



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

FOR IMMEDIATE RELEASE
JUNE 17, 2004

CONTACT: DIANE DENTON
615.741.3111 (OFFICE)
615.708.9384 (CELL)

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 May 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 DENTISTRY

Licensee: Herbert Blumenthal, DDS, Cordova
Violation: Gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of professional practice.
Action: Reprimanded

Licensee: William Mueller, DMD, Aurora, CO
Violation: Unprofessional and unethical conduct; advertising violations
Action: Reprimanded; assessed \$2,400 in civil penalties and assessed costs.

Licensee: Paul Muscari, DDS, Morristown
Violation: Unprofessional, dishonorable and unethical conduct; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of professional 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; practicing conscious sedation without a permit issued by the Tennessee Board of Dentistry.
Action: License Summarily Suspended

BOARD OF MEDICAL EXAMINERS

Licensee: Timothy M. Ashburn, M.D., Germantown
Violation: Unprofessional conduct; fraud or deceit in the practice of medicine; habitual intoxication or misuse of any drugs or controlled substances; distributing any controlled substance not in good faith to relieve pain and suffering.
Action: License revoked, assessed costs

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

Licensee: George Barker, M.D. Memphis
Violation: The Board, having determined that the circumstances warrant an Order Modification, order such modification as described below.
Action: The probation and all conditions thereunder as required by the Board's Order of March 4, 2002 are lifted immediately.

Licensee: Elizabeth Billings, MXRT, Memphis
Violation: Performed X-ray procedures in a physician's office, without the required Tennessee X-ray Operator Certification from July of 2002 through February of 2003.
Action: Reprimanded

Licensee: Michael S. Birdsong, Cordova
Violation: Failed to Comply with prior Board Order
Action: License revoked; assessed costs

Licensee: Peter Gardner, M.D., Nashville
Violation: Unprofessional, dishonorable and unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate any provision of this chapter; 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 substances without a bona fide effort to cure the habit of such patient; engaging in the practice of medicine when mentally or physically unable to safely do so.
Action: License Summarily Suspended; assessed costs. Thereafter, on May 20, 2004, Dr. Gardner voluntarily surrendered his license as a final disposition.

Licensee: John T. Hancock, M.D., Mooresburg
Violation: Unprofessional Conduct; Attempted violation of any criminal statute of the State of Tennessee.
Action: Placed on Probation for 5 years; must enter into contract with the Tennessee Medical Foundation (TMF) and maintain the advocacy of the TMF for the duration of the Probationary period; must be evaluated by the Vanderbilt Comprehensive Assessment Program for Professionals; must pay costs not to exceed \$1,000.

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Licensee: Mark Hendrixson, M.D., Crossville
Violation: Violation of Prior Board Order
Action: Probation extended to five years; must obtain and maintain lifetime advocacy of the Tennessee Medical Foundation (TMF); must enter into a five year contract with the TMF with frequent periodic drugs screens as a requirement of the contract; cannot engage in the solo practice of medicine in Tennessee without the prior approval of the TMF, ordered to pay court costs

Licensee: Eric Jordan, M.D.X., Memphis
Violation: Performed X-ray procedures in a physician's office, without the required Tennessee X-ray Operator Certification from March of 2002 through September of 2002.
Action: Reprimanded

Licensee: C. DeWayne Knight, M.D., Cleveland
Violation: Conviction of a felony, habitual intoxication or misuse of drugs or controlled substances, unprofessional conduct, inappropriate prescribing.
Action: Order modification request accepted, changing previous Order to include permission to apply or a limited DEA license restricted to prescribing Schedule IV and V drugs only.

Licensee: David Krasnopolsky, M.D., Hazard, KY
Violation: Out of State Action
Action: License restricted to inactive for an indefinite period of time

Licensee: Charles Morgan, M.D., McMinnville
Violation: Unprofessional Conduct; 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 is placed on Probation for 5 years; shall attend "Prescribing Controlled Drugs" and "Maintaining the Proper Boundaries" courses offered by Vanderbilt University Medical Center; must create and maintain accurate records on all patients and make records available for inspection by agents of the Department; assessed court costs.

Licensee: Forster G. Ruhl, M.D., Senatobia, Mississippi
Violation: Out of state action, inappropriate prescribing
Action: Order modification request accepted, probation lifted and license returned to good standing.

Licensee: Don Stanton, P.A., Knoxville
Violation: Violation of Prior Board Order
Action: Probation extended 2 years with the requirement that he attended Narcotics Anonymous meetings and maintain the advocacy of the Tennessee Medical Foundation.

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Licensee: Sheran Yeates, M.D., Humboldt
Violation: Unprofessional, dishonorable and 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; gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of medical practice; 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; engaging in the practice of medicine when mentally or physically unable to safely do so.
Action: License Summarily Suspended

BOARD OF NURSING

Licensee: Tobie Allen, LPN, Columbia
Violation: Is unfit or incompetent by reason of negligence, habits or other cause; is guilty of unprofessional conduct; being under the influence of alcoholic beverages or drugs which impair judgment while on duty.
Action: License Revoked

Licensee: Susan L. Clark, RN, Soddy Daisy
Violation: Unprofessional Conduct; being under the influence of alcoholic beverages, or under the influence of drugs which impair judgment while on duty
Action: License suspended until such time as she enters into a contract with the Tennessee Professional Assistance Program; thereafter to be placed on probation for three years.

Licensee: Richard Decker, RN, Jonesborough
Violation: Is addicted to alcohol/drugs to degree of interfering with nursing duties; guilty of unprofessional conduct; violation of rules concerning impersonating another licensed practitioner; and engaging in acts of dishonesty which relate to the practice of nursing.
Action: License Revoked

Licensee: Mary G. Griggs, LPN, Ripley
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 under the influence of drugs which impair judgment while on duty
Action: License suspended until such time as she enters into a contract with the Tennessee Professional Assistance Program; thereafter to be placed on probation for three years.

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Licensee: Robbin Kitts, RN, Jacksboro
Violation: Guilty of Unprofessional Conduct; Engaging in acts of dishonesty, which relate to the practice of Nursing.
Action: License placed on Probation for 1 year; must complete 9 continuing education hours in the area of Jurisprudence and Ethics.

Licensee: Stephanie Rhea, LPN, Mooresburg
Violation: Practicing on an Expired License
Action: Assessed Civil Penalties in the amount of \$1,275.00

Licensee: Melvin Spires, RN, Clarksville
Violation: fraud or deceit in procuring or attempting to procure a license to practice nursing; unprofessional conduct; action in another state; engaging in acts of dishonesty which relate to the practice of nursing.
Action: License Reprimanded; assessed \$1,000 in civil penalties

Licensee: Stephanie Tipton, RN, Kingsport
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 pertaining to the obtaining, possessing or administration of any controlled substance.
Action: Certificate of Fitness to Prescribe shall be suspended for a minimum of 90 days; must enroll in and successfully complete a documentation course and a substance abuse recognizing chemical dependency course.

Licensee: Juanita Vise, LPN, Decaturville
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 under the influence of drugs which impair judgment while on duty
Action: License suspended until such time as she enters into a contract with the Tennessee Professional Assistance Program; thereafter to be placed on probation for three years.

BOARD OF OCCUPATIONAL THERAPY

Licensee: Berenda Ragan, OTA, Dickson
Violation: Unprofessional, dishonorable or unethical conduct; 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; making or signing in one's professional capacity any certificate that is known to be false at the time one makes or signs such certificate.
Action: License placed on Probation for one year, must submit supervisory reports every six months, and must undergo evaluation by Tennessee Professional Assistance Program.

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BOARD OF VETERINARY MEDICAL EXAMINERS

Licensee: Mark Roberts, DVM, Readyville
Violation: Felony conviction
Action: License suspended until such time as appeals have been exhausted or until the respondent requests a hearing.

BOARD OF SOCIAL WORKERS CERTIFICATION AND LICENSURE

Licensee: Barbara Henegar-Roy, LCSW, Memphis
Violation: Unprofessional Conduct
Action: License placed on Probation for two years; must acquire 12 hours of continuing education in the area of Ethics and Boundaries.

Licensee: Rebecca MacLeod, LCSW, Green Bay, WI
Violation: Unprofessional or unethical conduct; conduct reflecting unfavorably upon the profession of social work; addiction to the habitual use of intoxicating liquors, narcotics or other stimulants to such an extent as to incapacitate the applicant or holder from the performance of one's professional obligations and duties.
Action: Agreed Order to self-report prior substance abuse and a prior marital relationship with a former client to the Wisconsin Board of Social Work.

MAY 2004 ABUSE REGISTRY PLACEMENTS

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

Individual: Dana Hardin, CNA, Lebanon
Violation: Physical Abuse while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

Individual: Alicia Mercado, CNA, Clarksville
Violation: Physical Abuse while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

Individual: Linda Joyce, CNA, Hermitage
Violation: Verbal Abuse while working in a licensed or certified facility
Action: CNA Certification Revoked
Placed on State Abuse Registry

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Individual: Lashanda Issac, Community Living Specialist, Knoxville
Violation: Neglect while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Vernon Jones, Manager, Memphis
Violation: Neglect while working in a licensed or certified facility
Action: Placed on State Abuse Registry

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

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