeated ignorance, negligence or incompetence in the course of medical practice
Action: Licensee restricted from performing cardiac surgeries

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BOARD OF MEDICAL EXAMINERS (CONT.)

Licensee: Stephen Edelson, MD, Nashville, TN
Violation: Unprofessional, dishonorable or unethical conduct; making false statements or representations, being guilty of fraud or deceit in obtaining admission to practice, 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; 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; dispensing, prescribing or otherwise distributing any controlled substance or other drug to any person in violation of any law of the state or of the United States; engaging in the practice of medicine under a false or assumed name, or the impersonation of another practitioner, or a like, similar or different name; engaging in the practice of medicine when mentally or physically unable to safely do so; disciplinary action against a person licensed to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed in this state
Action: License revoked

Licensee: Steven Fath, MD, Paris, TN
Violation: Out of State Action; unprofessional, dishonorable or unethical conduct
Action: License Suspended, but suspension stayed; license placed on Probation for the duration of the stayed suspension of his Texas medical license with terms and conditions

Licensee: Oscar Gaines, MD, Gray, GA
Violation: Violation or attempted violation, directly or indirectly, or assisting in or abetting he violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee
Action: License Revoked; assessed case costs

Licensee: Scott Hambleton, MD, Charlotte, NC
Violation: Violation or attempted violation, directly or indirectly, or assisting in or abetting he violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee; out of state action; unprofessional, dishonorable or unethical conduct; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants adversely affects that person's ability to practice medicine.
Action: License Suspended for three months; thereafter license to be placed on Probation for five years with terms and conditions

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BOARD OF MEDICAL EXAMINER'S (CONT.)

Licensee: Carl J. Klein, Jr., M.D. Knoxville, TN
 Violation: Unprofessional, dishonorable and unethical conduct; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; engaging in the practice of medicine when mentally or physically unable to safely do so.
 Action: Dr. Klein has agreed to continue the previously imposed suspension of his medical license and complete treatment. Upon completion of the recommended treatment and with the advocacy of the TMF stating that Respondent is safe to practice medicine in a supervised and structured setting, Respondent may petition the Board to lift the suspension and place his license on five (5) years probation under the terms and conditions set forth below. The request for a change in the status of Respondent's medical license shall have as accompanying exhibits affidavits from the Respondent's treating psychiatrist, cognitive behavioral psychologist and supervising physician which attest to the fact that in their professional opinions the Respondent is mentally and physically fit to safely return to the supervised practice of medicine. The Respondent's supervising physician must hold a valid Tennessee license to practice medicine and not have any encumbrances or restrictions on it. The Respondent's supervising physician must confirm to the Board that Respondent works directly under his/her supervision which means that the supervising physician is physically present at all times when Respondent is seeing patients. Further, the supervising physician will outline for the Board the Respondent's duties and job responsibilities as they relate to patient care.

Licensee: Milton Smith, MD, Manchester, TN
 Violation: Unprofessional; dishonorable or unethical conduct
 Action: License placed on Probation for no less than five years; must attend prescribing course at Vanderbilt Hospital; must attend a record keeping course; obtain an evaluation through the Tennessee Medical Foundation; must surrender DEA certificate

Licensee: Gary D. Strasberg, MD, Cordova, TN
 Violation: Unprofessional, dishonorable or unethical conduct; making false statements or representations; being guilty of fraud or deceit in obtaining admission to practice, or being guilty of fraud or deceit in the practice of medicine; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee
 Action: License placed on Probation for no less than five years; must remain compliant with his contract of advocacy with the Tennessee Medical Foundation

Licensee: Kevin Trivette, AT, Kingsport, TN
 Violation: Practicing without a license
 Action: Assessed a \$7,500 civil penalty

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Licensee: Samuel Z. Westerfield, M.D., Lancaster, OH
Violation: Violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee.
Action: License suspended until September hearing, at which point the Board shall determine whether to lift Respondent's suspension (if Respondent enjoys the advocacy of the TMF) or revoke Respondent's license.

BOARD OF NURSING

Licensee: Roy Bollinger, LPN, Knoxville, TN
Violation: Is unfit or incompetent by reason of negligence, habits or other cause; addicted to alcohol/drugs to degree of interfering with nursing duties; unprofessional conduct; use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty in any HCF, school, institution or other work place location
Action: License revoked; assessed \$2,000 in civil penalties; and assessed case costs

Licensee: Charles Trevor Brashier, RN, APN, Clifton, TN
Violation: Unprofessional conduct; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location
Action: Licensee placed on Probation for the term of his contract with the Tennessee Professional Assistance Program, but no less than three years

Licensee: Michael Burkhardt, RN, Chattanooga, TN
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; 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; being under the influence of alcoholic beverages or drugs which impair judgment while on duty; engaging in acts of dishonesty related to the practice of nursing
Action: License placed on Probation for no less than three years; must have an assessment/evaluation completed with the Tennessee Professional Assistance Program and follow all recommendations

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BOARD OF NURSING (CONT.)

Licensee: Shirley Day, LPN, Wartburg, TN
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 reflected the nursing problems and interventions for the patient; abandoning or neglecting a patient requiring nursing care; discriminating in the rendering of nursing services as it related to race, age, sex, religion, national origin, or the condition of the patient; demonstrate a respect for the dignity and rights of clients regardless of social or economic status, personal attributes or nature of health problems
Action: License Suspended for one year; must complete continuing education in ethics, patient care and documentation; must undergo an evaluation arranged through the Tennessee Professional Assistance Program and follow any recommendations; thereafter license to be placed on Probation for five years

Licensee: Linda Fenley, RN, Memphis, TN
Violation: Guilty of a crime; unprofessional conduct
Action: License revoked; assessed \$1,000 in civil penalties; and assessed case costs

Licensee: Charlotte Fisher, LPN, Nashville, TN
Violation: Making false or materially incorrect, inconsistent or unintelligible entries in any patient records or any 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 the in Federal Controlled Substances Act
Action: License placed on Probation for no less than three years; must have an assessment/evaluation completed with the Tennessee Professional Assistance Program and follow all recommendations

Licensee: Janet Freeman, LPN, Knoxville, TN
Violation: Unprofessional conduct; use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty; being under the influence of alcoholic beverages or drugs which impair judgment while on duty; engaging in acts of dishonesty related to the practice of nursing
Action: License revoked; assessed \$1,000 in civil penalties; and assessed costs

Licensee: John Glidewell, RN, Old Hickory, TN
Violation: Unfit or incompetent by reason of negligence, habits or other cause; unprofessional conduct
Action: License placed on Probation for one year; must submit quarterly counselor and self-reports

Licensee: Shane Hensley, LPN, Church Hill, TN
Violation: Guilty of a crime
Action: License revoked; assessed \$3,500 in civil penalties

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BOARD OF NURSING (CONT.)

Licensee: Angela Jackson, RN, Jackson, TN
Violation: Guilty of a crime
Action: License revoked; assessed \$1,500 in civil penalties; and assessed case costs

Licensee: Tara Lyle, RN, Pearl, MS
Violation: Guilty of a crime
Action: License revoked

Licensee: Phillip Maxwell, LPN, Memphis, TN
Violation: Guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; guilty of a crime
Action: License revoked; assessed \$1,000 in civil penalties; and assessed case costs

Licensee: Rhonda Mobley, LPN, Tennessee Ridge, TN
Violation: Administered medication without a written or verbal order of the treating physician
Action: License reprimanded; must complete continuing education

Licensee: Michael Ramel, RN, Greeneville, TN
Violation: Is unfit or incompetent by reason of negligence, habits or other cause; unprofessional conduct; intentionally or negligently causing physical or emotional injury to a patient
Action: License suspended until such time as he undergoes an evaluation for his safety to practice arranged by the Tennessee Professional Assistance Program (TNPAP). Respondent was required to return to the application review committee on March 29, 2005 with a plan developed by TNPAP to address his issues as recommended by the evaluator. The review committee determined that his license would be placed on Probation for one year; assessed \$2,000 in civil penalties

Licensee: Rita Ruby, LPN, Red Bank, TN
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; 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 related to the practice of nursing
Action: License placed on Probation for two years to run concurrent with the contract signed with the Tennessee Professional Assistance Program

Licensee: Lucy Shaw, RN, Jackson, TN
Violation: Unprofessional conduct; engaging in acts of dishonesty related to the practice of nursing
Action: License suspended until 9/30/05 at which time her license expires, will not renew license; assessed \$1,000 in civil penalties

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BOARD OF NURSING (CONT.)

Licensee: Susan Skaggs, LPN, Morristown, TN
Violation: Unfit or incompetent by reason of negligence, habits or other cause; unprofessional conduct; engaging in acts of dishonesty related to the practice of nursing
Action: License placed on Probation for three years; must complete a 40 hours continuing education course as it related to demonstrating respect for the property of clients, patients and significant others, and exhibiting ethical behavior; must undergo screening from the Tennessee Professional Assistance Program and must follow any recommendations

Licensee: Patricia Smith, LPN, Bells, TN
Violation: Violation of prior board order
Action: License revoked; assessed \$750 in civil penalties; and assessed case costs

Licensee: Fernando Torres, RN, Madison, TN
Violation: Is guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing; guilty of a crime; unfit or incompetent by reason of negligence, habits or other cause; unprofessional conduct; engaging in acts of dishonesty which relate to the practice of nursing
Action: License revoked; assessed \$2,000 in civil penalties; and assessed case costs

Licensee: Rebecca Venable, LPN, Tazewell, TN
Violation: Unprofessional conduct
Action: License suspended until such time as she is assessed by the Tennessee Professional Assistance Program and follow any recommendations; thereafter to be placed on Probation for no less than three years. If she does not have addiction issues her license will be placed on Probation for a period of five years, during which time she shall undergo random drug screens to be determined and monitored by the Tennessee Professional Assistance Program

Licensee: Julie Williamson, RN, Jackson, TN
Violation: Violation of prior board order
Action: License Revoked; assessed \$1,000 in civil penalties

Licensee: Rhonda Wilson, LPN, Nashville, TN
Violation: Is guilty of a crime; is unfit or incompetent by reason of negligence, habits or other cause; 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 work place location
Action: License revoked; assessed \$2,500 in civil penalties; and assessed case costs

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BOARD OF NURSING (CONT.)

Licensee: Janice Wynn, LPN, Memphis, TN
 Violation: Unprofessional conduct; 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 substances as defined in the Federal Controlled Substance Act; performing nursing techniques or procedures without proper education and practice
 Action: License placed on Probation for one year; must complete continuing education course in ethics and documentation; assessed \$500 civil penalty

Licensee: Mary Yopp, LPN, Henderson, TN
 Violation: Violation of board order
 Action: License revoked; ordered to pay previously imposed civil penalty of \$1,500

Licensee: April Young, LPN, Crossville, TN
 Violation: Guilty of a crime
 Action: License Revoked; assessed \$1,000 in civil penalties; assessed case costs

BOARD OF NURSING HOME ADMINISTRATORS

Licensee: Sidney Pierce, NHA, Ridgetop, TN
 Violation: Failed to change his address per rules and regulations
 Action: Assessed \$200 in civil penalties

BOARD OF RESPIRATORY CARE

Licensee: James Thomas, RRT, Moore, SC
 Violation: Out of state action
 Action: Application for license granted with the condition that the license will be placed on Probation for one year; must submit quarterly written reports from your immediate supervisor

MARCH 2005 ABUSE REGISTRY PLACEMENTS

Individual: Ida Parsons, C.N.A., Tullahoma
 Violation: Physical Abuse while working in a licensed or certified facility
 Action: CNA Certification Revoked
 Placed on State Abuse Registry

Individual: Willie Shaw Jr., Caregiver, Brownsville
 Violation: Physical Abuse while working in a licensed or certified facility
 Action: Placed on State Abuse Registry

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MARCH 2005 ABUSE REGISTRY PLACEMENTS (CONT)

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Individual: Minnis Hunt, Jamestown
Violation: Physical/Mental Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Dwight Mitchell Jr., Psychiatric Tech., Memphis
Violation: Physical Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Shalanda Guy, Direct Care Staff Member, Memphis
Violation: Physical Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Donna Ricketts, Job Coach, Hendersonville
Violation: Misappropriation of funds while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Melissa Snapp, L.P.N., Mohawk
Violation: Physical/Neglect while working in a licensed or certified facility
Action: Placed on State Abuse Registry

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