

## 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 October, 2006. *Detailed information about disciplinary actions is available on our web site at [www.tennessee.gov/health](http://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: Ann Slaughter Smith, DDS, West Memphis, AR  
Violation: Out of state action  
Action: License issued on Probation; must comply with the terms of the Arkansas Board Order

Licensee: Don Walling, Unlicensed, Newport, TN  
Violation: Practicing without a license  
Action: Ordered to cease and desist from construction of dentures without an order from a licensed dentist; assessed \$2,000 in civil penalties; and assessed case costs

### **BOARD OF MEDICAL EXAMINERS**

Licensee: Terence S. Dunn, M.D., Chattanooga, TN  
Violation: Violation of Board Order  
Action: License Surrendered

Licensee: Stuart Fox, M.D., Knoxville, TN  
Violation: 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; out of state action  
Action: License granted with Restrictions and placed on Probation for three years; cannot perform obstetric or gynecological surgery; assessed \$4,000 in civil penalties; and case costs

Licensee: Alan Gardner, M.D., Defiance, OH  
 Violation: Engaging in the practice of medicine when mentally or physically unable to do so; out of state action  
 Action: License Suspended until Ohio license is reinstated; assessed case costs

Licensee: Alton E. Ingram, Jr., M.D., Orange Beach, AL  
 Violation: Out of state action; making false statements or representations, guilty of fraud or deceit in obtaining admission to practice, or guilty of fraud or deceit in the practice of medicine  
 Action: License Suspended for three years; assessed \$1,000 in civil penalties; and assessed case costs

Licensee: Robert Pomphrey, M.D. Gleason, TN  
 Violation: Unprofessional, dishonorable or unethical conduct; engaging in the practice of medicine when mentally or physically unable to safely do so  
 Action: License Suspended; upon meeting certain conditions, license will then be placed on Probation for no less than five years

Licensee: Sheila Vaughn, Unlicensed, Manchester, TN  
 Violation: Practicing medicine without a license  
 Action: Assessed \$500 civil penalty; and assessed case costs

Licensee: Pilar Vargas, M.D., Birmingham, AL  
 Violation: Unable to safely practice clinical medicine due to lack of updated clinical skills  
 Action: License issued with restrictions; may only practice administrative medicine; may once clinical skills are updated; apply to have the restriction lifted

Licensee: Mark Wade, M.D. Germantown, TN  
 Violation: Violation of board order  
 Action: License suspended until payment of \$5,000 past due balance, thereafter to be placed on Probation for an additional five years with terms and conditions

Licensee: Alexander Zotos, M.D., Ringgold, GA  
 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 medicine  
 Action: License issued on the condition that he maintains lifetime advocacy of the Tennessee Medical Foundation

### **BOARD OF NURSING**

Licensee: Denise R. New, LPN, Jackson, TN  
 Violation: Unprofessional conduct; making false or materially incorrect, inconsistent or unintelligible entries in any patient records pertaining to the obtaining, possession or administration of any controlled substance; unauthorized use of narcotics, drugs, supplies, or equipment from any 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 under the influence of drugs which impair judgment while on duty  
 Action: License Revoked; assessed \$1,000 in civil penalties; and assessed case costs

**MEDICAL LABORATORY BOARD**

Licensee: April Rodgers, MLT, Chattanooga, TN  
Violation: Practicing outside of scope  
Action: License Suspended for three months, to be followed by Probation for one year; assessed case costs

Licensee: Wellness First, Inc., Collection Station, Memphis, TN  
Violation: Operating on an expired license; violation of rules concerning collection tubes  
Action: Assessed \$6,000 in civil penalties; and assessed case costs

**BOARD OF EXAMINERS IN PSYCHOLOGY**

Licensee: John Auerbach, Ph.D., Johnson City, TN  
Violation: Violation of ethical guidelines which prohibit practicing with impaired objectivity or effectiveness  
Action: Reprimanded; for two years, must obtain monthly consultation and must enter into a therapeutic relationship with a psychologist or senior psychological examiner; and assessed case costs

Licensee: Ted Hagen, Ph.D., Kingsport, TN  
Violation: Unprofessional, dishonorable or unethical conduct; violation of rules which prohibit sexual intimacies with former therapy patients  
Action: License Surrendered effective December 31, 2006, assessed case costs not to exceed \$500

Licensee: Roy Kersey, Ph.D., Knoxville, TN  
Violation: Unprofessional, dishonorable or unethical conduct; Gross malpractice, or a pattern of continued or repeated malpractice, ignorance, negligence or incompetence in the course of practice  
Action: Reprimanded; must complete continuing education; must undergo assessment; and assessed case costs

**BOARD OF RESPIRATORY CARE**

Licensee: Katrina Baker, CRT, Bowling Green, KY  
Violation: Out of State Action  
Action: License issued on the condition that she comply with the terms of Probation of her Kentucky license

**OCTOBER ABUSE REGISTRY PLACEMENTS**

Individual: Carol Smith, Residential Technician  
Abuse: Physical  
Action: Placed on Abuse Registry