

DISCIPLINARY ACTION REPORT

NASHVILLE, Tenn. -- Tennessee Code Annotated, Section 68-1-114 requires the Tennessee Department of Health to issue a monthly media release listing all disciplinary actions taken by the health related boards during the prior month. Below is a list of actions taken in June of 2019. *Detailed information about disciplinary actions is available on our website at <https://apps.health.tn.gov/Licensure/default.aspx>. Enter the name of the person. When the license information comes up, click either "disciplinary action" or "adverse licensure action" in the right column.*

BOARD OF EMERGENCY MEDICAL SERVICES

Licensee: Hayden Joseph Bradfield, AEMT, Knoxville
Violation: Guilty of being convicted of stalking and harassment in Pennsylvania
Action: License voluntarily surrendered

Licensee: James Lane Claud, AEMT, Greenbrier
Violation: Failed probable drug screen.
Action: License voluntarily surrendered

Licensee: Joshua Tyler Dannels, Paramedic, Crossville
Violation: Pled guilty to reckless endangerment
Action: License placed on probation

Licensee: Charles Leslie, Paramedic, Memphis
Violation: Failed a random drug screen
Action: License suspended with Tennessee Professional Assistance Program evaluation ordered.

Licensee: Donald E. McCormick, Paramedic, Madisonville
Violation: Guilty of aiding in performing or attempting emergency care techniques or procedures without proper permission, license, certification, training, medical direction, or otherwise engaging in unethical practices or conduct.
Action: License reprimanded; required to obtain continuing education

Licensee: Jacob Elliot Smith, EMT, Hendersonville
Violation: Convicted of first offense Driving Under the Influence
Action: License suspended until evaluation by Tennessee Professional Assistance Program. Suspension will be stayed and placed probation

Licensee: Sara A. Stoll, AEMT, Bristol
Violation: Failed a random alcohol screen.
Action: License suspended until evaluation by Tennessee Professional Assistance Program. Suspension will be stayed and placed probation

Licensee: Phillip R. Tolbert, Jr., Paramedic Bartlett
Violation: Guilty of one count of Social Security Fraud in an attempt to obtain survivors' benefits after the death of his spouse.

Action: License suspended for one year then placed on probation for no less than 2 years. Obtain specified continuing education credits.

BOARD FOR LICENSING HEALTH CARE FACILITIES

Licensee: Broadmore Assisted Living, Bristol
Violation: Rule 1200-08-25-.07(7)(a)(3) An ACLF shall provide personal services as follows: Each ACLF shall provide each resident with at least the following personal services; Daily awareness of the individual's whereabouts
Action: Assessed one civil penalty of five hundred dollars (\$500.00)

Licensee: Cades Center of Humboldt, Humboldt
Violation: Rule 1200-08-25-.07(7)(c)(1) An ACLF shall provide personal services as follows: Dietary services. An ACLF shall have organized dietary services that are directed and staffed by adequate qualified personnel. An ACLF may contract with an outside food management company if the company has a dietitian who serves the ACLF on a full-time, part-time or consultant basis, and if the company maintains at least the minimum standards specified in this section while providing for constant liaison with the ACLF for recommendations on dietetic policies affecting resident treatment. Rule 1200-08-25-.12(5)(a) Plan of Care. (a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.
Action: Assessed three (3) civil penalties the amount of five hundred dollars (\$500.00) for a total assessment of one thousand five hundred dollars (\$1,500.00)

Licensee: Carriage Court of Memphis, Memphis
Violation: Rule 1200-08-25-.07(a)(2) (7) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services; (2) Safety when in the ACLF. Rule 1200-08-25-.12(5)(a) (5) Plan of Care. (a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals. Rule 1200-08-25-.12(5)(b)(1): (5) Plan of Care. (b) The Plan of Care shall describe: (1) The needs of the resident, including the activities of daily living and medical services for which the resident requires assistance, i.e., what assistance/care, how much, who will provide the assistance/care, how often, and when. Rule 1200-08-25-.16(1): (1) An ACLF shall have in effect and available for all supervisory personnel and staff written copies of the following disaster, refuse and/or evacuation plans readily available at all times: (a) Fire Safety Procedures Plan shall include: (1) Minor fires; (2) Major fires; (3) Fighting the fire; (4) Evacuation procedures; and (5) Staff functions. Rule 1200-08-25-.06(1)(c): (1) Each ACLF shall meet the following staffing and procedural standards: (b) An ACLF shall keep a written up-to-date log of all residents that can be produced in the event of an emergency. Rule 1200-08-25-.08(8)(a): (8)

An ACLF may not retain a resident who cannot evacuate within thirteen (13) minutes unless the ACLF complies with Chapter 19 of the 2006 edition of the NFPA Life Safety Code, and the Institutional Unrestrained Occupancy of the 2006 edition of the International Building Code.

Action: License placed on probation; complete Plan of correction; during the six (6) month period of probation, any new serious violation affecting the health, safety, and welfare of residents shall result in a suspension of admissions; assessed six (6) civil penalties in the amount of one thousand dollars each (\$1,000.00) for a total of six thousand dollars (\$6,000.00).

Licensee: Chandler House, Jefferson City

Violation: Elopement of a resident from the facility in violation of Rule 1200-08-25-.07(7)(a)(2): (7) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services; (2) Safety when in the ACLF.

Action: Assessed one (1) civil penalty in the amount of five hundred dollars (\$500.00).

Licensee: Creekside at Three Rivers, Murfreesboro

Violation: Rule 1200-08-25-.10(10)(a): (10) An ACLF shall maintain its physical environment in a safe, clean and sanitary manner by doing at least the following: (a) Prohibit any condition on the ACLF site conducive to the harboring or breeding of insects, rodents, or other vermin.

Action: Assessed one (1) civil penalty in the amount of five hundred dollars (\$500.00).

Licensee: Crown Cypress, Kingsport

Violation: Failure to prevent infestation of bed bugs in violation of Rule 1200-08-25-.07.10(10)a failure to prohibit any condition on the assisted care living facility site conducive to the harboring or breeding of insects, rodents, or other vermin.

Action: Assessed one (1) civil penalty of in the amount of five hundred dollars (\$500.00).

Licensee: Dogwood Bend, Clarksville

Violation: Rule 1200-08-25-.10(3)(a): (3) An ACLF shall conduct fire drills in accordance with the following: (a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly.

Action: Assessed one (1) civil penalty of in the amount of five hundred dollars (\$500.00).

Licensee: Dominion Senior Living of Hixson, Chattanooga

Violation: Elopement of resident from the facility in violation of Rule 1200-08-25-.07(7)(a)(3) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services: (3) Daily awareness of the individual's whereabouts.

Action: Assessed one civil penalty of five hundred dollars (\$500.00).

Licensee: Gardens of Germantown, Germantown

Violation: Rule 1200-08-25-.07(7)(c)(6): (7) An ACLF shall provide personal services as follows: (c) Dietary services. (6) Employees shall wash and sanitize equipment, utensils, and dishes after each use. Rule 1200-08-25-.07(7)(c)(4)(iv): (7) An ACLF shall provide personal services as follows: (c) Dietary Services. (4) An ACLF shall: (iv) Provide appropriate, properly repaired equipment and utensils

Action: for cooking and serving food in sufficient quantity to serve all residents. Assessed three (3) civil penalties in the amount of five hundred dollars each (\$500.00) for a total of one thousand five hundred dollars (\$1,500.00).

Licensee: Olive Branch Assisted Living, LLC, Dickson

Violation: Rule 1200-08-25-.10(2)(h): (2) An ACLF shall ensure fire protection for residents by doing at least the following: (h) Prohibit open flame and portable space heaters. Rule 1200-08-25-.10(2)(i): (2) An ACLF shall ensure fire protection for residents by doing at least the following: (i) Ensure that upon entering the ACLF, the resident or his or her responsible party is asked if they wish to have a cooking appliance that is appropriate for their level of cognition. If the facility chooses to provide a requested cooking appliance, it shall be in accordance with the facility's policies. If the resident or his or her responsible party wishes to provide their own cooking appliance, it shall meet the facility's policies and safety standards. The cooking appliances shall be designed so that they can be disconnected and removed for resident safety or if the resident chooses not to have cooking capability within his or her apartment. The cooking appliances shall have an automatic timer. Rule 1200-08-25-.10(2)(b): (b) An ACLF shall ensure fire protection for residents by doing at least the following: (b) Install necessary fire-fighting equipment. Rule 1200-08-25-.13(2): (2) The ACLF shall report the following incidents to the Department of Health in accordance with T.C.A. 68-11-211: (a) Strike by staff at the facility; (b) External disasters impacting the facility; (c) Disruption of any service vital to the continued safe operation of the ACLF or to the health and safety of its patients and personnel; and (d) Fires at the ACLF that disrupt the provision of patient care services or cause harm to the patients or staff, or that are reported by the facility to any entity, including but not limited to a fire department charged with preventing fires.

Action: Assessed two (2) civil penalties in the amount of one thousand dollars (\$1,000) each and one civil penalty in the amount of five hundred dollars (\$500.00) for a total civil penalty of two thousand five hundred dollars (\$2,500.00).

Licensee: Optimum Assisted Living, LLC, White Bluff

Violation: Rule 1200-08-25-.10(3)(a): (3) An ACLF shall conduct fire drills in accordance with the following: (a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly. Rule 1200-08-25-.10(8)(a): (8) An ACLF shall ensure that: (a) The ACLF maintains all safety equipment in good repair and in safe operating condition. Rule 1200-08-25-.16(2)(a): (a) Maintain a detailed log with staff signatures designating training each employee receives regarding disaster preparedness. (b) Train all employees annually as required in the plans listed above and keep each employee informed with respect to the employee's duties under the plans. (c) Exercise each of the plans listed above annually.

Action: Assessed one civil penalty in the amount of five hundred dollars (\$500.00) and one civil penalty of one thousand dollars (\$1,000.00) for a total assessment of one thousand five hundred dollars (\$1,500.00).

Licensee: Riverdale Assisted Living Facility, Memphis

Violation: Rule 1200-08-25-.14(1)(b): (1) An ACLF shall ensure at least the following rights for each resident: (b) To be free from mental and physical abuse. Should this

right be violated, the ACLF shall notify the Department of the Tennessee Department of Human Services, Adult Protective Services at 1-888-277-8366. Rule 1200-08-25-.13(1) The ACLF shall report all incidents of abuse, neglect, and misappropriation to the Department of Health in accordance with T.C.A. 68-11-211. Rule 1200-08-25-.13(5)(b)(1): (5) Plan of care. (b) The Plan of Care shall describe: (1) The needs of the resident, including the activities of daily living and medical services for which the resident requires assistance, i.e., what assistance/care, how much, who will provide the assistance/care, how often, and when.

Action: Assessed three (3) civil penalties in the amount of five hundred dollars each for a total assessment of one thousand five hundred dollars (\$1,500.00).

Licensee: Signature Lifestyles, Rogersville

Violation: Rule 1200-08-25-.12(5)(a): (5) Plan of Care. (a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care profession or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals. Rule 1200-08-25-.10(3)(a): (3) An ACLF shall conduct fire drills in accordance with the following: (a) Fire drills shall be held for each ACLF work shift in each separate ACLF building at least quarterly. Rule 1200-08-25-.10(3)(b): (3) An ACLF shall conduct fire drills in accordance with the following: (b) There shall be one (1) fire drill per quarter during sleeping hours.

Action: Assessed three (3) civil penalties in the amount of five hundred dollars (\$500.00) each for a total assessment of one thousand five hundred dollars (\$1,500.00).

Licensee: The Bridge at Hickory Woods, Antioch

Violation: Rule 1200-08-25-.06(1)(b)(3): (1) Each ACLF shall meet the following staffing and procedural standards: (b) Policies and Procedures: (3) An ACLF shall develop a written policy, plan or procedures concerning a subject and adhere to its provisions whenever required to do so by these rules. A licensee that violates its own policy established by these rules and regulations also violates the rules and regulations establishing the requirement. Rule 1200-08-25-.07(7)(a)(2): (7) An ACLF shall provide personal services as follows: (a) Each ACLF shall provide each resident with at least the following personal services; (2) Safety when in the ACLF. Rule 1200-08-25-.08(8): An ACLF may not retain a resident who cannot evacuate within thirteen (13) minutes unless the ACLF complies with Chapter 19 of the 2006 edition of the NFPA Life Safety Code and the Institutional Unrestrained Occupancy of the 2006 edition of the International Building Code. Rule 1200-08-25-.09(1) An ACLF shall construct, arrange, and maintain the condition of the physical plan and the overall ACLF living facility environment in such a manner that the safety and well-being of the residents are assured. Rule 1200-08-25-.09(5) No new ACLF shall be constructed, nor shall major alterations be made to an existing ACLF without prior approval of the department, and unless in accordance with plans and specifications approved in advance by the department. Before any new ACLF is licensed or before any alteration or expansion of a licensed ACLF can be approved, the applicant must furnish two (2) complete sets of plans and specifications to the department, together with fees and other information as required. Plans and specifications

for new construction and major renovations, other than minor alterations not affecting fire and life safety or functional issues, shall be prepared by or under the direction of a licensed architect and/or a licensed engineer and in accordance with the rules of Board of Architectural and Engineering Examiners. Rule 1200-08-25-.10(2)(a) and (c): (2) An ACLF shall ensure fire protection for residents by doing at least the following: (a) Eliminating fire hazards; and (c) Adopt a written fire control plan.

Action: Assessed six (6) civil penalties in the amount of five hundred dollars (\$500.00) each for a total assessment of three thousand dollars (\$3,000.00).

Licensee: The Glenmary at Evergreen, Memphis

Violation: Rule 1200-08-25-.07(c)(6): (7) An ACLF shall provide personal services as follows: (c) Dietary services. (6) Employees shall wash and sanitize equipment, utensils, and dishes.

Action: Assessed two (2) civil penalties in the amount of five hundred dollars (\$500.00) and one civil penalty in the amount of one thousand dollars (\$1000.00) for a total assessment of (\$1,500.00).

Licensee: Victorian Square Assisted Living, Rockwood

Violation: Rule 1200-08-25-.08(1)(d): (1) An ACLF shall not admit or permit the continued stay of an ACLF resident who has any of the following conditions: (d) Exhibits verbal or physically aggressive behavior which poses an imminent physical threat to self or others, based on behavior, not diagnoses. (b) Ensure that all drugs and biologicals shall be administered by a licensed professional operating within the scope of the professional license and according to the resident's plan of care. Rule 1200-08-25-.12(5)(a): (5) Plan of Care. (a) An ACLF shall develop a plan of care for each resident admitted to the ACLF with input and participation from the resident or the resident's legal representative, treating physician, or other licensed health care professionals or entity delivering patient services within five (5) days of admission. The plan of care shall be reviewed and/or revised as changes in resident needs occur, but not less than semi-annually by the above appropriate individuals.

Action: Assessed two (2) civil penalties in the amount of one thousand dollars each (\$1000.00) for a total assessment of two thousand dollars (\$2,000.00).

BOARD OF MASSAGE LICENSURE

Licensee: LiLi, LMT Cordova

Violation: Guilty of operating massage establishment without a license

Action: Massage Therapist license suspended; assessed civil penalty of \$5,300.00 plus costs not to exceed \$3,000.00

BOARD OF MEDICAL EXAMINERS

Licensee: Tami Latham, MDXL, Brentwood

Violation: Failed to properly maintain sufficient continuing education credits

Action: Agreed Citation; assessed civil penalty \$400.00

Licensee: Jean-Claude Loiseau, MD, Memphis

Violation: Failed to properly maintain sufficient continuing education credits

Action: Agreed Citation; assessed civil penalty \$1,450.00

Licensee: Richard Pearce, MD, Chattanooga
Violation: Failed to properly maintain sufficient continuing education credits
Action: Agreed Citation; assessed civil penalty \$1,625.00

Licensee: Jennifer Wilbourne, MDX, Salamanca, New York
Violation: Failed to properly maintain sufficient continuing education credits
Action: Agreed Citation; assessed civil penalty \$400.00

BOARD OF MEDICAL EXAMINERS' COMMITTEE ON PHYSICIAN ASSISTANTS

Licensee: *Reagin Farley, PA, Chattanooga
Violation: Guilty of criminal history
Action: Conditional license granted with Tennessee Medical Foundation monitoring terms.

**Late Reporting from May, 2019*

BOARD OF MEDICAL EXAMINERS-POLYSOMNOGRAPHY PROFESSIONAL STANDARDS COMMITTEE

Licensee: Becky LaRone Reid, PSGP, Ten Mile
Violation: Guilty of engaging in the unlicensed practice of polysomnography
Action: Agreed Citation; assessed civil penalty \$1,100.00

Licensee: Christopher Emerson Slaymaker, PSGP, Knoxville
Violation: Guilty of engaging in the unlicensed practice of polysomnography
Action: Agreed Citation; assessed civil penalty \$300.00

BOARD OF PAIN MANAGEMENT CLINICS

Licensee: *Complete Health and Wellness, Applicant, Knoxville
Violation: Inspection of the clinic revealed violation of the rules pertaining to pain management clinics, conduct or practice found to be detrimental to the welfare of patients, failure to establish required quality assurance policies, and failure to maintain complete and accurate medical records.

Action: License conditionally issued on probation for 2 years; medical director to complete course on prescribing controlled drugs; and obtain practice monitoring

**Late reporting from April, 2019.*

Licensee: *Cordova Pain Specialists, Applicant, Cordova
Violation: Guilty of operating as a pain management clinic without a valid certificate or license.

Action: License conditionally issued; assessed civil penalty of \$15,000.00

**Late reporting from January, 2019.*

ABUSE REGISTRY

Name: LaTroia Anderson
Abuse: Misappropriation
Profession: Resident Tech

Name: Carol Ann Atkins
Abuse: Misappropriation
Profession: CNA (Revoked)

Name: Joseph Lee Boyette
Abuse: Neglect
Profession: Not Provided

Name: Laura Pat Cagle
Abuse: Exploitation
Profession: Caregiver

Name: Vickie R. Easley
Abuse: Physical
Profession: Not Provided

Name: Meredith Falls
Abuse: Exploitation
Profession: Case Manager

Name: Cassie Freytag
Abuse: Theft/Misappropriation
Profession: Asst. Business Office Manager

Name: Chronica Greer
Abuse: Physical
Profession: Direct Support Specialist

Name: Brian Lynn Hickman
Abuse: Neglect
Profession: Not Provided

Name: Bridget N. Jeanlewis
Abuse: Theft/Misappropriation
Profession: Not Provided

Name: Jessica N. Lutz
Abuse: Exploitation
Profession: Asst. Business Officer Manager and Former CNA

Name: Deon Smith
Abuse: Physical
Profession: House Manager

Name: Brooklyn Steed
Abuse: Physical
Profession: Patient Care Tech

Name: Andrea Thomas
Abuse: Physical

Profession: Direct Support Staff