

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 January, 2008. *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: Carlos Alexander, D.D.S., Memphis, TN
Violation: Unprofessional, dishonorable or unethical conduct; a 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; and conducting the practice of dentistry so as to permit directly or indirectly an unlicensed person to perform services or work that under the provisions of this chapter can be done legally only by persons licensed to practice dentistry or dental hygiene or as a registered dental assistant.
Action: License Reprimanded; assessed \$3,000.00 in civil penalties, plus costs
- Licensee: Tina M. Bolin, R.D.H., Pikeville, TN
Violation: Unprofessional, dishonorable or unethical conduct; and violation of Board Order
Action: License Revoked; assessed costs
- Licensee: Robert M. Clear, D.M.D., Louisville, KY
Violation: Unprofessional, dishonorable or unethical conduct; disciplinary action against a person licensed to practice dentistry or dental hygiene or registered to practice as a dental assistant 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 INDEFINITELY SUSPENDED
- Licensee: Jackie M, Henderson, R.D.A., Maryville, TN
Violation: Unprofessional, dishonorable or unethical conduct; a 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; and to practice as a dental assistant beyond the scope of a practical dental assistant a person must possess a lawfully issued registration from the Board.
Action: License Reprimanded; assessed \$2,000.00 in civil penalties, plus costs

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Licensee: Karl R. Jobst, D.D.S., Grove OK
Violation: Disciplinary action against a person licensed to practice dentistry or dental hygiene or registered to practice as a dental assistant 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 placed on Probation for a period of three (3) years to run concurrently with the Oklahoma Board Agreed Order; and assessed costs

Licensee: Angela Y. McAbee, R.D.A., Morristown, TN
Violation: Unprofessional, dishonorable or unethical conduct; and in violation of T.C.A § 63-5-108(b)(2), Rule 0460-4-.08(4)(h) and Rule 0460-4-.08(5) of the Tenn. Comp. R. & Regs.
Action: License Reprimanded; assessed \$500.00 in civil penalties, plus costs

Licensee: Malcom Drew Shabo, D.D.S., Chattanooga, TN
Violation: Unprofessional, dishonorable or unethical conduct
Action: License Reprimanded; assessed \$2000.00 in civil penalties, plus costs

Licensee: Rudy W. Young, D.D.S., Jackson, TN
Violation: 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 in such a manner as to adversely affect the persons ability to practice dentistry; dispensing, prescribing or otherwise distributing and 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; prescribing controlled substances for a habitual drug user in the absence of substantial dental justification; and prescribing drugs for other than legitimate purposes.
Action: License placed on Probation for no less than ten (10) years; must surrender his DEA license; must meet certain terms and conditions; assessed \$2000.00 in civil penalties, plus costs

BOARD OF MEDICAL EXAMINERS

Licensee: Richard W. Feldman, M.D., Nashville, TN
Violation: Unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly..., or conspiring to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto...; making false statements or representations..., or being guilty of fraud or deceit in the practice of medicine, willful violation of the rules and regulations promulgated by the board of medical examiners to regulate advertising by practitioners who are under the jurisdiction of such board; claims that the services performed, personnel employed, materials or office equipment used are professionally superior to that which is ordinarily performed, employed, or used, or that convey the message that one licensee is better than another when superiority of services, personnel, materials or equipment cannot be substantiated; utilization of any statistical data or other information based on past performances for

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prediction of future services, which creates an unjustified expectation about results that the licensee can achieve; any communication which creates an unjustified expectation concerning the potential results of any treatment; and misrepresentation of a licensee's credentials, training, experience, or ability.

Action: License Revoked; assessed \$41,300.00 in civil penalties, plus costs

Licensee: Roy C. Page, M.D., Memphis, TN.

Violation: Unprofessional, dishonorable or unethical conduct; and conviction of a felony, or any offense under state or federal drug laws, or convicted of any offense involving moral turpitude.

Action: License PERMANENTLY SURRENDERED, commencing the date of entry of this Order; assessed costs

Licensee: Sung C. Ro, M.D., Memphis, TN

Violation: Unprofessional, dishonorable or unethical conduct; and 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 "Voluntary Retired", never to reapply again"; shall surrender DEA certificate; and assessed costs

Licensee: Chetan D. Shah, M.D., Hixon, TN

Violation: Failure to appropriately document, for one or more of the patients for whom a prescription was issued or drugs dispensed; and violation of T.C.A § 63-6-214(b) (1) (4) and (12)

Action: License placed on Probation for no less than three (3) years; must meet certain terms and conditions; assessed \$3,000.00 in civil penalties, plus costs

Licensee: Ernest A. Turner, M.D., Lebanon, TN

Violation: Unprofessional, dishonorable or unethical conduct.

Action: License Reprimanded; assessed \$1,000.00 in civil penalties

BOARD OF NURSING

Licensee: Robert Lee Bailey, L.P.N., Ooltewah, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; guilty of unprofessional conduct, to wit: intentionally or negligently causing physical or emotional injury to a patient.

Action: License Revoked; assessed \$1,000.00 in civil penalties, plus costs

Licensee: Karen D. Brewer, L.P.N., Camden, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; guilty of unprofessional conduct, to wit: the use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty in any health care facility, school, institution, or other work place

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location; 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; assigned unqualified persons to perform functions of licensed persons or delegating nursing care functions and tasks and/or responsibilities to others contrary to the Nurse Practice Act or rules and regulations to the detriment of patient safety; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked

Licensee: Beverly Bright, R.N., Powell, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; is addicted to alcohol or drugs to the degree of interfering with nursing duties; guilty of unprofessional conduct, to wit: intentionally or negligently causing physical or emotional injury to a patient; abandoning or neglecting a patient requiring nursing care; the use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty in any health care facility, school, institution, or other work place location; 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; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked; assessed \$1,000.00 in civil penalties, plus costs

Licensee: Gina L. Brown, L.P.N., Lynchburg, TN, Estill Springs, TN

Violation: Guilty of a crime; unfit or incompetent by reason of negligence, habits, or other cause; guilty of unprofessional conduct, to wit: 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, possession or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution, or other work place location; 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; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked; assessed \$4,000.00 in civil penalties, plus costs.

Licensee: Debra J. Carroll, R.N., McEwen, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; unprofessional conduct, to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; 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,

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possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked; assessed \$3,000.00 in civil penalties, plus costs

Licensee: Lynn M. Crum, R.N., Cookeville, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; unprofessional conduct, to wit: failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient and/or failure to maintain a record for each patient which accurately reflects the name and title of the nurse providing care; and unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location.

Action: License Revoked; assessed \$2,500.00 in civil penalties, plus costs

Licensee: Teresa Dressel, R.N., Madison, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; unprofessional conduct, to wit: abandoning or neglecting a patient requiring nursing care; the use of any intoxicating beverage or the illegal use of any narcotic or dangerous drug while on duty in any health care facility, school, institution, or other work place location; 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; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked; assessed \$2,000.00 in civil penalties, plus costs

Licensee: Shannon Lee Eagin-Hackett, Unlicensed, Lebanon, TN

Violation: Practicing nursing without a license in violation of T.C.A. § 63-7-103 and T.C.A. § 63-7-112.

Action: Assessed \$29,500.00 in civil penalties, plus costs

Licensee: Emily Hentz, R.N., Walls, TN

Violation: Guilty of a crime; unprofessional conduct; out of State Discipline; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License Revoked; assessed \$4,000.00 in civil penalties, plus

Licensee: Debra K. Hering, R.N., Memphis, TN

Violation: Unfit or incompetent by reason of negligence, habits, or other cause; is addicted to alcohol or drugs to the degree of interfering with nursing duties; unprofessional conduct, to wit: unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution, or other work place location; revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other

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- discipline of a license in this state; and engaging in acts of dishonesty which relate to the practice of nursing.
- Action: License Revoked; assessed \$1,000.00 in civil penalties, plus costs
- Licensee: Terri L. Lancaster, R.N., Gallatin, TN
- Violation: Guilty of a crime; unfit or incompetent by reason of negligence, habits, or other cause; practicing professional nursing in a manner inconsistent with T.C.A. § 63-7-103; and engaging in acts of dishonesty which relate to the practice of nursing.
- Action: License Revoked; assessed \$2,000.00 in civil penalties, plus costs.
- Licensee: Ann Oakley, a/k/a Sarah Oakley a/k/a Ann Winnard, Unlicensed, Antioch, TN.
- Violation: Any person who holds a license to practice practical nursing under this chapter shall, during the effective period of such license, be entitled to use the title "nurse," assume such titles or use such abbreviation "L.P.N." No other person shall assume such titles or use such abbreviation or any other words, letters or signs to indicate that the person using the same is a licensed practical nurse.
- Action: Assessed \$23,000.00 in civil penalties, plus costs
- Licensee: Kristine Rogers-Pellam, R.N., Bridgeport, AL
- Violation: Unfit or incompetent by reason of negligence, habits, or other cause; guilty of unprofessional conduct, to wit: 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, possession or administration of any controlled substance as defined in the Federal Controlled Substances Act; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution, or other work place location; 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; and engaging in acts of dishonesty which relate to the practice of nursing.
- Action: License suspended; must meet certain terms and conditions; assessed \$500.00 in civil penalties, plus costs.
- Licensee: Melody Phillips, R.N., Corinth, MS
- Violation: Unprofessional conduct; to wit; unfitness, or incompetent by reasons of negligence, habits, or other causes; revocation, suspension, probation or other discipline of a license to practice nursing by another state or territory of the United States for any act or omission which would constitute grounds for the revocation, suspension, probation or other discipline of a license in this state.
- Action: License Revoked; assessed \$500.00 in civil penalties, plus costs
- Licensee: Charlotte Rae Whitson, L.P.N., Tiptonville, TN
- Violation: Guilty of a crime; has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspiring to violate any

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provision of the practice act or any lawful order of the board; and unprofessional conduct.
Action: License Revoked; assessed \$1000.00 in civil penalties, plus costs
Licensee: Cheryl Y. Worthy, a/k/a Cheryl Worthey, R.N., Walls, TN
Violation: Guilty of a crime; unprofessional conduct;
Action: License Revoked; assessed \$6,250.00 in civil penalties, plus costs

BOARD OF PHARMACY

Licensee: Morris Haddox, DPH, Goodlettsville, TN
Violation: Addicted to the use of alcohol, narcotics, or other drugs
Action: License revoked

Licensee: Stacy Hazelwood, DPH, Winchester, TN
Violation: Addicted to the use of alcohol, narcotics, or other drugs
Action: Indefinite suspension of license

Licensee: Denise Sealand, DPH, Columbia, TN
Violation: Addicted to the use of alcohol, narcotics, or other drugs
Action: Indefinite suspension of license

Licensee: Berton Stimson, DPH, Clarksville, TN
Violation: In violation of pharmacist/pharmacy technician ratio
Action: Civil penalty of \$250.00

Licensee: William J. Warren, Nashville, TN
Violation: Unprofessional conduct
Action: Placed on a ten (10) year term of probation

Licensee: Todd Wilson, DPH, Franklin, TN
Violation: Failure to provide patient counseling
Action: Civil penalty of \$100.00

COMMITTEE ON PHYSICIAN ASSISTANTS

Licensee: Rondal K. Brock, P.A., Cumberland Gap, TN
Violation: Unprofessional, dishonorable or unethical conduct; violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, any provision of the Physicians Assistants Act or any lawful order of the Committee and Board issued pursuant thereto, or any criminal statute of the State of Tennessee; and conviction of a felony, conviction of any offense under state or federal drug laws, or conviction of any offense involving moral turpitude.
Action: License Revoked; and assessed costs

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Licensee: Ronald L. Flowers, P.A., Maryville, TN
Violation: Unprofessional, dishonorable or unethical conduct; Violation or attempted violation of, or conspiring to violate, any provision of the Physicians Assistants Act or any lawful order of the Committee and Board issued pursuant thereto, or any criminal statute of the State of Tennessee; habitual intoxication or personal misuse of any drugs or the use of intoxicating liquors, narcotics, controlled substances, or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice as a physician's assistant; habitual intoxication or personal misuse of drugs or the use of intoxicating liquors, narcotics, controlled substances or other drugs or stimulants in such a manner as to adversely affect the person's ability to practice as a physician assistant; conviction of a felony, conviction of any offense under state or federal drug laws or conviction of any offense involving moral turpitude; ; dispensing, prescribing, or otherwise distributing any controlled substance to any person in violation of any law of the state or of the United States of America or any rule of the Board or Committee; and dispensing, prescribing, or otherwise distributing any controlled substance to any person in violation of any law of the state or of the United States of America or any rule of the Board or Committee.
Action: License Revoked for a period not less than one (1) year; must immediately surrender DEA certificate and not write prescriptions for the duration of the revocation period must meet certain terms and conditions; and assessed costs

JANUARY 2008 ABUSE REGISTRY PLACEMENTS

Individual: Delores Lynn (Lori) Mitchell
Abuse: Misappropriation
Action: Placed on Abuse Registry

Individual: Monica Jones
Abuse: Neglect
Action: Placed on Abuse Registry

Individual: Dennis Messner
Abuse: Neglect
Action: Placed on Abuse Registry

Individual: Tiffany Smith
Abuse: Neglect
Action: Placed on Abuse Registry

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