



MEDIA RELEASE

STATE OF TENNESSEE
DEPARTMENT OF HEALTH

FOR IMMEDIATE RELEASE
SEPTEMBER 15, 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 August 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 EXAMINERS FOR NURSING HOME ADMINISTRATORS

Licensee: Clyde Flynn, III, NHA, Winfield
Violation: Practicing on a lapsed license
Action: Reprimanded

Licensee: John Pope, NHA, Nashville
Violation: Quality of Care deficiencies
Action: Reprimanded

BOARD OF MEDICAL EXAMINERS

Licensee: Rosaire Dubrule, MD, Tiptonville
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; 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 summarily suspended

Licensee: Herman A. Garrett, MD, Alexandria, VA
Violation: Out of State Action
Action: License suspended for three years; assessed \$1,000 in civil penalties; and assessed court 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 (CONT.)

Licensee: John P. McMurry, M.D., Ripley, WV
Violation: Out of state action; 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: Order Modification request approved; probation lifted, however, must maintain TMF contract for at least two years, assessed costs.

Licensee: Steven Yood, MD, Chattanooga
Violation: Personal misuse of drugs or alcohol
Action: License permanently revoked; assessed costs

BOARD OF MASSAGE LICENSURE

Licensee: Sandra Erwin, LMT, Athens
Violation: Failed to submit proof documenting completion of mandatory continuing education.
Action: Assessed \$150 in civil penalties; required to complete 18 hours of continuing education within 90 days

Licensee: Angela Huff, LMT, Clarksville
Violation: Failed to submit proof documenting completion of mandatory continuing education.
Action: Assessed \$150 in civil penalties; required to complete 18 hours of continuing education within 90 days

Licensee: Richard Penny, LMT, Arrington
Violation: Failed to submit proof documenting completion of six hours of mandatory continuing education.
Action: Assessed \$100 in civil penalties; required to complete 9 hours of continuing education within 90 days

Licensee: Kevin B. Reed, LMT, Lebanon
Violation: Practicing Massage Therapy in an unlicensed facility
Action: Assessed \$500 in civil penalties

Licensee: Gregory Sims, LMT, Oliver Springs
Violation: Failed to submit proof documenting completion of mandatory continuing education.
Action: Reprimanded; assessed \$150 in civil penalties; required to complete 18 ½ hours of continuing education within 90 days

Licensee: Nicole Williams, LMT, Brush Creek
Violation: Practicing in an unlicensed facility
Action: Assessed \$1,200 in civil penalties and assessed costs

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BOARD OF ALCOHOL & DRUG ABUSE COUNSELORS CERTIFICATION AND LICENSURE

Licensee: Brian Van Camp, LADAC, Mt. Juliet
Violation: Practicing outside of the scope of practice for Alcohol and Drug Abuse Counselors and failure to adequately document the client's progress
Action: Reprimanded

BOARD OF VETERINARY MEDICAL EXAMINERS

Licensee: Lee Anne Givan, DVM, Franklin
Violation: Fraud, deception, misrepresentation, dishonest or illegal practices in or connected with the practice of veterinary medicine in any of its branches; Unprofessional or unethical conduct, or engaging in practices in connection with the practice of veterinary medicine which are in violation of the standards of professional conduct, as defined herein or prescribed by the rules of the board; Conduct reflecting unfavorably upon the profession of veterinary medicine; Engaging in the practice of veterinary medicine under a false or assumed name, or the impersonation of another practitioner of a like, similar or different name; Addiction to the habitual use of intoxicating liquors, narcotics or other stimulants to such an extent as to incapacitate the applicant or licensee from the performance of the applicant's or the licensee's professional obligations and duties;) Dispensing, prescribing, or otherwise distributing any controlled substance or any other drug not in the course of the accepted practice of veterinary medicine. Treating or professing to treat, or issuing any pharmaceutical to any human.
Action: License placed on Probation for four years; must maintain advocacy of the Tennessee Medical Foundation; must submit quarterly reports from her employer; must practice under the supervision of a licensed Veterinarian for one year; must submit proof of continuing education annually.

Licensee: P. Charles Moyers, DVM, Morristown
Violation: Operating an unlicensed veterinary clinic
Action: Issued an Advisory Censure and assessed \$900 in civil penalties

Licensee: William Potter, DVM, Paducah, KY
Violation: Out of State Action; unprofessional or unethical conduct; conviction of a felony involving controlled substances
Action: Placed on Probation until June 1, 2005; must submit report from Kentucky Board of Veterinary Examiners in January and June of 2005.

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BOARD OF RESPIRATORY CARE

Licensee: Amy S. Crunk, RRT, Lexington, AL
Violation: Failed to comply with continuing education requirements
Action: Assessed \$150 in civil penalties and required to complete 15 hours of continuing education

Licensee: Jacqueline Hoover, RCA, Cookeville
Violation: Failed to comply with continuing education requirements
Action: Assessed \$150 in civil penalties and required to complete 15 hours of continuing education

COMMITTEE OF OCCUPATIONAL THERAPY

Licensee: David M. Brick, OT, Memphis
Violation: Unprofessional, dishonorable or unethical conduct; being guilty of fraud or deceit in the licensee's practice, conducting practice so as to permit, directly or indirectly, an unlicensed person to perform services or work which, can be done legally only by persons licensed to practice; permitting unlicensed personnel to practice occupational therapy beyond the tasks allowed for unlicensed personnel.
Action: License placed on Probation for three years; must complete 50 hours of continuing education; assessed \$2,000 in civil penalties; and assessed costs

Licensee: Susan R. Egan, OTA, Oakfield
Violation: Failed to correctly document the date for a visit made to a patient, which resulted in improper billing to that patient. Failed to obtain the original signatures of caregivers on the progress notes for patients.
Action: Reprimanded; required to complete 10 hours of continuing education in the areas of documentation procedures and proper billing practices

COMMITTEE OF PHYSICAL THERAPY

Licensee: Traci Felts, PTA, Memphis
Violation: Practicing beyond the scope of allowed practice
Action: License placed on Probation for three years; must complete 50 hours of continuing education; must submit quarterly reports from her supervisor; assessed \$1,000 in civil penalties; and assessed costs

AUGUST 2004 ABUSE REGISTRY PLACEMENTS

Individual: John Tomberlin, Unknown, Chattanooga
Violation: Sexual Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

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Individual: Brenda Harris, Unknown, Franklin
Violation: Theft/Misappropriation of Property while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Ivan Nix, Unknown, Columbia
Violation: Sexual Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Franzettai Davis, House Manager, Clarksville
Violation: Physical/Verbal Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

Individual: Amanda Anderson, C N A, Jackson
Violation: Physical Abuse while working in a licensed or certified facility
Action: C N A Revoked
Placed on State Abuse Registry

Individual: Roger Cross, Developmental Technician, Antioch
Violation: Physical Abuse while working in a licensed or certified facility
Action: Placed on State Abuse Registry

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