

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 **January 2024**. *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. Abuse Registry information is available on our website at <https://apps.health.tn.gov/AbuseRegistry/default.aspx>. Facility information is available on our website at <https://apps.health.tn.gov/facilityListings/>*

BOARD OF DENTISTRY

Licensee: Leigh Ann Augustine, RDH, Lic. No. 2439, Lakeland

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, this chapter or any lawful order of the board issued pursuant thereto or any criminal statute of this state; Any other unprofessional or unethical conduct that may be specified by the board by the means of rules and regulations duly published and promulgated by the board or the violation of any provision of this chapter; The board may also revoke or suspend the license or registration of, assess a civil penalty for each separate violation against or otherwise lawfully discipline any dental hygienist or dental assistant violating any of the provisions of this chapter; Pursuant to T.C.A. § 63-5-124, the Board is authorized to refuse to grant a license or certificate to an applicant or to discipline an individual licensed or certified by the Board if that individual has engaged in unprofessional conduct. Pursuant to its authority under T.C.A. § 63-5-124, the Board declares that unprofessional conduct includes, but is not limited to . . . Practicing with an expired, retired, suspended or revoked license, permit, or registration; Dentistry's Policy Statement on Lapsed License Policy (Ratified July 14, 2022), which states: 5. . . . If the licensee practiced on a lapsed license for six (6) months or longer, the licensee shall be referred to the Office of Investigations and Office of General Counsel for formal disciplinary action. Upon a proven violation, the minimum disciplinary action for this violation shall be: A. A formal and reportable Reprimand on the license; B. Assessment of civil penalties in an amount to exceed \$300 per month for every month in which the individual has worked at least one day beyond the sixty (60) calendar day grace period, not to exceed . . . \$3,000 for dental hygienists. . . ; C. Assessment of costs associated with investigating and prosecuting the matter; and D. Any and all other remedies the Board deems appropriate. 6. In the event the matter is referred to the Office of Investigations and Office of General Counsel for formal disciplinary action, the Board's Administrative Office shall be permitted to reinstate those applicants for whom they have received a completed reinstatement application, supporting documentation (including any required proof of continuing education), and the applicant's payment of all fees, subject to further action on the license as described in paragraph five (5) above

Action: Reprimanded; assessed civil penalties in the amount of \$3,000; plus costs not to exceed \$3,000

Licensee: April Bibb, RDA 21204, Goodlettsville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Arisa Burapharat, RDA 25832, Thompson Station
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Laura Chumley, RDA 13145, Clarksville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Kimberly Diaz Suarez, RDA 19738, Gallatin
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Robert Ellison, DDS 10785, Germantown
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$600.00; must submit continuing education

Licensee: Lyndsie Franklin, RDA 23932, Greenback
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Brooklyn Gambrel, RDA 28081, Thorn Hill
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Judith L. Gault, RDH 4951, Signal Mountain
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$300.00; must submit continuing education

Licensee: Megan Layne Goder, RDA, Lic. No. 23821, Clarksville
Violation: Practiced on an expired/lapsed license
Action: License reprimanded; assessed civil penalties in the amount of \$2,000.00, plus costs not to exceed \$1,000.00

Licensee: Kelly Goins, RDH 5111, Chattanooga
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$300.00; must submit continuing education

Licensee: Amanda C. Greenhill, RDA 21090, Alamo
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Brynn Albany Griffith, RDA, Lic. No. 26495, Knoxville
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, this chapter or any lawful order of the board issued pursuant thereto or any criminal statute of this state; Any other unprofessional or unethical conduct that may be specified by the board by the means of rules and regulations duly published and promulgated by the board or the violation of any provision of this chapter; The board may also revoke or suspend the license or registration of, assess a civil penalty for each separate violation against or otherwise lawfully discipline any dental hygienist or dental assistant violating any of the provisions of this chapter; Pursuant to T.C.A. § 63-5-124, the Board is authorized to refuse to grant a license or certificate to an applicant or to discipline an individual licensed or certified by the Board if that individual has engaged in unprofessional conduct. Pursuant to its authority under T.C.A. § 63-5-124, the Board declares that unprofessional conduct includes, but is not limited to . . . Practicing or offering to practice beyond the scope permitted by law, or accepting and performing professional responsibilities which the licensee knows or has reason to know that he or she is not competent to perform, or performing without adequate supervision professional services which the licensee is authorized to perform only under the supervision of a licensed professional, except in an emergency situation where a person's life or health is in danger; To be eligible for certification, the registered dental assistant must successfully complete a Board-approved dental radiology training course or be currently enrolled in an ADA-accredited or Board-approved program which offers this course as part of their curriculum. Once eligible for certification, the registered dental assistant shall not expose dental radiographs until certification has been issued by the Board; Dental radiology certification shall be added to the registration of the registered dental assistant, if the registered dental assistant has successfully completed a Board-approved certification course and notification of completion has been submitted to the Board's Administrative Office by the course director on a form provided by the Board; Pursuant to 0460-04-.11 of the Tennessee Board of Dentistry Rules and Regulations, a registered dental assistant shall not expose dental radiographs until certification has been issued by the Board.
Action: Reprimanded; assessed civil penalties in the amount of \$1,000; plus costs not to exceed \$3,000

Licensee: Maryssa Gum-Thompson, RDA 27185, Knoxville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

- Licensee: Emily Haney, RDH, Lic. No. 9923, Lenoir City
Violation: Practiced on an expired/lapsed license
Action: License reprimanded; assessed civil penalties in the amount of \$1,800.00, plus costs not to exceed \$1,000.00
- Licensee: Alexandra L. Harwood, RDH 9745, Smithville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$300.00; must submit continuing education
- Licensee: Hannah E. Hendrix, RDH 8574, Decaturville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$300.00; must submit continuing education
- Licensee: Andrea Hubbard, RDA 28128, Lewisburg
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Jessica L. Hunsucker, RDH 7284, Collierville
Violation: Practiced on a lapsed license
Action: Agreed citation; assessed civil penalty in the amount of \$225.00
- Licensee: Eric Larson, DDS 10868, Crossville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$600.00; must submit continuing education
- Licensee: Jackolyn T. Livesay, RDA 23686, Crossville
Violation: Respondent failed to provide proof that during the 2019-2020 continuing education cycle she completed twenty-four (24) continuing education hours including two (2) continuing education hours in the subject of chemical dependency. Any dentist, dental hygienist, or dental assistant who fails to obtain the required continuing education hours and/or CPR training may be subject to disciplinary action pursuant to T.C.A. §63-5-124(a)(1) and (18); Unprofessional, dishonorable, or unethical conduct; Beginning January 3, 2003, each registered dental assistant must successfully complete twenty-four (24) hours of continuing education in courses approved by the Board during the two (2) calendar years (January 1st of an odd-numbered year through December 31st of the subsequent even-numbered year) that precede the registration renewal year. At least two (2) hours of the twenty-four (24) hour requirement shall pertain to chemical dependency education.
Action: Respondent's license was reprimanded. She was required to make up the deficient continuing education hours. She was also assessed costs and a \$150 civil penalty.
- Licensee: Garry W. Love, DDS 4245, Columbia
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$600.00; must submit continuing education

- Licensee: Tennile S. Martin, RDA 27534, Memphis
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Lendell Massengale, Jr., DDS 3916, Knoxville
Violation: In June 2022, Respondent closed his dental practice without notifying patients and failed to maintain access to patient records. Duty to Create and Maintain Dental Records - As a component of the standard of care and of minimal competency a dentist must cause to be created and cause to be maintained a dental record for every patient for whom he or she, and/or any of his or her professionally licensed or registered supervisees, performs services or provides professional consultation. It shall be a prima facie violation of T.C.A. § 63-5-124(a)(1) for a dentist to abandon his practice without making provision for the security, or transfer, or otherwise establish a secure method of patient access to their records. Unprofessional, dishonorable or unethical conduct.
Action: Respondent's license was reprimanded. Respondent was assessed costs and a \$1,000 civil penalty.
- Licensee: Jade McFalls, RDA 27249, Seymour
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Andrea McMahan, RDA 21506, Clarksville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Kyla Norman, RDA 27248, Memphis
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Edward C. Perdue, DDS 6863, Laverne
Violation: Respondent failed to provide proof of completing three (3) continuing education hours in the subject of anesthesia and/or sedation and two (2) continuing education hours in controlled substance prescribing. Obtain a minimum of four (4) hours of continuing education in the subject of anesthesia and/or sedation as part of the required forty (40) hours of continuing education for dental licensure. ACLS or PALS certification shall not be included as any part of the required four (4) hours. Beginning January 1, 2003, each licensed dentist must successfully complete forty (40) hours of continuing education in courses approved by the Board during the two (2) calendar years (January 1st of an odd-numbered year through December 31st of the subsequent even-numbered year) that precede the licensure renewal year. At least two (2) hours of the forty (40) hour requirement shall pertain to chemical dependency education. Dentists who hold limited or comprehensive conscious sedation or deep sedation/general anesthesia permits must also obtain a minimum of four (4) hours of continuing education in the subject of anesthesia

- and/or sedation as required by Rule 0460-02-.07(8)(c) as part of the required forty (40) hours of continuing education for dental licensure.
- Action: Respondent's license was reprimanded. Respondent was required to make up the deficient continuing education hours. Respondent was also assessed costs and a \$900 civil penalty.
- Licensee: Brittney N. Pope, RDA 14778, Lavergne
Violation: Respondent violated the October 13, 2022, Consent Order by failing to pay the \$207.18 cost assessment and the \$650.00 civil penalty. A violation or attempted violation, directly or indirectly, or assisting in or abetting the violation of, or conspiring to violate, this chapter or any lawful order of the board issued pursuant thereto or any criminal statute of this state.
- Action: Respondent's registration was placed on indefinite probation until she pays the outstanding balance as well as the costs for this case.
- Licensee: Brittany Jeannine Roark, RDA 26468, Lenoir City
Violation: Respondent performed the duties of a registered dental assistant including exposing x-rays for six (6) months on an expired registration. Unprofessional, dishonorable, or unethical conduct; Practicing with an expired, retired, suspended or revoked license, permit, or registration.
- Action: Respondent's registration was reprimanded. She was required to pay a \$1,800 civil penalty and assessed costs.
- Licensee: Cicely K. Robbins, RDA 28220, Columbia
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Anna Roberts, RDH 9394, Lexington
Violation: Practiced on a lapsed license
Action: Agreed citation; assessed civil penalty in the amount of \$150.00
- Licensee: April Rottero, RDA 9555, Mount Juliet
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Mary Palmer Shipp, RDH 9871, Nashville
Violation: Practiced on a lapsed license
Action: Agreed citation; assessed civil penalty in the amount of \$225.00
- Licensee: Tasha K. Suffridge, RDA 17862, Nashville
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education
- Licensee: Amy S. Thomas, RDA 21148, Lebanon
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Alberto S. Torres, RDA 23171, Olive Branch, Mississippi
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Anita D. Turner, RDA 20121, Brentwood
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Tashia N. Walker, RDA 19812, Nesbit
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Kerianne E. Williams, RDA 26149, Morristown
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Shalyn L. Wright, RDA 20875, Cleveland
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$150.00; must submit continuing education

Licensee: Christina M. Yearwood, RDH 8747, Cordova
Violation: Failure to obtain continuing education
Action: Agreed citation; assessed civil penalty in the amount of \$300.00; must submit continuing education

MASSAGE LICENSURE BOARD

Licensee: Brian Barham, LMT 8063, Antioch
Violation: guilty of willful negligence in the practice of massage; Has violated any of the provisions of this chapter or any substantive rule promulgated under the authority of this chapter; Is guilty of unethical or unprofessional conduct; Sexual conduct, sexual activity, or sexualizing behavior involving a client is strictly prohibited at all times. A massage therapist may not initiate, arrange for, or engage in such activities, including if the client attempts to sexualize the relationship; Respect the client's boundaries with regard to privacy, disclosure, exposure, emotional expression, beliefs, and autonomy, as well as the client's reasonable expectations of professional behavior.
Action: License revoked; pay one type A civil penalty of \$1000.00; costs not to be more than \$3000.00.

Licensee: Energy Healing a/k/a LJY Reflexology, LME 4333, Hermitage (Yi Sun, Owner)
Violation: On November 13, 2023, Respondent's massage therapist and massage establishment licenses were summarily suspended. On November 20, 2023, Respondent requested an informal hearing regarding the summary action taken on

November 13, 2023. On January 9, 2024, the summary action taken on Respondent's license on November 13, 2023, was affirmed.

Action: License to remain summarily suspended

Licensee: Yi Sun, LMT 10536, Hermitage

Violation: On November 13, 2023, Respondent's massage therapist and massage establishment licenses were summarily suspended. On November 20, 2023, Respondent requested an informal hearing regarding the summary action taken on November 13, 2023. On January 9, 2024, the summary action taken on Respondent's license on November 13, 2023, was affirmed.

Action: License to remain summarily suspended; Cannot own or operate/establishment

BOARD OF MEDICAL EXAMINERS

Licensee: Karen Armour, MD, License No. 20825, Covington

Action: Restriction on prescribing opioids lifted and license placed in unencumbered status.

Reason: Order of Compliance

Licensee: Oran Berkenstock, M.D., License No. 24724, Cordova

Violation: Unprofessional Conduct.

Action: License reprimanded. Respondent must complete 20 hours CME in areas of severe or emergency cardiology and/or acute cardiology emergency events and/or any other course in the areas of emergency cardiac events. Respondent assessed 1 Type A Civil Penalty in the amount of \$1000, and costs not to exceed \$3,000.

Licensee: Bill Boswell, M.D., Lic. No. 15354, Jonesborough

Violation: Tenn. Code Ann. § 63-6-214(b)(1): Unprofessional...conduct.

Action: License is placed on probation for a period of no less than one (1) year; Respondent shall successfully complete within one (1) year of entry of this Order, twenty (20) hours of Continuing Medical Education ("CME") credits in Urology; assessed one (1) Type A civil penalty in the amount of one thousand dollars (\$1,000.00) to be paid within 30 days. Costs not to exceed seven thousand and five hundred dollars (7,500.00) to be paid within 60 days.

Licensee: Donald E. Clemons, M.D., License No. 17509, Johnson City

Violation: Respondent served as a medical director at a medical spa that operated unregistered from May 2018 to October 2023. 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 this chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee; and Operation [of a med spa] without current registration constitutes unprofessional conduct on the part of the medical director or any supervising physician providing services, including supervision services, at such unregistered medical spa and is grounds for disciplinary action by the licensing board of such physician.

Action: Respondent's license was reprimanded. He was assessed a \$3,250 civil penalty and costs.

Licensee: Leigh Anne Dunlap, MD, Lic. No. 27903, Kingsport

Action: Restriction of Schedule II Prescriptive Authority

Reason: Due to state or federal indictment for an offense that involves a controlled substance violation or sexual offense.

Licensee: Carrie L. Dowling, M.D., Lic. No. 22218, Bartlett

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 this part or any lawful order of the board issued pursuant thereto or any criminal statute of this state. Gross health care liability or a pattern of continued or repeated health care liability, 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. 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. Dispensing, prescribing or otherwise distributing any controlled substance, controlled substance analogue or other drug to any person in violation of any law of the state or of the United States. Disciplinary action against a Respondent who prescribes, orders, administers or dispenses dangerous drugs or controlled substances without observing Board guidelines. When prescribing a controlled substance, all healthcare practitioners, unless otherwise exempted under this part, shall check the controlled substance database prior to prescribing one (1) of the controlled substances identified in subdivision (e)(4) to a human patient at the beginning of a new episode of treatment, prior to the issuance of each new prescription for the controlled substance for the first ninety (90) days of a new episode of treatment, and shall check the controlled substance database for that human patient at least every six (6) months when that prescribed controlled substance remains part of the treatment. An authorized healthcare practitioner's delegate may check the controlled substance database on behalf of the healthcare practitioner. A 'new episode of treatment' means a prescription for a controlled substance that has not been prescribed by that healthcare practitioner within the previous six (6) months. When dispensing a controlled substance, all healthcare practitioners, unless otherwise exempted under this part, shall check the controlled substance database prior to dispensing one (1) of the controlled substances identified in subdivision (e)(4) to a human patient the first time that patient is dispensed a controlled substance at that practice site. The dispenser shall check the controlled substance database again at least once every six (6) months for that human patient after the initial dispensing for the duration of time the controlled substance is dispensed to that patient. The initial dispensing check fulfills the check requirement for the first six-month period. An authorized healthcare practitioner's delegate may check the controlled substance database on behalf of the healthcare practitioner. Before prescribing or dispensing, a healthcare practitioner shall have the professional responsibility to check the database or have a healthcare practitioner delegate check the database if the healthcare practitioner is aware or reasonably certain that a person is attempting to obtain a Schedule II-V controlled substance, identified by the committee or commissioner as demonstrating a potential for abuse for fraudulent, illegal, or medically inappropriate purposes, in violation of § 53-11-402. The controlled substances that trigger a check of the controlled substance database pursuant to subdivisions (e)(1) and (2) include, but are not limited to, all opioids and benzodiazepines. By rule, the commissioner, pursuant to

§ 53-10-311, may require a check of the database for additional Schedule II-V controlled substances that are identified by the committee or commissioner as demonstrating a potential for abuse. Except as provided in subparagraph (b), it shall be a prima facie violation of T.C.A. § 63-6-214 (b) (1), (4), and (12) for a physician to prescribe or dispense any drug to any individual, whether in person or by electronic means or over the Internet or over telephone lines, unless the physician, or his/her licensed supervisee pursuant to appropriate protocols or medical orders, has first done and appropriately documented, for the person to whom a prescription is to be issued or drugs dispensed, all of the following: 1. Performed an appropriate history and physical examination; and 2. Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and 3. Formulated a therapeutic plan, and discussed it, along with the basis for it and the risks and benefits of various treatments options, a part of which might be the prescription or dispensed drug, with the patient; and 4. Insured availability of the physician or coverage for the patient for appropriate follow-up care. The Board adopts, as if fully set out herein and to the extent that it does not conflict with state law, rules or Board Position Statements, as its code of medical ethics the "Code of Medical Ethics" published by the A.M.A. Council on Ethical and Judicial Affairs as it may, from time to time, be amended. As a component of the standard of care and of minimal competency a physician must cause to be created and cause to be maintained a medical record for every patient for whom he or she, and/or any of his or her professionally licensed supervisees, performs services or provides professional consultation. All medical records, or summaries thereof, produced in the course of the practice of medicine for all patients shall include all information and documentation listed in Tenn. Code Ann. § 63-2-101(c)(4) and such additional information that is necessary to insure that a subsequent reviewing or treating physician can both ascertain the basis for the diagnosis, treatment plan and outcomes, and provide continuity of care for the patient. Medical records shall be retained for a period of not less than ten (10) years from the physician's or his supervisees' last professional contact with the patient. . . Violation of any provision of these rules is grounds for disciplinary action pursuant to Tenn. Code Ann. §§ 63-6-214(b)(1) and/or (2). A covered entity must have in place appropriate administrative, technical, and physical safeguards to protect the privacy of protected health information. A covered entity must reasonably safeguard protected health information from any intentional or unintentional use or disclosure that is in violation of the standards, implementation specifications or other requirements of this subpart.

Action: Voluntarily retired same as Revocation. Respondent assessed costs not to exceed \$15,000.

Licensee: Robert Ferland, M.D., License No. 24985, Springfield

Violation: Unprofessional Conduct; prescribing any controlled substance... in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition; prescribes, controlled substances without observing Board guidelines;

Action: License on probation for a period of not less than six (6) months. Respondent submit proof that updated LARS/CSMD that terminated collaborating relationships or statement not needed. Respondent not to prescribe opioids during period of probation or collaborate with midlevels prescribing opioids. Respondent must complete Intensive Course in Medical Documentation from Case Western Reserve University and Prescribing Controlled Drugs from VUMC. Respondent must physically appear to lift probation and other restrictions on license. At end of

probation, Respondent shall attain Affiliated Monitors. Respondent assessed 1 Type A Civil Penalty in the amount of \$1000, and costs not to exceed \$5,000.

Licensee: James Goss, MD, License No. 29075, Johnson City
Violation: Respondent has failed to properly maintain sufficient continuing education credits in violation of TENN. CODE ANN. § 63-6-233 and TENN. COMP. R. & REGS. 0880-02-.19(1)(a);
Action: Agreed citation; added \$4,000 in civil penalties.

Licensee: Hau T. La, M.D., Lic. No. 42545, Brentwood
Violation: Conviction for a criminal offense that involves a controlled substance violation; specifically, knowingly and intentionally distributing oxycodone, oxycodone, and morphine sulfate
Action: Revocation pursuant to Tenn. Code. Ann § 63-1-170(b).

Licensee: Frank W. Ling, MD Lic. No. 10227, Bartlett
Violation: Unprofessional...conduct; dispensing, prescribing or otherwise distributing any controlled substance...in amounts and/or for durations not...,advisable...for a diagnosed condition; Tenn. Comp. R. & Regs. Rule 0880-02-.14 (6)(e): which authorizes disciplinary action against a Respondent who prescribes, orders, administers or dispenses dangerous drugs or controlled substances without observing Board guidelines; Except as provided in subparagraph (b), it shall be a prima facie violation of T.C.A. § 63-6-214 (b) (1), (4), and (12) for a physician to prescribe or dispense any drug to any individual, whether in person or by electronic means or over the Internet or over telephone lines, unless the physician, or his/her licensed supervisee pursuant to appropriate protocols or medical orders, has first done and appropriately documented, for the person to whom a prescription is to be issued or drugs dispensed, all of the following: 1. Performed an appropriate history and physical examination; and 2. Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and 3. Formulated a therapeutic plan, and discussed it, along with the basis for it and the risks and benefits of various treatments options, a part of which might be the prescription or dispensed drug, with the patient; and 4. Insured availability of the physician or coverage for the patient for appropriate follow-up care;
Action: License reprimanded; at least 6 month prescribing restriction on opioids; possible practice monitoring; CMEs, civil penalties and costs.

Licensee: Eva Misra, M.D., License No. 39275, Nashville
Violation: On or about October 10, 2023, in the Eastern District of Kentucky of United States District Court, Respondent pled guilty to 1 count of engaging in a monetary transaction in criminally derived property of a value greater than \$10,000. Conviction of a felony, conviction of any offense under state or federal laws relative to drugs or the practice of medicine, conviction of any offense involving moral turpitude or conviction of any offense for which the person is required to register as a sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2[.]
Action: Respondent's license was reprimanded. She was required to complete an ethics continuing education course, pay costs, and pay a \$500 civil penalty.

Licensee: Edgar Ongentengco, MD, Lic. No. 26713, Johnson City
Action: Probation lifted
Reason: Order of Compliance

Licensee: Andres Perez, M.D., Lic. No. 63868, Franklin
Violation: Respondent made a false statement on his licensure application. Unprofessional, dishonorable or 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.
Action: The Respondent's license was revoked for at least one year, and he was assessed costs.

Licensee: Clay Mitchell Pickard, License No. 20693, MD, Roanoke, VA.
Action: Probation lifted
Reason: Order of Compliance

Licensee: Ray Walther, MD, License No. 13957, Huntingdon
Violation: Respondent has failed to properly maintain sufficient continuing education credits in violation of TENN. CODE ANN. § 63-6-233 and TENN. COMP. R. & REGS. 0880-02-.19(1)(a);
Action: Agreed citation; added \$4,000 in civil penalties.

Licensee: Melanie Woodall, M.D., License No. 17431, Memphis
Violation: Unprofessional Conduct; Dispensing, prescribing or otherwise distributing any controlled substance... in amounts and/or for durations not medically necessary, advisable or justified for a diagnosed condition; Dispensing, prescribing or otherwise distributing any controlled substance, controlled substance analogue or other drug to any person in violation of any law of the state or of the United States; prescribes, orders, administers or dispenses dangerous drugs or controlled substances without observing Board guidelines; prescribe or dispense any drug to any individual, whether in person or by electronic means or over the Internet or over telephone lines, unless the physician, or his/her licensed supervisee pursuant to appropriate protocols or medical orders, has first done and appropriately documented, for the person to whom a prescription is to be issued or drugs dispensed, all of the following: 1. Performed an appropriate history and physical examination; and 2. Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and 3. Formulated a therapeutic plan, and discussed it, along with the basis for it and the risks and benefits of various treatments options, a part of which might be the prescription or dispensed drug, with the patient;
Action: License on probation for a period of not less than one (1) year. Respondent submit proof that updated LARS/CSMD that terminated collaborating relationships or statement not needed. Respondent is not to prescribe benzodiazepines or Carisoprodol for period of probation. Respondent not to prescribe opioids for 1 year or collaborate with midlevels prescribing opioids. Respondent must complete Intensive Course in Medical Documentation from Case Western Reserve University and Prescribing Controlled Drugs from VUMC. Respondent must physically appear to lift probation and other restrictions on license. At end of probation, Respondent shall attain Affiliated Monitors. Respondent assessed 7 Type A Civil Penalties in the amount of \$7000, and costs not to exceed \$5,000.

BOARD OF PHARMACY

Licensee: Amerita, Inc., Pharmacy Lic. No. 2083, Chattanooga
Violation: Licensee, a Pharmacy, failed to notify the Board's administrative staff of a change in pharmacist-in-charge at their pharmacy practice site for ten months. Licensee failed to comply with a lawful order or duly promulgated rule of the board. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge).
Action: Licensee has been assessed a Civil Penalty of one thousand (\$1,000) dollars.

Licensee: Rende Nicole Bechtel, Pharmacist. #11230, Memphis
Violation: Licensee committed several violations including those that involved cleanliness and expired products. Been guilty of dishonorable, immoral, unethical or unprofessional conduct; Failed to comply with a lawful order or duly promulgated rule of the Board; A license to operate a new or remodeled pharmacy practice site, or an existing pharmacy practice site which changes location or ownership, will not be issued unless the pharmacy practice site meets the following standards. (l) The pharmacy practice site and equipment therein shall be maintained in a clean, sanitary, orderly and well-lighted condition, and all persons working in the pharmacy practice site shall be required to keep themselves and their apparel in a clean and sanitary condition. A pharmacist shall hold the health and safety of patients to be the first consideration and shall render to each patient the full measure of the pharmacist's ability as an essential health practitioner. Pharmacist in charge. The practice of pharmacy and the performance of supportive pharmacy personnel associated with any institutional facility shall be under the direction, supervision and responsibility of the pharmacist in charge. The pharmacist in charge shall also be responsible for the dispensing, distribution, compounding, storage and the procurement of prescription and nonprescription drugs used throughout the institutional facility. Policies and procedures defining the scope of pharmacy practice, collaborative working relationships, the responsibilities of the pharmacists and supportive personnel, and the safe use and management of drugs, devices and related materials shall be established by the pharmacist in charge. The owner or pharmacist in charge of a pharmacist practice site shall immediately return or destroy all outdated, defective, or deteriorated prescription drugs and devices and related materials; except that the destruction of controlled substances listed in any schedule shall be performed by a Board approved agent or vendor. Upon request, the Board may waive selected portions of these requirements so long as any waiver granted is consistent with the Board's authority under Tenn. Code Ann. Title 63, Chapter 1 and 10, and Tenn. Code Ann. Title 4, Chapter 5. Any drug or device that is misbranded, out of date, old, deteriorated, not kept under proper refrigeration as required, or that has been exposed to fire, heat, smoke, water, flood or windstorm damage is deemed to be adulterated, and the possession, sale, or distribution of those drugs or devices is prohibited. Each medical and prescription order when dispensed shall be serially numbered, filed numerically and maintained so as to be readily retrievable at the pharmacy practice site for at least two (2) years from the date the medical and prescription order was last dispensed. Institutional pharmacies shall not be required to serially number medical and prescription orders dispensed for administration to inpatients of that institution. A pharmacist

upon initial dispensing of a medical or prescription order shall record on that medical or prescription order: the date such medical or prescription order was dispensed, the pharmacist's initials, and the amount of any product dispensed. If the pharmacist merely initials and dates a medical or prescription order the pharmacist shall be deemed to have dispensed the full-face amount of the medical or prescription order.

Action: Probation for one (1) year with quarterly monitoring; Civil Penalty of \$1,000.00

Licensee: CVS #6414, Pharmacy Lic. No. 1424, Smyrna

Violation: Licensee, a Pharmacy, failed to notify the Board's administrative staff of a change in pharmacist-in-charge at their pharmacy practice site for six months. Licensee failed to comply with a lawful order or duly promulgated rule of the board. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge).

Action: Licensee has been assessed a Civil Penalty of six hundred (\$600) dollars.

Licensee: CVS Pharmacy #8427, Pharmacy Lic. No. 4788, Memphis

Violation: Licensee failed to properly update their Controlled Substance Monitoring Database on 10 prescriptions, and it took six months to correct the errors. Failed to comply with a lawful order or duly promulgated rule of the Board. Each dispenser or dispenser's agent shall, regarding each controlled substance in Schedules II-V dispensed, submit to the database all of the following information in accordance with the guidance in the CSMD Data Collection Manual: (a) Dispenser Information: 1. Dispenser NPI Number, if available; 2. Either an NCPDP or NABP Provider ID, if available, as set forth in the CSMD Data Collection Manual; 3. DEA Number; 4. Dispenser's Name including the name of the Dispensing Organization or Individual where applicable; 5. Dispenser's Address (Street, City, State, Zip); 6. Dispenser's Phone Number; 7. Dispenser's Contact Person's Name; 8. Dispenser's Chain Site ID, if available; and 9. For Pharmacy Dispensers, the Pharmacy's Tennessee License Number; and (b) Patient Information: 1. ID qualifier of Patient Identifier (assigning authority); 2. ID qualifier (identifies what type), as set forth in the CSMD Data Collection Manual ID of Patient; 3. Patient's Name, including First, Last, and Middle names as well as Name Prefixes and Suffixes. Prefixes and Suffixes shall not be included in the First, Last, or Middle name fields. For non-human patients the last name of the patient shall be the owner's family name. The first name shall be the name of the animal; 4. Patient Address including street address, city, state, and zip code. For non-US residents or others without an address information may be collected pursuant to the instructions in the CSMD Data Collection Manual; 5. Patient Phone Number; 6. Patient's Date of Birth; 7. Patient's Gender; 8. Patient's Species; and 9. Patient Location Code, if available; and (c) Dispensing Information: 1. Reporting Status in compliance with the CSMD Data Collection Manual; 2. Prescription Number; 3. Prescription Written Date; 4. Prescription Refills Authorized; 5. Prescription Fill Date; 6. Prescription Refill Number, if applicable; 7. Product ID Qualifier, as set forth in the CSMD Data Collection Manual; and 8. Product ID; 9. Quantity Dispensed; 10. Days' Supply (calculated or estimated number of days the

medication will cover); 11. Drug Dosage Units Code; 12. Transmission Form of Prescription Origin Code; 13. Partial Fill Indicator; 14. Dispenser NPI Number, if available; 15. Classification Code for Payment Type; 16. Prescription Sold Date; 17. Electronic Prescription Reference and Electronic Order Number, if available; 18. Quantity Prescribed (on the original prescription); and 19. Whether a prescription contains a notation that it was written pursuant to a medical necessity Diagnosis Code (ICD-10), if available. (d) Prescriber Information: 1. Prescriber's National Providers Identifier (NPI) Number, if available; 2. Prescriber DEA number; 3. Prescriber DEA suffix, if applicable; 4. Prescriber last name, first name, middle name; 5. Prescriber Phone Number; and 6. Prescriber XDEA Number, if applicable. (e) Compound Drug Information. If a compound substance is dispensed, the Compound Segment of ASAP shall be used to report: 1. Ingredient Sequence Number; 2. Product ID Qualifier, as set forth in the Data Collection Manual; 3. Product ID; 4. Compound ingredient quantity; and 5. Compound drug dosage units code.

Action: Civil Penalty of \$7,000.00

Licensee: Edward Todd Hooper, Pharmacist Lic. No. 34040, Jackson

Violation: Licensee plead guilty to driving under the influence of alcohol. Licensee failed to comply with a lawful order or duly promulgated rule of the board. It is unlawful to have been convicted of a criminal offense, including, but not limited to, violating a law of this state or of the United States relating to drugs or to the practice of pharmacy. A pharmacist shall observe the law, uphold the dignity and honor of the profession, and accept its ethical principles. A pharmacist shall not engage in any activity that will bring discredit to the profession, and shall expose, without fear or favor, illegal or unethical conduct in the profession.

Action: License is suspended. Respondent shall undergo an evaluation with the Tennessee Pharmacy Recovery Network ("TPRN") to employ their recommendations. If recommended to sign a TPRN monitoring agreement, the probation of Respondent's license shall run concurrent with the monitoring agreement with TPRN for no more than ten years. By following the recommendations, the suspension will be stayed and their licensed place on probation for ten years. Licensee is prohibited from being a pharmacist-in-charge for six (6) years and for being a floater for three (3) years.

Licensee: Walgreens #6353, Pharmacy Lic. No. 3661, East Ridge

Violation: Licensee, a Pharmacy, failed to notify the Board's administrative staff of a change in pharmacist-in-charge at their pharmacy practice site for five months. Licensee failed to comply with a lawful order or duly promulgated rule of the board. It shall be the responsibility of the person, partnership, firm, or corporation holding a pharmacy practice site license issued pursuant to notify the board immediately of: The resignation, removal, or death of the pharmacist in charge named in the application for license (or successor pharmacist in charge).

Action: Licensee has been assessed a Civil Penalty of five hundred (\$500) dollars.

**BOARD FOR LICENSED PROFESSIONAL COUNSELORS, MARITAL AND FAMILY THERAPISTS,
AND LICENSED PASTORAL THERAPISTS**

Licensee: Jason Adams, LPC/MHSP, License No. 2860, Old Hickory

Action: Probation lifted

Reason: Order of Compliance

Licensee: Eric Bottoms, License No. 4533, Nolensville

Violation: Respondent has failed to timely renew the license in violation of Tenn. Code Ann. § 63-22-108(a); and Tenn. Comp. R & Regs. Chapter 0450-01-.09.

Action: Agreed citation; assessed civil penalty of \$500.00.

Licensee: Ragan Graves, LMFT, License No. 1302, Nashville

Violation: Respondent's LMFT license expired on December 31, 2020, and Respondent failed to apply to renew or reinstate her license until February 13, 2023. Though she was unlicensed, Respondent continued to practice as an LMFT during the twenty-five (25) months that her license was expired.

Action: License reprimanded, assessed civil penalty and case costs.

Licensee: Lisa Henderson, License No. 2881, Nashville

Violation: Respondent has failed to timely renew the license in violation of Tenn. Code Ann. § 63-22-108(a); and Tenn. Comp. R & Regs. Chapter 0450-01-.09.

Action: Agreed citation; assessed civil penalty of \$500.00.

Licensee: Timothy Kiernon, LMFT, License No. 1043, Nashville

Action: License suspended

Reason: Respondent disciplined in another state for acts or omissions that would constitute grounds for discipline of a person licensed in this state.