

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 **May of 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 ATHLETIC TRAINERS

Licensee: Elizabeth Ann Eaves, AT, License No. 1337, Chattanooga
Violation: The Board shall have authority to assess civil penalties commensurate with those assessable under 63-1-134 against persons who have knowingly employed, contracted for or otherwise utilized unlicensed persons in the practice of athletic training, with or without compensation.
Action: 5 Type C civil penalties at \$100 each for a total of \$500 and costs not to exceed \$1000.

Licensee: Jeremy Emmons, AT, License No. 1371, Morristown
Violation: Respondent failed to timely renew his license and practiced on an expired license for approximately three (3) months, beginning from January 1, 2024, to on or about March 25, 2024.
Action: Agreed citation; Assessed Civil Penalty of \$200.00.

Licensee: Sadie Jo Harris, AT, License No. 1297, Nashville
Violation: Practiced athletic training for compensation without holding an active license under state statutes.
Action: License Reprimanded; 18 Type C civil penalties at \$100 each for a total of \$1800.

Licensee: Jessilyn Howard, AT, License No. 1786, Memphis
Violation: Respondent failed to timely renew her license and practiced on an expired license for approximately eleven (11) months, beginning from March 1, 2023, to on or about January 22, 2024.,
Action: Agreed Citation; Assessed Civil Penalty of \$200.00.

Licensee: Sarah Kreuter, AT, License No. 2239, Jackson
Violation: Respondent failed to timely renew her license and practiced on an expired license for approximately seven (7) months, beginning from July 1, 2023 to on or about January 22, 2024
Action: Agreed Citation; Assessed Civil Penalty of \$1,200.00.

Licensee: Jordan Rohr, AT, License No. 2758, Murfreesboro

Violation: Respondent failed to timely renew her license and practiced on an expired license for approximately two (2) months, beginning from January 1, 2024, to on or about February 26, 2024.

Action: Agreed Citation; Assessed Civil Penalty of \$200.00.

Licensee: Carli Vining, AT, License No. 2999, Murfreesboro

Violation: Respondent failed to timely renew her license and practiced on an expired license for approximately two (2) months, beginning from January 1, 2024, to on or about February 28, 2024.

Action: Agreed citation; Assessed Civil Penalty of \$200.00

TENNESSEE BOARD OF DENTISTRY

Licensee: Santa McKibbins, DDS 7435, Durham, NC

Violation: Unprofessional, dishonorable or ethical conduct; Disciplinary action against a person licensed to practice dentistry or dental hygiene or registered 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 or registered in this State

Action: Conditional License granted; License placed on Probation for 5 years; Complete a yearly evaluation by a Tennessee Dental school; Submit quarterly reports; and obtain 12 additional hours of CE credits for each year Respondent is on Probation, which should include 8 hours in Endodontics and 4 hours in ethics and billing

TENNESSEE ELECTROLYSIS REGISTRY

Licensee: Linda Clark, ELE #88, Knoxville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$100.00

Licensee: Eileen Herbert, ELE #81, Knoxville

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$100.00

TENNESSEE MASSAGE LICENSURE BOARD

Licensee:Carolynn McFadden Anderson, LMT 10569, Bristol

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Asian Massage, LME 5321, Clarksville (Min Wang, LMT 9633, Owner)

Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's

establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; has practiced as a licensed massage therapist in an unlicensed massage establishment; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: License revoked. Costs not to exceed \$5,000.

Licensee: Alexandria Dominique Atkins, LMT 13117, Byhalia, MS

Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$275.00

Licensee: Bluestem Wellness Nashville, LME 6034, Nashville

Violation: Is guilty of fraudulent, false, misleading, or deceptive advertising or for prescribing medicines or drugs or practicing any licensed profession without legal authority.

Action: License revoked and costs not to exceed \$5,000.

Licensee: Yanying Chen, LMT 11289, Chino, CA

Violation: Has practiced as a licensed massage therapist in an unlicensed massage establishment.

Action: License reprimanded, civil penalties in the amount of \$1,950, and costs not to exceed \$2,000.

Licensee: Yue Dong, LMT 12104, Mt. Juliet (*Hermitage Massage, LME 5203, Owner*)

Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: Yue Dong license placed on probation for a period of three (3) years. During period of probation Ms. Dong shall not own, operate, or serve as the responsible person for any massage establishment. During period of probation Ms. Dong shall submit proof of continuing education compliance by January 30th following a cycle year. Civil penalties in the amount of \$2,000, and costs not to exceed \$5,000, Yue Dong and Hermitage Massage jointly and severally liable for costs and civil penalties.

Licensee: Elite Multitude Services LLC DBA Wax House, LME 5894, Clarksville, TN (*Jasmine Miller, Owner*)

Violation: Operating on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$100.00

Licensee: Jacqueline Spencer Entin, LMT 13263, Tullahoma

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: Yun Gao, LMT 13214, Goodlettsville

Violation: Has practiced as a licensed massage therapist in an unlicensed massage establishment; Is guilty of unprofessional or unethical conduct.

Action: License placed on probation for a period of four (4) years; Yun Gao may not own, operate, or serve as the responsible person of a massage establishment for four (4) years; and civil penalties in the amount of \$1000 and costs not to exceed \$2,000.

Licensee: Laurie Fitzgerald, LMT 13656, Benton

Violation: Operated on a lapsed license for 19 months

Action: Conditional License granted; License reprimanded; must cease operating at any massage establishment that does not have an active establishment license; must submit a massage establishment application for any massage establishment currently operating that does not have an active license; must submit continuing education; assessed civil penalty in the amount of \$1,000.00

Licensee: Ivie M. Griggs, LMT 12753, Memphis

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$100.00

Licensee: Hermitage Massage, LME 5203, Mt. Juliet, TN (*Yue Dong, Owner*)

Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: Hermitage Massage license revoked; Civil penalties in the amount of \$2,000, and costs not to exceed \$5,000; Yue Dong and Hermitage Massage jointly and severally liable for costs and civil penalties.

Licensee: Cristina Alejandra Hernandez, LMT 10653, Cookeville

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Highgate Hotels d/b/a The Joseph (Ryan Beightol, Owner) Nashville

Violation: Operated on a lapsed license for 8 months

Action: Conditional License granted; License reprimanded; must cease all operations at establishment until proof of all massage therapists who worked at establishment from October 3, 2023 to present; must cease all operations at establishment until application for a responsible person is approved; assessed civil penalty in the amount of \$2,500.00

Licensee: Genesis Bailey Howard, LMT 10583, Knoxville
Violation: Failure to maintain continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$450.00

Licensee: Davreeka Audura Hughes, LMT 10778, Dickson
Violation: Failure to maintain continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$625.00

Licensee: Ashley Taylor Jackson, LMT 12478, Gallatin
Violation: Failure to maintain continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$625.00

Licensee: Dusty Ray Jaco, LMT 10118, McMinnville
Violation: Failure to maintain continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$750.00

Licensee: Cindy Rae Johnson, LMT 9894, Martin
Violation: Failure to maintain continuing education requirements
Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Michael Kain, LMT 14250, Nashville
Violation: Is 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.
Action: License revoked and costs not to exceed \$3,000.

Licensee: Michael Redman, LMT 7854, Antioch
Violation: 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; Massage Therapists must refrain, under all circumstances, from providing the following treatments, which are prohibited and not within the scope of practice of massage therapists: cross-gender breast massage
Action: License revoked and costs not to exceed \$3,000.

Licensee: Grace Danielle Lewis, LMT 12503, Kingsport
Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$225.00

Licensee: Jiaoyu Li, LMT 10154, Clarksville

Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Jayette Marie Norman, LMT 9360, Chattanooga

Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$250.00

Licensee: Conor Jordan O'Day, LMT 11793, Hixson

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$300.00

Licensee: Perry Massage, LME 5889, Lobelville (Kyle Gregory Perry, Owner)

Violation: Operating on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$250.00

Licensee: David Earl Pritchett, LMT, Hixson 8954 (*Owner of Silhouette Spa*)

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$100.00

Licensee: Relax Massage, LME 4886, Knoxville, (*Junru Xu, LMT 12233, Owner*)

Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: License revoked; Costs not to exceed \$5,000.

Licensee: Jeffrey Michael Sass, LMT 13369, McKenzie

Violation: Practiced on lapsed/expired license

Action: Agreed Citation; assessed civil penalty in the amount of \$200.00

Licensee: Hannah Pauline Scalf, LMT 13088, Gallatin

Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$200.00

Licensee: Lamorris Shelton, LMT 12574, Thompson Station
Violation: Is guilty of willful negligence in the practice of massage; Is guilty of unethical or unprofessional conduct; Proper draping technique is of the utmost importance when performing massage therapy to ensure the comfort and safety of the therapist and the client. At all times massage therapists must provide draping and treatment in a way that ensures the safety, comfort and privacy of the client; Before beginning a massage, the therapist must explain to the client the draping techniques that will be used and provide the client a clean drape large enough for the purpose of draping the buttocks and genitalia and, in the case of female clients, the breasts. Such body parts must remain covered except during therapeutic treatment of those specific areas, with the exception of the genitalia, which shall always remain covered; 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: Licensure surrendered, same as revocation. Civil penalty of \$1,000. Costs not to exceed \$5,000.

Licensee: Silhouette Spa, LME 2496, Hixson (*David Earl Pritchett, Owner*)
Violation: Operating on a lapsed/expired license
Action: Agreed Citation; assessed civil penalty in the amount of \$500.00

Licensee: Spa at Oak Haven, LME 1573, (Chuck McCarter, owner) Sevierville
Violation: Operating on a lapsed license for 35 months
Action: Reprimand; civil penalty of \$5,000

Licensee: Super Great Massage, LME 4610, Memphis
Violation: Has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; Has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; Is guilty of unethical or unprofessional conduct;
Action: License revoked and costs not to exceed \$5,000.

Licensee: Edwin Tesen, LMT 13378, Franklin
Violation: Is guilty of willful negligence in the practice of massage; Is guilty of unethical or unprofessional conduct; Proper draping technique is of the utmost importance when performing massage therapy to ensure the comfort and safety of the therapist and the client. At all times massage therapists must provide draping and treatment in a way that ensures the safety, comfort and privacy of the client; Before beginning a massage, the therapist must explain to the client the draping techniques that will be used and provide the client a clean drape large enough for the purpose of draping the buttocks and genitalia and, in the case of female clients, the breasts. Such body parts must remain covered except during therapeutic treatment of those specific areas, with the exception of the genitalia, which shall always remain covered; 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: Licensure surrendered, same as revocation. Civil penalty of \$1,000. Costs not to exceed \$5,000.
- Licensee: Huidong Tian, LMT 11589, Clarksville
- Violation: Has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; Has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; Has practiced as a licensed massage therapist in an unlicensed massage establishment; Is guilty of unethical or unprofessional conduct.
- Action: License placed on probation for a period of two (2) years; Huidong Tian may not own, operate, or serve as the responsible person of a massage establishment for two (2) years; During the period of probation, Ms. Tian shall submit proof of compliance with each continuing education cycle by January 31st following a cycle year; civil penalties in the amount of \$1,500 and costs not to exceed \$5,000.
- Licensee: Kristy M. Tomassoni, LMT 8877, Knoxville
- Violation: Failure to maintain continuing education requirements
- Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$450.00
- Licensee: Michael Tress, LMT 9751, Morristown
- Violation: Failure to maintain continuing education requirements
- Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$175.00
- Licensee: MinYang Wang, LMT 9633, Clarksville (Owner of Asian Massage, LME 5321)
- Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; has practiced as a licensed massage therapist in an unlicensed massage establishment; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action
- Action: License placed on probation for a period of three (3) years. During period of probation Mr. Wang shall not own, operate, or serve as the responsible person for any massage establishment. Costs not to exceed \$5,000.
- Licensee: Jodie A. Ward, LMT 10596, Riceville
- Violation: For eighteen months, Respondent administered massages in an establishment that had never had a license. Persons or massage establishments engaged in massage

for compensation shall be licensed by the massage licensure board; Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Has practiced as a licensed massage therapist in an unlicensed massage establishment.

Action: Respondent's license was reprimanded. Respondent was required to pay a civil penalty and costs.

Licensee: Curtiss Witt, LMT 13900, Everett, WA

Violation: Has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter.

Action: License revoked and costs not to exceed \$5,000.

Licensee: Michelle Yi Wong, LMT 13279, Owens Crossroads, AL

Violation: Failure to maintain continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$200.00

Licensee: Junru Xu, LMT 12233, Knoxville, TN (Owner of Relax Massage, LME 4886)

Violation: Any person or establishment who advertises or engages in massage for compensation without a current valid license from the massage licensure board commits a Class B misdemeanor. It is unlawful to use the word "massage" or any other term that implies massage technique or method when advertising a service by a person who is not licensed under this chapter or another chapter of state law; Is guilty of willful negligence in the practice of massage or has been guilty of employing, allowing or permitting any unlicensed person to perform massage in such licensee's establishment; has violated any of the provisions of this part or any substantive rule promulgated under the authority of this part; has violated or attempted to violate, directly or indirectly, or has assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant to this chapter; guilty of unethical or unprofessional conduct; it the responsibility of establishment owners to ensure compliance with all provisions of this Board's rules and any violation of such may result in disciplinary action

Action: License placed on probation for a period of three (3) years. During period of probation Ms. Xu shall not own, operate, or serve as the responsible person for any massage establishment; Costs not to exceed \$5,000.

BOARD OF MEDICAL EXAMINERS

Licensee: LaTania Akers-White, M.D. 60803, Richmond, VA

Violation: Respondent failed to pay the \$550.00 civil penalty and \$332.38 in costs pursuant to the March 7, 2023, Board Order. 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.

Action: Respondent's license was placed on probation. Respondent is prohibited from collaborating with mid-level practitioners while her license is on probation. Respondent is also required to pay costs and a \$100 civil penalty.

Licensee: Ramon J. Aquino, M.D., License No. 15005, Clarksville

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 of the controlled substances identified in subdivision 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 days of a new episode of treatment, and shall check the controlled substance database for that human patient at least every six 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 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 of the controlled substances identified in subdivision 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 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. The controlled substances that trigger a check of the controlled substance database pursuant to subdivisions and include, but are not limited to, all opioids and benzodiazepines. By rule, the commissioner 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 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: Performed an appropriate history and physical examination; and Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good medical care; and 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 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. All medical records, or summaries thereof, produced in the course of the practice of medicine for all patients shall include all information and documentation additional information that is necessary to ensure 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. Violation of any provision of these rules is grounds for disciplinary action All prescribers or their designated healthcare practitioner's extenders, unless otherwise exempted shall check the database prior to prescribing one of the controlled substances identified below in paragraph to a human patient at the beginning of a new episode of treatment and shall check the database for the human patient at least annually when that prescribed controlled substance remains part of treatment. Before dispensing, a dispenser shall have the professional responsibility to check the database or have a healthcare practitioner extender check the database, if the dispenser is aware or reasonably certain, that a person is attempting to obtain a Schedule 11-V controlled substance, identified by the Committee as demonstrating a potential for abuse for fraudulent, illegal, or medically inappropriate purposes. The controlled substances which trigger a check of the database pursuant to paragraph above include, but are not limited to, all opioids and benzodiazepines. Prescribers are not required to check the database before prescribing or dispensing one of the controlled substances identified in paragraph above or added to that list by the Committee if one or more of the following conditions is met: The controlled substance is prescribed or dispensed for a patient who is currently receiving hospice care; The Committee has determined that prescribers in a particular medical specialty shall not be required to check the database as a result of the low potential for abuse by patients receiving treatment in that medical specialty; The controlled substance is prescribed or dispensed to a patient as a non-refillable prescription as part of treatment for a surgical procedure that occurred in a licensed healthcare facility; The quantity of the controlled substance which is prescribed or dispensed does not exceed an amount which is adequate for a single, seven-day treatment period and does not allow a refill.

Action: Probation for a period of three (3) years effective the date of entry of this Consent Order by the Board, which shall act as an encumbrance on Respondent's medical license; prohibited from collaborating with any advanced practice registered nurses or physician assistants while on probation; ineligible to act as the medical director of a pain management clinic while on probation; ineligible to operate or participate in the ownership structure of a Nonresidential office-based opiate treatment facility ("OBOT") while on probation; within thirty (30) days shall submit proof to the

licensee's board or committee that they have notified any physicians, podiatrists, advanced practice registered nurses, or physician assistants with whom they collaborate of the discipline. Prior to petitioning to lift the restriction on prescribing opioids and Soma (carisoprodol) described above, Respondent shall obtain practice monitoring through Affiliated Monitors or another practice monitoring program preapproved by the Board's Medical Consultant for a period of at least two (2) years or until such time as the probation of Respondent's license is lifted, whichever is longer. At the expiration of the one (1) year period, and after Respondent has provided proof to the Disciplinary Coordinator that he has complied with all requirements in this Consent Order, including proof of completion of the continuing medical education requirements, Respondent may petition the Board to lift the restriction on prescribing of opioids and Soma (carisoprodol) on his license imposed by this Consent Order. As part of the petition, Respondent must personally appear before the Board. Following the expiration of the three (3) year probationary period, and Respondent's full compliance with the other terms and conditions contained herein, including the practice monitoring, Respondent becomes eligible to petition the Board for an Order of Compliance lifting the restrictions imposed by this Order. As part of the petition, Respondent must personally appear before the Board. Continuing medical education (CME) coursework on Medical Documentation and Prescribing Controlled Substances; \$9,250 in civil penalties; costs of case, not to exceed \$15,000.

- Licensee: Arthur Cushman, M.D., #9149, Goodlettsville
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 chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee.
Action: License reprimanded; costs not to exceed \$3,500.
- Licensee: Richard Ellis, M.D., #16474, Germantown
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 chapter or any lawful order of the board issued pursuant thereto, or any criminal statute of the state of Tennessee
Action: License reprimanded; civil penalties in the amount of \$1,100 and costs not to exceed \$5,000.
- Licensee: Gary Gaston Griffieth, M.D. #48969, Clarksville
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 chapter or, any lawful order of the board issued pursuant thereto or any criminal statute of this state.
Action: License suspended; 18 Type C Civil penalties for a total of \$900; costs not to exceed \$3,000.00
- Licensee: Francis Peter Lagattuta, M.D., #53772, Paso Robles, CA
Violation: In July of 2023 the Respondent entered into a \$11,388,887 settlement with the United States Department of Justice, the State of California, and the State of Oregon to resolve false claims act allegations for performing unnecessary skin biopsies from 2016 to 2021, unnecessary spinal cord stimulation surgeries from 2018 to 2021, and unnecessary urine drug testing from 2017 to 2021. In January 2024 the Respondent

agreed to the revocation of his Oregon medical license, and in February 2024, the Respondent voluntarily surrendered his Washington State medical license. Unprofessional, dishonorable or unethical conduct; Disciplinary action against a person licensed to practice medicine 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. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state.

Action: The Respondent voluntarily surrendered his Tennessee medical license. This voluntary surrender has the same effect as a revocation.

Licensee: Francis Peter Lagattuta, M.D, #53772, Paso Robles, CA

Violation: In July of 2023 the Respondent entered into a \$11,388,887 settlement with the United States Department of Justice, the State of California, and the State of Oregon to resolve false claims act allegations for performing unnecessary skin biopsies from 2016 to 2021, unnecessary spinal cord stimulation surgeries from 2018 to 2021, and unnecessary urine drug testing from 2017 to 2021. In January 2024 the Respondent agreed to the revocation of his Oregon medical license, and in February 2024, the Respondent voluntarily surrendered his Washington State medical license. Unprofessional, dishonorable or unethical conduct; Disciplinary action against a person licensed to practice medicine 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. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state.

Action: The Respondent voluntarily surrendered his Tennessee medical license. This voluntary surrender has the same effect as a revocation.

Licensee: Anand P. Lalaji, M.D., #46331, Atlanta, GA

Violation: Unprofessional, dishonorable, or unethical conduct[.];Gross health care liability or a pattern of continued or repeated health care liability, ignorance, negligence or incompetence in the course of medical practice; Disciplinary action against a person licensed to practice medicine 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. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state[.]

Action: License suspended; costs not to exceed \$5,000.00

Licensee: Kevin S. Merigian, M.D., #21904, Eads

Violation: Unprofessional, dishonorable, or unethical conduct[.];Code of Ethics – 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. In the case of a conflict the state law, rules or

position statements shall govern. Violation of the Board's code of ethics shall be grounds for disciplinary action pursuant to T.C.A. § 63-6-214(b)(1); Romantic or sexual interactions between physicians and patients that occur concurrently with the patient physician relationship are unethical. Such interactions detract from the goals of the patient-physician relationship and may exploit the vulnerability of the patient, compromise the physician's ability to make objective judgments about the patient's health care, and ultimately be detrimental to the patient's well-being. A physician must terminate the patient-physician relationship before initiating a dating, romantic, or sexual relationship with a patient. Likewise, sexual or romantic relationships between a physician and a former patient may be unduly influenced by the previous physician-patient relationship. Sexual or romantic relationships with former patients are unethical if the physician uses or exploits trust, knowledge, emotions, or influence derived from the previous professional relationship, or if a romantic relationship would otherwise foreseeably harm the individual. In keeping with a physician's ethical obligations to avoid inappropriate behavior, a physician who has reason to believe that nonsexual, nonclinical contact with a patient may be perceived as or may lead to romantic or sexual contact should avoid such contact.

Action: License on probation for no less than six (6) months; coursework on ethics and prescribing controlled substances; 4 Type A Civil penalties for a total of \$2000; costs not to exceed \$5,000.00

Licensee: Steven Wayne Powell, M.D., # 60466, Grantham, NH

Violation: Unprofessional, dishonorable, or unethical conduct[.];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[.];Disciplinary action against a person licensed to practice medicine 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. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of violation of this section and be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a person licensed in this state[.];If disciplinary action is taken against a physician by a member board not in the state of principal license, any other member board may deem the action conclusive as to matter of law and fact decided, and: impose the same or lesser sanction(s) against the physician so long as such sanctions are consistent with the Medical Practice Act of that state; or pursue separate disciplinary action against the physician under its respective Medical Practice Act, regardless of the action taken in other member states.

Action: Voluntary surrender license; costs not to exceed \$5,000.00

BOARD OF NURSING

Licensee: Lauren Carmen Anderson, LPN 89632, Church Hill

Violation: Respondent's privilege to practice nursing in the State of Virginia was suspended per an Order issued by the Virginia Board of Nursing for diversion. Guilty of unprofessional conduct; to wit: refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a

lawful prescription for using the drug or a valid medical reason for using the drug; unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; and 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; TNPAP recommended; assessed civil penalties in the amount of \$1,000.00; plus costs not to exceed \$20,000.00.

Licensee: Melanie B. Austin, APRN 25484 RN 155794, Dyersburg

Violation: On September 20, 2022, Licensee exhibited signs of impairment while on duty as an advanced practice registered nurse (APRN) at Hometown Urgent Care of Dyersburg (Urgent Care) and was found to have two (2) open cans of beer, one (1) empty and one (1) full, in her purse. On October 27, 2022, Licensee fell asleep during her shift as an APRN at Urgent Care and submitted to a blood alcohol test which, on October 28, 2022, Licensee stated would be positive because she drank hand sanitizer. On November 7, 2022, Licensee exhibited signs of impairment during her shift as an APRN at Urgent Care and submitted to a breathalyzer which registered 0.12. On March 20, 2024, Licensee entered a five (5) year Tennessee Professional Assistance Program monitoring agreement. Is addicted to alcohol or drugs to the degree of interfering with nursing duties, is 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 location; and 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.

Action: License suspended with terms; suspension stayed; license placed on probation for no less than three years to run concurrent with TNPAP monitoring.

Licensee: Leslie Bernhardt, RN 132974, Nashville

Violation: Is 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; Is guilty of unprofessional conduct. While Respondent was employed as a registered nurse at Gentiva Hospice in McMinnville, Tennessee, Gentive Hospice received complaints that narcotic medications were missing from patients' homes. Based on these complaints, Gentive Hospice requested that Respondent submit to a for-cause urine drug screen. The UDS was confirmed positive for cannabinoids. On January 3, 2023, A Warren County General Sessions Judge ordered Respondent submit to a nail bed drug screen based on testimony regarding her drug use. Respondent's nail bed test was certified positive for Cannabinoids, carboxy-Delta-9-THC, Opiates, and Hydrocodone. Respondent only had a valid prescription for Hydrocodone

Action: License suspended with terms

Licensee: Tonya Borton, RN 160066, Spring Hill

Violation: Respondent agreed to a prior Consent Order with the Board, which consisted of discipline of 12 months of probation, additional Continuing Education hours, pass an EBAS exam, pay a civil penalty and the costs of investigation and enforcement. Respondent timely paid the financial penalties and costs, as well as completed the CE hours, but did not complete the EBAS exam. Has violated or attempted to violate,

directly or indirectly. . . any provision of this chapter or any lawful order of the board issued pursuant thereto.

Action: License revoked; revocation stayed; license placed on probation for no less than twenty-four (24) months; assessed a civil penalty in the amount of \$100.00; plus costs not to exceed \$200.00; failure to timely pay civil penalty and costs will result in automatic termination of the stay of revocation.

Licensee: Tonya R. Bowles (Saine), RN 145747, Kingsport

Violation: Is guilty of a crime; Is unfit or incompetent by reason of negligence, habits or other cause; Is guilty of unprofessional conduct. While working as a contracted nurse at the Tennessee Department of Correction, Respondent met a male convicted felon (Felon). On or about September 4, 2021, Respondent accompanied Felon, whom she admitted she was in a relationship with, to Smoky Mountain Guns and Ammo, LLC, a licensed dealer of firearms, in Sevierville, Tennessee. Respondent completed the necessary paperwork using Respondent's information to acquire two (2) firearms. Subsequently, Respondent was charged with MAKING A FALSE AND FICTITIOUS WRITTEN STATEMENT TO A LICENSE DEALER OF FIREARMS in violation of 18 U.S.C. § 922(d)(1) and DISPOSING OF A FIREARM TO A CONVICTED FELON in violation of 18 U.S.C. § 922(d)(1) in the United States District Court for the Eastern District of Tennessee at Greenville. In December of 2022, Respondent was found guilty of MAKING A FALSE AND FICTITIOUS WRITTEN STATEMENT TO A LICENSE DEALER OF FIREARMS in violation of 18 U.S.C. § 922(d)(1) and DISPOSING OF A FIREARM TO A CONVICTED FELON in violation of 18 U.S.C. § 922(d)(1) by a federal jury in the United States District Court for the Eastern District of Tennessee at Greenville. On May 1, 2023, Respondent was sentenced to serve twenty-one (21) months in prison.

Action: license revoked; assessed civil penalty in the amount of \$1,000.00; plus case costs not to exceed \$20,000.00.

Licensee: Morgan Boyce, RN 242381, Memphis

Violation: Unfit or incompetent by reason of negligence, habits or other cause; and 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, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; assigning 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; failing to take appropriate action in safeguarding the patient from incompetent health care practices; performing nursing techniques or procedures without proper education and practice

Action: License suspended with terms

Licensee: Becky LM Carter, LPN 73122, New Johnsonville

Violation: Is guilty of unprofessional conduct. On or about April 14, 2023, Respondent was asked to submit to an employer-requested drug screen. Respondent refused to submit to the employer-requested drug screen. On or about April 14, 2023, Respondent was terminated from WHCR. When interviewed by the Tennessee Department of Health Investigator, Respondent stated the reason that she refused the drug screen was because she had ingested Delta-8 gummies and was concerned they would cause a positive result.

Action: license suspended with terms

Licensee: Tracy Lynne Clack, LPN 99902, Paris

Violation: Is guilty of unprofessional conduct; 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; Practicing practical nursing in this state on a lapsed (state) license or beyond the period of a valid temporary permit; Engaging in acts of dishonesty which relate to the practice of nursing. Respondent practiced in Tennessee without a valid Tennessee license or active Arizona license multistate privilege from on or about May 13, 2022, until on or about February 27, 2023.

Action: Probation for a minimum of twelve (12) months with terms, pay civil penalty of five hundred dollars (\$500.00) within six (6) months, pay costs not to exceed one thousand dollars (\$1,000.00) within twelve (12) months.

Licensee: Amanda Michelle Conwill, RN 192609, Rossville GA

Violation: Is guilty of unprofessional conduct. In June 2023, while working as a registered nurse at CHI Memorial Hospital in Chattanooga, Tennessee, on the multistate privilege afforded to Respondent by her Georgia nursing license, she was requested to submit to an employer-requested drug screen. On June 21, 2023, Respondent submitted to the employer-requested Urine Drug Screen (UDS). The UDS was lab-confirmed positive for marijuana metabolite.

Action: Voluntary Surrender of multistate privilege to practice in Tennessee; Within 6 months of issuance of assessment of costs, pay costs not to exceed \$500

Licensee: Vickie Shonta Craft, LPN 86206, Millington

Violation: Is unfit or incompetent by reason of negligence, habits or other cause; Is guilty of unprofessional conduct. On or about November 8, 2023, Respondent reported for a pre-employment Urine Drug screen (UDS). On or about November 13, 2023, Respondent's UDS was confirmed positive for marijuana. Respondent was interviewed by a Tennessee Department of Health investigator and provided a sworn statement where she maintained that she did not knowingly ingest marijuana but that she attended a wedding where the food was marijuana-infused.

Action: license suspended with terms

Licensee: Jacob L. Crawford, RN 255286, Speedwell

Violation: Testing positive for any drug on any government or private sector pre-employment, employer ordered, or confirmed drug test; and guilty of unprofessional conduct.

Action: License suspended with terms.

Licensee: Amy Davis, RN 184087, Madison TN

Violation: After morphine pills went missing in August 2023, Respondent and co-workers on the same shifts were called in to undergo a for-cause confirmed urine drug screen; Respondent never came in to be tested and cut off all contact with her employer. In November 2023, Respondent was unable to complete the narcotics count for handoff to the oncoming shift. A medication audit found 157 doses had not been documented as administered and two narcotics were not accounted for. Refusing to submit to a . . . employer-ordered confirmed drug test; Guilty of unprofessional conduct; to wit: failing to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient; making false or materially

incorrect, inconsistent or unintelligible entries in any patient records or in the records of any health care facility . . . pertaining to the obtaining, possessing or administration of any controlled substance.

Action: License immediately suspended; suspension stayed and placed on probation with terms if Respondent receives a return-to-work recommendation after TNPAP referral and evaluation.

Licensee: Jena Ellis, LPN 84774, Dickson

Violation: Respondent diverted controlled substances, and Respondent's medication administration documentation practices were suspicious for diversion as well as fraudulent to obfuscate Respondent's diversion; accordingly, Respondent: Is unfit or incompetent by reason of negligence, habits, or other cause; is guilty of 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, 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.

Action: License suspended; if Licensee obtains TNPAP advocacy, suspension stayed and license placed on probation for no less than three (3) years, to run concurrent with TNPAP monitoring agreement.

Licensee: Natasha Paris Louise Forbes, RN 267442, Madisonville

Violation: Is guilty of unprofessional conduct.

On or about August 3, 2023, Respondent was asked to submit to a for-cause urine drug screen based on a pharmacy report showing above-average controlled medical withdraws. Respondent's UDS was confirmed positive for marijuana.

On or about October 25, 2023, Respondent submitted to a follow-up UDS.

The second follow-up UDS was confirmed positive for marijuana.

Action: License suspended with terms

Licensee: Holly N. Garland, RN License No. 153216, A.P.R.N. Certificate No. 19666, Lebanon.

Violation: From on or about January 1, 2015, through December 31, 2019, Licensee underreported her income allowing her to qualify for TennCare benefits for herself and three (3) members of her family. On April 14, 2023, Licensee pleaded guilty and received judicial diversion in the Rutherford County, Tennessee Circuit Court to one (1) count of TNCARE FRAUD – PARTICIPANT, a Class D felony, for Licensee's falsification of her income to qualify for TennCare. Licensee is to pay restitution to TennCare before the criminal probation is complete. Guilty of a crime, guilty of unprofessional conduct.

Action: License and certificate on probation until restitution is paid in full and criminal probation is complete.

Licensee: Andrea M. Gilbert, LPN License No. 56271, New Tazewell

Violation: On May 23, 2023, the Tennessee Board of Nursing ratified a Consent Order disciplining Licensee's Tennessee nursing license for exhibiting signs of impairment while on duty and refusing to submit to a drug screen. Because Licensee had entered

a monitoring agreement with a peer assistance program, the suspension was stayed, and Licensee's license was placed on probation. One of the conditions of Licensee's probation was that Licensee would not violate any state or federal law, rule, or regulation related to the practice or the ability to practice nursing. On or about November 18, 2023, Licensee exhibited signs of impairment including but not limited to being unable to hold her head up, slumping in a chair, slurring her speech, and being barely able to stand, while on duty as an LPN at Buchanan Place Health and Rehabilitation (Buchanan Place) in New Tazewell, Tennessee. Licensee put tap water in her urine drug screen (UDS) specimen cup when requested to submit to a UDS by Buchanan Place. Buchanan Place then sent Licensee to a local hospital to submit to a UDS which was subsequently confirmed positive for morphine, hydrocodone, and oxycodone. A healthcare practitioner violates the practitioner's practice act by refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug. Is 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; has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate, any provision of this chapter or any lawful order of the board issued pursuant thereto; and 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 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: Voluntary surrender of practical nurse license.

Licensee: Patton D. Graham, RN License No. 191940, A.P.R.N. Certificate No. 20562, College Grove.

Violation: While working as an A.P.R.N., and acting as a preceptor to emergency medical services students, at Lincoln Medical Center in Fayetteville, Tennessee, Licensee made inappropriate and sexually related statements to a female emergency medical services student who was eighteen (18) years younger than Licensee.

Action: License and certificate suspended until Licensee provides proof of passing the "Professional Standards" and "Boundaries" examinations of the Ethics and Boundaries Services Assessment Services, LLC (EBAS) ethics assessment examination and receiving a TNPAP approved evaluation, that may include a psychosexual evaluation, and receiving a subsequent safe to practice recommendation. After completion of EBAS examinations and receiving TNPAP safe to practice recommendation, license and certificate placed on probation to run concurrent with TNPAP monitoring agreement, if warranted, but shall not be less than three (3) years. Licensee to pay five-hundred-dollar (\$500.00) civil penalty and five hundred dollars (\$500.00) in costs.

Licensee: Laura Soler Grody, RN 89659, Chattanooga

Violation: Practicing nursing and using the title "nurse," "registered nurse" or the abbreviation "R.N." without an active Tennessee registered nurse license or multistate privilege to practice nursing in Tennessee in violation of the laws governing nursing.

Action: Application for reinstatement granted once assessed civil penalties, totaling two thousand dollars (\$2,000.00), are paid.

- Licensee: Jennifer P. Harris, RN License No. 231240, Antioch
Violation: In February 2023, Licensee was the wound care nurse at Lakeshore Heartland ("Lakeshore") a post-acute 24-hour senior community located in Nashville, Tennessee. Licensee failed to personally perform wound care assessments on patients at Lakeshore and relied upon other staff members to perform the wound care assessments and report their findings. Licensee subsequently submitted inaccurate Ulcer Reports and several Lakeshore patients were discovered to have undocumented pressure ulcers. 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 workplace location pertaining to the obtaining, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act and failing to supervise persons to whom nursing functions are delegated or assigned.
Action: Probation, minimum of two (2) years; must complete Ethics and Boundaries Services Assessment Services "Professional Standards" examination; civil penalties totaling six hundred dollars (\$600.00); and costs not to exceed five hundred dollars (\$500.00).
- Licensee: Tekisha Hill, RN 225100, Drummonds
Violation: Is guilty of unprofessional conduct.
On or about August 22, 2023, Respondent submitted to a pre-employment Urine Drug Screen (UDS) for a travel assignment at St. Francis Hospital, Memphis through AMN Healthcare, a healthcare staffing agency.
On or about August 30, 2023, the UDS was confirmed positive for cocaine and Respondent was not hired for the travel assignment at St. Francis Hospital.
Action: license suspended with terms
- Licensee: Austin A. Hogle RN License No. 182243, A.P.R.N. Certificate No. 24449, Corryton.
Violation: On September 29, 2020, Licensee was involved in a two (2) vehicle collision due to Licensee driving under the influence ("DUI"). A total of three (3) occupants from the vehicles sustained multiple injuries related to the collision. On or about November 4, 2022, Licensee pled guilty to and was convicted of DUI, a misdemeanor, related to Licensee's September 29, 2020, vehicle collision. On or about November 4, 2022, Licensee pled guilty to and received an Order of Judicial Diversion for three (3) counts of Aggravated Assault, a class D felony, related to the injuries sustained by the three (3) occupants involved in Licensee's September 29, 2020, vehicle collision. Is guilty of a crime, guilty of unprofessional conduct.
Action: License immediately suspended; suspension stayed and placed on probation with terms if Respondent receives a return-to-work recommendation after TNAP referral and evaluation.
- Licensee: Sara G. Holt, APRN 10711 RN 135308, Franklin
Violation: Practicing nursing and using the title "nurse," "registered nurse" or the abbreviation "R.N." without an active Tennessee registered nurse license or multistate privilege to practice nursing in Tennessee in violation of the laws governing nursing.
Action: Application for reinstatement granted once assessed civil penalties, totaling one thousand dollars (\$1,000.00), are paid.
- Licensee: Tabitha Jones, RN 272465, Sevierville

Violation: Tested positive for marijuana on a pre-employment drug screen; testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; and guilty of unprofessional conduct.

Action: License suspended with terms.

Licensee: Jannet Marie Joy, LPN 37071, Whiteville

Violation: Appeared impaired to coworkers, failed to administer medication to several patients but erroneously documented that the medication had been given, and was unable to account for on tablet of Hydrocodone. Guilty of 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 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, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act.

Action: License revoked; TNPA recommended; assessed civil penalty in the amount of \$750.00; plus costs not to exceed \$20,000.00.

Licensee: Amanda Renee Kelly, RN 208972, Green Valley, MO

Violation: Is addicted to alcohol or drugs to the degree of interfering with nursing duties; Is guilty of unprofessional conduct; 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; 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; 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; Respondent was employed as an R.N. at Ford Motor Company Medical Unit (FMC), located in Liberty Missouri. On or about October 6, 2023, Respondent was on duty while impaired, leading to her collapse at work. She was transported to Center Point Medical Center Emergency Room. FMC staff found crushed white powder and a syringe in Respondent's locker after she was transported to the hospital. On November 13, 2023, Respondent provided a sworn statement to the Missouri State Board of Nursing admitting to injecting herself with Oxycodone tablets while on duty. On February 22, 2024, the Missouri State Board of Nursing issued a Cease and Desist against Respondent's multistate privilege to practice in Missouri.

Action: License suspended with terms

Licensee: Joi Markita Kelly, RN Applicant, Shackelfords, VA

Violation: Disciplinary Action Taken by Another Federal, State or Local Licensing Authority

Action: Initial RN application denied.

Licensee: Patsy A. Langford, RN License No. 204742, A.P.R.N. Certificate No. 19604, Fayetteville.

Violation: On or about November 16, 2023, the Nevada Board of Nursing accepted Respondent's *Voluntary Surrender of License in Lieu of Other Disciplinary Action*, for Licensee's voluntary surrender of her Nevada CRNA license related to Licensee's

incorrect medication administration that ultimately led to the death of a patient. Is unfit or incompetent by reason of negligence, habits or other cause; guilty of unprofessional conduct; to wit, 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: Revocation of license and certificate, but the revocation is stayed, and license and certificate placed on probation for one (1) year once proof is provided of completion of continuing education, complete Ethics and Boundaries Services Assessment Services "Professional Standards" examination; five hundred dollar (\$500.00) civil penalty

Licensee: Bailey J. Purdom, RN License No. 231504, Greenbrier

Violation: On August 5, 2023, while employed as an R.N. by Amedisys Home Health in Goodlettsville, Tennessee, Licensee committed a critical medication error by administering four (4) times the amount of insulin ordered to a patient. As a result of this error, the patient experienced severe hypoglycemia requiring hospitalization. Guilty of unprofessional conduct; to wit, intentionally or negligently causing physical or emotional injury to a patient.

Action: Probation, minimum of twelve (12) months or until all disciplinary requirements are complete, whichever is longer; must obtain continuing education hours; civil penalties totaling five hundred dollars (\$500.00).

Licensee: Brittany Lawson, RN 207320, Cleveland

Violation: Is guilty of a crime. On or about August 13, 2020, Respondent was found guilty of DRIVING UNDER THE INFLUENCE (DUI) by the Bradley County General Sessions Court in Cleveland, Tennessee, and ordered to pay court costs and serve a 7-day sentence. On or about February 21, 2023, Respondent was found guilty of DUI by the Bradley County General Sessions Court in Cleveland, Tennessee, and ordered to pay court costs and serve a 45-day sentence. Respondent's driver's license was placed on suspension for 2 years and she was ordered to attend DUI school.

Action: License suspended with terms.

Licensee: Stephanie Lee, RN 265305, Murfreesboro

Violation: Investigation was opened for potential drug diversion after an audit of Respondent's charting, dispensing, and administering practices revealed a large amount of policy violations and suspicious activity. Investigation concluded Respondent should be terminated due to safety concerns. 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, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act.

Action: License placed on probation for no less than six months; must obtain continuing education; plus costs not to exceed \$1,000.00.

Licensee: Tamara Lightner, AL RN 1-145862, Nashville

Violation: While working as a contract nurse, Respondent was transported to the ED due to concerns of a medical emergency. Respondent was exhibiting signs of impairment. A blood analysis revealed Respondent's BAC was 0.397 and Respondent was placed under a psychiatric hold due to expressing suicidal ideation. Respondent admits she is a 'bad alcoholic' and had several bottles of alcohol in her belongings.

Addicted to alcohol or drugs to the degree of interfering with nursing duties; 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 . . . 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 . . . or other work place location.

Action: Privilege to practice in the State of Tennessee is revoked; must cease and desist practice of nursing in the State of Tennessee.

Licensee: Tobye Lowe, RN 85570, Cordova

Violation: While not on duty, Respondent assisted a patient self-administer unprescribed insulin and manage high blood sugar. Respondent failed to document the care provided or report the incident to her employer. Respondent failed to maintain proper patient boundaries by transporting a patient in her personal car to a doctor's appointment and get food. Respondent made unauthorized copies of patient intake records and kept them unsecured in her home. Accordingly, Respondent: Is guilty of 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.

Action: Probation of no less than twenty-four (24) months; sixteen (16) additional continuing education hours concerning patient boundaries, professionalism, scope of practice, ethics or law of nursing, and HIPPA within four (4) months; assessed \$200.00 in civil penalties, and costs not to exceed \$1,500.00 to be paid within twenty-four (24) months.

Licensee: Kari Ann Lynch, LPN 94442, Dickson

Violation: Is guilty of a crime; Is unfit or incompetent by reason of negligence, habits or other cause; Is guilty of unprofessional conduct; 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 workplace location. On or about July 20, 2023, During the night shift, American Health Communities Waverly (AHC Waverly) employees observed Respondent displaying signs of impairment, including slurred speech, head bobbing, and head falling onto the medication cart while doing medication count with the oncoming nurse. On or about July 21, 2023, after Respondent's shift, she was found in the AHC Waverly parking lot slumped over in her vehicle. EMS checked her blood glucose and found it within the normal range. The police arrived and conducted a field sobriety test, which Respondent failed. The police also found controlled medications including, hydrocodone, oxycodone, and lorazepam, in Respondent's possession without a prescription for them. On or about February 5, 2024, Respondent was indicted in the Circuit Court for Humphreys County Tennessee for Driving Under the Influence, and 3 counts of Simple Possession/Casual Exchange of controlled substances.

Action: license suspended with terms

Licensee: Michelle Manuel, APRN 23849 RN 157262, Mountain City

Violation: Conviction of a state or federal offense that involves a controlled substance violation or sexual offense.

Action: APRN certificate and RN license automatically revoked in accordance with Tenn. Code Ann. § 63-1-170.

Licensee: Ashley McClendon, RN 224996, Lebanon

Violation: Respondent's medication documentation practices were suspicious for diversion even after reeducation and monitoring. Respondent diverted opiates from patients; for this Respondent was found guilty of aggravated criminal trespass. Respondent was diagnosed with severe opiate use disorder. Respondent sought advocacy from the Tennessee Professional Assistance Program (TNPAP); however, Respondent failed to maintain TNPAP's advocacy. Accordingly, Respondent: Is guilty of a crime; is 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; Is guilty of 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, 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

Action: Voluntary surrender of registered nurse license.

Licensee: Caitlin McClure, LPN 92555, Columbus, GA

Violation: Respondent failed to provide care as ordered, slept on duty, and extensively played on her phone while on duty; accordingly, Respondent is guilty of unprofessional conduct; to wit: Abandoning or neglecting a patient requiring nursing care; and Failing to take appropriate action in safeguarding the patient from incompetent health care practices.

Action: Probation of no less than one (1) year and six (6) months; ten (10) hours of additional continuing education concerning care of the homebound patient, patient rights, nursing law, and ethics within three (3) months; one (1) civil penalty of five hundred dollars (\$500.00) and costs not to exceed five hundred dollars (\$500) to be paid within one (1) year and six (6) months.

Licensee: Timothy McCombs, LPN 76409, Cottontown

Violation: Respondent failed to complete terms of previous Board Order. Has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate any provision of this chapter or any lawful order of the board issued pursuant thereto.

Action: License revoked; revocation stayed; license placed on probation for six months; must complete course Everyday Ethics; Guiding Nursing Practice from American Nurses Association; plus costs not to exceed \$500.00.

Licensee: Shenisha McCraven, RN 228203, Memphis

Violation: Refusal to take UDS. Refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; guilty of unprofessional conduct; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License suspended with terms.

Licensee: James K. Melmige, LPN 72636, Knoxville

- Violation: Practiced nursing when not licensed; and guilty of unprofessional conduct; to wit: practicing nursing on a lapsed license.
- Action: License placed on probation with terms and multistate privilege deactivated for no less than 12 months; must complete the Professional Standards portion of EBAS; assessed civil penalties in the amount of \$500.00; plus costs not to exceed \$1,000.00
- Licensee: Stephanie M. Mota, RN License No. 208719, White House.
- Violation: On May 16, 2023, Licensee submitted to a pre-employment urine drug screen (“UDS”) for Maxim medical staffing company. Licensee’s UDS was subsequently confirmed positive for marijuana.
- Action: Probation for three (3) years and costs not to exceed five hundred dollars (\$500.00).
- Licensee: Erica Nicole Nale, LPN 77992, Troy
- Violation: Is guilty of a crime; Is guilty of unprofessional conduct; 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, 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; Engaging in acts of dishonesty which relate to the practice of nursing.
- On or about September 29, 2023, HCC staff discovered a thirty (30) count Norco card was missing. HCC staff interviewed Respondent regarding the missing Norco card. Respondent admitted to altering the narcotic count sheet. Respondent stated that she counted the cards with the previous shift nurse and that the count was correct at that time. Respondent changed the count later without the other nurse present. Respondent could not explain why she changed the narcotic count sheet. HCC reported Respondent to the police for theft.
- Respondent denied taking the Norco card.
- On or about October 9, 2023, Respondent was terminated from HCC.
- On or about November 1, 2023, Respondent plead guilty to THEFT, a class A misdemeanor.
- Action: License suspended with terms.
- Licensee: Rita Nemeth, APRN 17458 RN 174117, Duff
- Violation: Licensee pled guilty to Driving Under the Influence (DUI) and did not inform the Board of the conviction and answered “No” on her 2021 and 2023 RN and APRN renewal forms to the question, “I have been convicted of a crime and I have not previously notified the Board of the conviction.” Additionally, Licensee exhibited signs of impairment when she reported for duty as a nurse at Beech Tree Manor in Jellico, Tennessee, Lake City Elementary School in Lake City, Tennessee, and Deane Hill Place in Knoxville, Tennessee. Licensee has multiple other arrests related to alcohol including DUI and public intoxication. Prior to Licensee’s August 12, 2023, DUI arrest, Licensee informed the arresting officer that she drinks a lot daily. When interviewed by a Tennessee Department of Health investigator, Licensee admitted that she has issues with alcohol. Is guilty of a crime, guilty of fraud or deceit in procuring or attempting to procure a license to practice nursing, is

addicted to alcohol or drugs to the degree of interfering with nursing duties, is unfit or incompetent by reason of negligence, habits or other cause; guilty of unprofessional conduct; to wit, 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 immediately suspended; suspension stayed and placed on probation with terms if Respondent receives a return-to-work recommendation after TNAP referral and evaluation, whichever is longer; six hundred dollar (\$600.00) civil penalty.

Licensee: Ralph Pane, NC RN No. 280504, Lexington, NC

Violation: Narcotics and other controlled medications to which Respondent and a travel companion friend had access were diverted from the facility that employed Respondent. Narcotic cards to which Respondent had access as the interim Director of Nursing went missing from the narcotic destruction box, and Respondent accessed the contents of the narcotic destructions box without a witness. Respondent submitted to an employer-ordered urine drug screen which was confirmed positive for marijuana metabolites; accordingly, Respondent: Is guilty of unprofessional conduct; test[ed] positive for any drug on any government or private sector preemployment, employer-ordered confirmed drug screen...[.]

Action: Voluntary surrender of Respondent's privilege to practice in Tennessee surrendered; costs of no less than two thousand dollars (\$2,000.00) to be paid within thirty-six (36) months

Licensee: Ashley Pennington, APRN 6421 RN 83433, Memphis

Violation: Incompetent by reason of ...habits or other cause and unprofessional conduct; Failure to maintain a record for each patient which accurately reflects the nursing problems and interventions for the patient; Failing to take appropriate action in safeguarding the patient from incompetent health care practices; Failing to report, through proper channels, facts known to the individual regarding incompetent ... practice of any health care provider; prescribing in a manner inconsistent with Rules 1000-04-.08 and 1000-04-.09 for the Tennessee Board of Nursing.

Action: License Reprimanded; coursework in medical documentation and prescribing controlled substances, opioid prescription restriction for six (6) months, a decrease in her opioid prescribing of a total of 90 mg Morphine Equivalent Daily Dose (MEDD) after the opioid restriction is lifted, monitoring by Affiliated Monitors or an equivalent preapproved monitor for two (2) years after the opioid restriction is lifted, 13 Type A civil penalties in the amount of \$6500, and costs not to exceed \$5000

Licensee: Sarah Pierce, RN 234575, Cordova

Violation: Respondent submitted a urine sample that was outside of the required temperature range. Refusing to submit to a drug test or testing positive for any drug on any government or private sector preemployment or employer-ordered confirmed drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug; guilty of unprofessional conduct; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: License suspended with terms.

Licensee: Shantel Ray, RN 243630, Chattanooga

Violation: Failed to comply with a pervious Board Order; violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate any provision of this chapter or any lawful order of the board issued pursuant thereto.

Action: License revoked; revocation stayed; license placed on probation for no less than six months; plus costs not to exceed \$500.00; must pay remainder of previous costs; must pass Fraud section of EBAS.

Licensee: Deirdre Rhodes, LPN 66253, Summerville

Violation: Guilty of a crime.

Action: Single state license reissuance granted with permanent conditions

Licensee: Angie Renee Cox Riddle, APRN 17373 RN 87512, Lebanon

Violation: Is guilty of unprofessional conduct; Has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate any provision of this chapter or any lawful order of the board issued pursuant thereto; Unprofessional conduct, unfitness, or incompetency by reasons of negligence, habits or other causes, as those terms are used in the statute, is defined as, but not limited to, the following: ... (b) 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; ... (t) Over-prescribing, or prescribing in a manner inconsistent with Rules 1000-04-.08 and 1000-04-.09; (u) Practicing professional nursing in a manner inconsistent with T.C.A. § 63-7-103 ...; Prescribing, ordering, administering, or dispensing controlled substances for pain will be considered to be for a legitimate purpose if based upon accepted scientific knowledge of the treatment of pain, including intractable pain, not in contravention of applicable state or federal law, and if prescribed, ordered, administered, or dispensed in compliance with the following guidelines where appropriate and as is necessary to meet the individual needs of the patient. 1. The record shall include a documented medical history and physical examination by the Advanced Practice Nurse who possesses a certificate of fitness and a DEA certificate and is providing the medication. Historical data shall include pain history, any pertinent evaluations by another provider, history of and potential for substance abuse, pertinent coexisting diseases and conditions, psychological functions and the presence of a recognized medical indication for the use of a controlled substance; 2. A written treatment plan tailored for individual needs of the patient shall include objectives such as pain relief and/or improved physical and psychosocial function, and shall consider need for further testing, consultations, referrals, or use of other treatment modalities dependent on patient response; 3. The Advanced Practice Nurse who possesses a certificate of fitness and a DEA certificate shall discuss the risks and benefits of the use of controlled substances with the patient or guardian; 4. At each periodic interval in which the Advanced Practice Nurse, who possesses a certificate of fitness and a DEA certificate and is providing care, evaluates the patient for continuation or change of medications, the patient record shall include progress toward reaching treatment objectives, any new information about the etiology of the pain, and an update on the treatment plan. Except as provided in paragraph (2), it shall be a prima facie violation of T.C.A. § 63-7-115(a) (1) (C) and (F) for an Advanced Practice Nurse, having proper authority to prescribe, 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 Advanced Practice Nurse with proper authority to prescribe or the A.P.N.'s licensed supervisee and pursuant to appropriate protocols or orders, has completed and appropriately

documented, for the person to whom a prescription is to be issued or drugs dispensed, all of the following: (a) Performed an appropriate history and physical examination; and (b) Made a diagnosis based upon the examinations and all diagnostic and laboratory tests consistent with good health care; and (c) 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 (d) Insured availability of the Advanced Practice Nurse with proper authority to prescribe, or coverage for the patient for appropriate follow-up care. (1) Treatment of immediate family members should be reserved only for minor, self-limited illnesses or emergency situations. (2) No scheduled drugs should be provided, issued, administered, dispensed or prescribed except in emergency situations. However, administration to immediate family is acceptable when appropriately prescribed by another healthcare prescriber.

Action: APRN is suspended for three (3) years, effective the date of summary suspension by the Board, retroactive to begin October 20, 2023. Respondent agrees that she will not practice as an APRN in the State of Tennessee during this time period. Within forty-five (45) days of the entry of this Consent Order, Respondent shall undergo an evaluation approved by the Tennessee Professional Assistance Program (TNPAP), and enter into a monitoring agreement, if recommended. Respondent agrees that if TNPAP recommends a monitoring agreement, and Respondent refuses to sign the TNPAP monitoring agreement, Respondent's Tennessee registered nurse license will be automatically suspended, and will remain suspended until Respondent signs the TNPAP monitoring agreement. Respondent is restricted from attempting to obtain or possessing a Drug Enforcement Agency (DEA) license for three (3) years or so long as Respondent is under an agreement with TNPAP, whichever is longer, retroactively effective October 20, 2023. Respondent shall submit proof to the licensee's board or committee that she has notified any physicians, podiatrists, advanced practice registered nurses, or physician assistants with whom they collaborate of the discipline. Continuing medical education courses on Medical Documentation and Prescribing Controlled Substances; \$3,500 in civil penalties; costs of case, not to exceed \$15,000.

Licensee: Joy G. Schmitz, RN License No. 193330, Arp, TX

Violation: On or about February 14, 2023, the Eligibility and Disciplinary Committee of the Texas Board of Nursing ("Texas Board") entered an Order of the Board ("Texas Order") revoking Licensee's privilege to practice nursing in Texas pursuant to the multistate privilege afforded by Licensee's Tennessee multistate nursing license under the Nurse Licensure Compact. The Texas Order included as a Finding of Fact that on May 4, 2021, Licensee reported working hours when she was actually out sick, likely to defraud and deceive the facility of money paid to Licensee for hours not actually worked. Another Finding of Fact was that on May 26, 2021, while Licensee was on duty as a nurse, she exhibited slurred speech and reported to the facility's administrator's office wearing a resident's oxygen tank and stated that her oxygen saturation level was sixty (60) and blood sugar was eight hundred (800). Licensee may have lacked the fitness to practice nursing with reasonable skill and safety and her condition could have affected her ability to recognize subtle signs, symptoms or changes in patient's conditions, and could have affected her ability to make rational, accurate and appropriate assessments, judgments and decisions regarding patient care, thereby placing the patients in potential danger. The Texas Order included a Finding of Fact that on or about June 7, 2021, while on duty as a nurse, Licensee exhibited slurred speech, and an inability to remain balanced. Licensee was also

observed sleeping while on duty. Licensee may have lacked the fitness to practice nursing with reasonable skill and safety and her condition could have affected her ability to recognize subtle signs, symptoms or changes in patient's conditions, and could have affected her ability to make rational, accurate and appropriate assessments, judgments and decisions regarding patient care, thereby placing the patients in potential danger. Otherwise discipline a holder of a license, certificate, permit or authorization, if the applicant, licensee or certificate or permit holder has been disciplined by another state of the United States for any acts or omissions that would constitute grounds for discipline of a person licensed, certified, permitted or authorized in this state. Is unfit or incompetent by reason of negligence, habits or other cause; and guilty of unprofessional conduct; to wit, 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: Revocation, civil penalties totaling three thousand dollars (\$3,000.00); and costs not to exceed ten thousand dollars (\$10,000.00).

Licensee: Latasha Scott, LPN No. 78960, Rickman

Violation: While employed as a home health LPN in Cookeville, Tennessee, Respondent falsified records related to a home health visit. Accordingly, Respondent is guilty of 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.

Action: Probation of no less than one (1) year; ten (10) hours of continuing education concerning nursing ethics or law within three (3) months; take and pass the Fraud portion of the Ethics and Boundaries Services Assessment Services, LLC (EBAS) exam within six (6) months; one five-hundred-dollar (\$500.00) civil penalty to be paid within nine (9) months.

Licensee: Robert M. Sexton, RN License No. 169410; APRN Certificate No. 16746, Murfreesboro

Violation: Is guilty of unprofessional conduct. Has violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of or conspired to violate any provision of this chapter or any lawful order of the board issued pursuant thereto. 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. Over-prescribing, or prescribing in a manner inconsistent with Rules 1000-04-.08 and 1000-04-.09. Practicing professional nursing in a manner inconsistent with Tenn. Code Ann. § 63-7-103. Notwithstanding subdivision (b)(2)(A), a nurse practitioner shall not prescribe Schedules II, III, and IV controlled substances unless such prescription is specifically authorized by the formulary or expressly approved after consultation with the collaborating physician before the initial issuance of the prescription or dispensing of the medication. A nurse practitioner who had been issued a certificate of fitness may only prescribe or issue a Schedule II or III opioid listed on the formulary for a maximum of a non-refillable, thirty-day course of treatment unless specifically approved after consultation with the supervising physician before the initial issuance of the prescription or dispensing of the medication.

Action: Reprimand; Respondent shall not prescribe opioids for a period of at least six (6) months from the date of entry of this Consent Order; Within thirty (30) days of the effective date of this Consent Order, Respondent must provide proof to the Board that he has notified any physicians, podiatrists, advanced practice registered nurses, or physician assistants with whom he has a collaborating relationship of this disciplinary action. Continuing medical education courses on Medical Documentation and Prescribing Controlled Substances; \$3,700 in civil penalties; costs of case, not to exceed \$4,000.

Licensee: Amber M. Smith, RN 189681, Medina

Violation: Is guilty of unprofessional conduct.

On or about March 10, 2023, Respondent reported to her shift at West Tennessee Healthcare. Respondent withdrew a Klonopin, a benzodiazepine, and placed it in her pocket. Respondent went to the restroom and another nurse found the Klonopin on the floor and returned it to Respondent. Later the ICU director was speaking with Respondent about the schedule, and Respondent was acting suspiciously. Respondent submitted to an employer requested Urine Drug Screen.

On or about March 21, 2023, Respondent's UDS was confirmed positive for cannabinoid, marijuana metabolite, and benzoylecgonine, cocaine metabolite.

Action: License suspended with terms.

Licensee: Anna Smith, APRN 20171 MS RN 888533, Rienzi, MS

Violation: On or about February 5, 2024, the Mississippi Board of Nursing ratified a Final Order disciplining Licensee's Mississippi nurse practitioner license for Licensee's "failure to maintain medical records in a professional manner: "making false entries into patient records;" having "falsified or in a repeatedly negligent manner made incorrect entries or failed to make essential entries on records;" "passing or attempting to pass a forged prescription;" and "possessing, obtaining, furnishing or administering drugs to any person, including self, except as legally directed." Is unfit or incompetent by reason of negligence, habits or other cause; guilty of unprofessional conduct; to wit, 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; and engaging in acts of dishonesty which relate to the practice of nursing.

Action: Voluntary surrender of APRN certificate and multistate privilege to practice nursing in the State of Tennessee.

Licensee: Kimberly Ann Smith, RN 258263, Gallatin

Violation: Is unfit or incompetent by reason of negligence, habits or other cause.

On or about December 16, 2022, Respondent called the Sumner County Sheriff's Department and reported that there was someone in the crawlspace of her home putting toxic gas in her duct lines and trying to harm her. A Sheriff went to Respondent's home to investigate and found that the crawl space was locked and there was no evidence that anyone had been in the crawlspace. Respondent insisted that the Sheriff check the attic because the perpetrators could have broken in through the eaves of the home. There was no evidence that someone had been in the attic. There was no evidence of gas in the home. The Sheriff did not observe any signs of drug or alcohol impairment.

On or about December 17, 2022, Respondent arrived at the Sumner County Sheriff's office to file a report stating that she experienced a traumatic incident in her own

home. She asserted that she had been subjected to harm by a group of individuals who had followed her from her residences in Florida and Colorado. She stated that the incident involved physical assault while she was asleep and had been ongoing since 2007. Additionally, Respondent claimed she had been drugged by these individuals and they cut off parts of her body. The sheriff did not observe any signs of drug or alcohol impairment.

Action: License suspended with terms; plus costs not to exceed \$20,000.00.

Licensee: Tonesha T. Spearman, Mississippi RN License No. 891990, Grenada, MS.

Violation: From on or about September 23, 2022, through on or about November 4, 2022, Licensee provided fraudulent timesheets to Gifted Healthcare, a travel nursing company, for twenty (20) shifts Licensee purported to have worked at Baptist Memorial Hospital in Memphis, Tennessee, but did not work. Licensee received payment exceeding sixteen thousand dollars (\$16,000.00) from Gifted Healthcare for hours/shifts at Baptist that Licensee had not worked. Unfit or incompetent by reason of negligence, habits or other cause, guilty of unprofessional conduct; to wit, engaging in acts of dishonesty which relate to the practice of nursing.

Action: Voluntary surrender of multistate privilege to practice nursing in TN, and costs not to exceed five hundred dollars (\$500.00).

Licensee: Bailey Kristen Sullivan, RN 228037, Memphis

Violation: Is guilty of a crime; Is 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; Is guilty of unprofessional conduct; Unauthorized use or removal of narcotics, drugs, supplies, or equipment from any health care facility, school, institution or other work place location; Engaging in acts of dishonesty which relate to the practice of nursing. On November 20, 2019, the Board ratified a Consent Order disciplining Respondent's license for substance use concerns. The discipline required Respondent to get an evaluation approved by TNPAP. On August 4, 2020, Respondent entered a monitoring agreement with TNPAP and received a safe-to-practice recommendation. From on or about September 1, 2022, until June 7, 2023, Respondent was employed as a registered nurse at Wallace Plastic Surgery Group (WSPG). On or about June 7, 2023, Respondent was terminated from WPSG after it was discovered she stole money from the office petty cash and supplies, co-workers' money went missing, and made unauthorized purchases on patients' cards. On or about June 22, 2023, Respondent notified TNPAP that she had been terminated but stated the reason for your termination was absenteeism and tardiness. On or about June 27, 2023, TNPAP discovered Respondent had been terminated for theft. On or about June 29, 2023, TNPAP withdrew their recommendation of safe to return to practice and Respondent's license was suspended per the 2019 ratified Consent Order.

Action: License voluntarily surrendered.

Licensee: Whitney Teffeteller, RN No. 147896, Dandridge

Violation: In April 2023, Respondent submitted to a pre-employment urine drug screen which was confirmed positive for marijuana metabolites; accordingly, Respondent: test[ed] positive for any drug on any government or private sector preemployment, employer-ordered confirmed drug screen...[.]

Action: License suspended; if Licensee obtains TNPAP advocacy, suspension stayed and license placed on probation for no less than three (3) years, to run concurrent with TNPAP monitoring agreement.

- Licensee: Ashley Thornton, RN 187709, Newport
Violation: Guilty of unprofessional conduct.
Action: Conditional license issued; license suspended with terms.
- Licensee: Amber Webb, RN No. 207361, Germantown
Violation: Respondent submitted to a preemployment drug screen which was confirmed positive for a controlled substance for which Respondent did not have a prescription; accordingly, Respondent: test[ed] positive for any drug on any government or private sector preemployment, employer-ordered confirmed drug screen...[.]
Action: License suspended, but suspension stayed and license placed on probation for no less than three (3) years to run concurrent with TNPAP monitoring agreement.
- Licensee: Carrie Ruth Bell Webb, LPN 89609, Hillsboro
Violation: Respondent pled guilty to one count of domestic assault. Guilty of a crime.
Action: License suspended with terms.
- Licensee: Katharina Whitbeck, LPN No. 78958, Clarksville
Violation: Is guilty of a crime; is guilty of unprofessional conduct.
Action: Reprimand; take and pass the Substance Abuse portion of the Ethics and Boundaries Services Assessment Services, LLC (EBAS) exam within six (6) months; three (3) civil penalties totaling six hundred dollars (\$600.00) and costs up to one thousand dollars (\$1,000.00) to be paid within one (1) year
- Licensee: Bridgette Willis, RN 149397, Rockwood
Violation: Respondent admitted to drinking during work hours. Unfit or incompetent by reason of negligence, habits or other cause; addicted to alcohol or drugs to the degree of interfering with nursing duties; 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. . . 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 . . . or other work place location.
Action: License suspended with terms; suspension stayed; license placed on probation for no less than three years to run concurrent with TNPAP.
- Licensee: Jennifer Willis-Quailes, LPN 71235, Clarksville
Violation: While working as a travel nurse in Arizona, fellow nurses on one shift observed Respondent with glazed eyes, stumbling, and swaying, as well as administering one patient's narcotics to another patient. When confronted, Respondent left the building on a break for over two hours, which she had done frequently, including a documented fourteen hours over five days. After an incident where Respondent lost consciousness and admitted to taking extra doses of anti-anxiety medications, she was asked to undergo a for-cause drug screen, which she repeatedly refused. Refusing to submit to a . . . employer-ordered confirmed drug test; Being unfit or incompetent by reason of negligence, habits or other cause; Guilty of 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 . . . 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 . . . or other work place location; engaging in acts of dishonesty which relate to the practice of nursing.

Action: License immediately suspended; suspension stayed and placed on probation with terms if Respondent receives a return-to-work recommendation after TNPAP referral and evaluation; assessed a civil penalty in the amount of \$1,000.00; plus costs not to exceed \$20,000.00.

Licensee: Kristy Witzgall, RN 189221, Nashville

Violation: Is unfit or incompetent by reason of negligence, habits or other cause; Is guilty of unprofessional conduct; 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. SRMC's facility investigation revealed that Respondent participated in suspicious controlled substance practices including administrations documented up to 3 hours after medications were withdrawn, delayed waste, pooling of waste, and waste of entire pulled doses of controlled substances. On or about June 1, 2023, SRMC staff asked Respondent to submit to an employer-requested drug screen. Respondent refused to submit to the employer the requested drug screen and resigned from SRMC. Respondent requested TNPAP series on November 21, 2023, and was evaluated on December 6, 2023. Respondent entered into a monitoring agreement on January 29, 2024, and has been deemed safe to practice upon entering her monitoring agreement.

Action: license suspended with terms; suspension stayed; license placed on probation for no less than three years to run concurrent with TNPAP monitoring

Licensee: Lisa Zalsman, RN 177578, Troy

Violation: Kentucky Board of Nursing issued a Board Order against Respondent for documenting discrepancy. 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, possessing or administration of any controlled substance as defined in the Federal Controlled Substances Act; 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 suspended with terms

Licensee: Jeffrey W. Young, APRN 7239 RN 106598, Jackson

Violation: Conviction of a state or federal offense that involves a controlled substance violation or sexual offense.

Action: APRN certificate and RN license automatically revoked in accordance with Tenn. Code Ann. § 63-1-170.

BOARD OF OSTEOPATHIC EXAMINATION

Licensee: Andrew M. Epstien, D.O., License No. 5436, Tucson, AZ

Violation: On January 2, 2024, Respondent entered into a Consent Order with the North Carolina Medical Board. This North Carolina discipline stemmed from the Respondent's inappropriate prescribing of ketamine to telehealth patients. Disciplinary action against the licensee to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a licensee licensed in this state. A certified copy of the initial or final order or other

equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of a violation of this section and shall be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a licensee licensed in this state.

Action: The Respondent's license was reprimanded. Respondent was required to complete a proper prescribing course and pay costs.

Licensee: Paul E. Kobza, D.O. License No. 4005, Shenandoah, TX

Violation: On August 18, 2023, Respondent entered into a Consent Order with the Texas Medical Board. This Texas disciplinary action stemmed from the Respondent's inappropriate care provided to fifteen patients. Respondent failed to notify the Tennessee Osteopathic Board of the Texas action within thirty days. Disciplinary action against the licensee to practice medicine by another state or territory of the United States for any acts or omissions that would constitute grounds for discipline of a licensee licensed in this state. A certified copy of the initial or final order or other equivalent document memorializing the disciplinary action from the disciplining state or territory shall constitute prima facie evidence of a violation of this section and shall be sufficient grounds upon which to deny, restrict or condition licensure or renewal and/or discipline a licensee licensed in this state; Each provider who has submitted information pursuant to this chapter must update that information in writing or online by notifying the department within thirty (30) days after the occurrence of an event or the attainment of a status that is required to be reported... (e) Failure by a provider to comply with these requirements to submit information and to update information constitutes a ground for disciplinary action under the respective practice act for that profession.

Action: Respondent's license was placed on probation for at least one year. Respondent is required to complete a prescribing course prior to licensure reinstatement. Respondent shall not use his Tennessee osteopathic examiners license to diagnose, treat, or prescribe controlled substances to Tennessee patients for persistent non-chronic or chronic pain. Additionally, Respondent shall not engage in the practice of pain management in Tennessee. Respondent was assessed a \$200.00 civil penalty and costs.

Licensee: Kim Routh, D.O., License No. 5600, Grove City, Ohio

Violation: License revocation, suspension or other disciplinary action taken by a Federal, State or local licensing authority.

Action: License Revoked.

TENNESSEE BOARD OF PHARMACY

Licensee: Ryan Barnes D.Ph., Pharmacist Lic. No. 37563, Murfreesboro

Violation: While licensee was PIC at a pharmacy practice site, a store employee practiced without an active and valid registration to perform the tasks of a registered pharmacy technician for about one month. Licensee failed to comply with a lawful order or duly promulgated rule of the board. The pharmacist in charge at each pharmacy practice site is responsible for compliance with the provisions of this chapter by the pharmacy technicians at the pharmacy practice site.

Action: License is assessed a civil penalty of one hundred dollars (\$100).

Licensee: CVS Pharmacy #4358., Pharmacy Lic. No. 1646, Decherd

Violation: Licensee, a Pharmacy, failed to immediately notify the Board's administrative office of a change in pharmacist-in-charge for about one (1) month. 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 dollars (\$500).

Licensee: Stephanie Morgan Frye, R 11065, Franklin

Violation: Respondent's license was limited to the parameters of her approved research protocol. Respondent was operating outside the approved research parameters in multiple ways, including, but not limited to: misrepresenting herself as a medical doctor to procure drug products not approved for her research; disregarding exclusion criteria in the research protocol; administering drug products outside the research protocol with no other prescriptive authority; storage of drug products in a manner contrary to the approved research protocol; and failure to maintain records as required by the research protocol and other regulations and rules.

Action: Respondent's license is voluntarily surrendered, which has the same effect of and shall be reported as a revocation, effective immediately upon the ratification of the Order—May 7, 2024.

Licensee: Brooke Mills, Pharmacist Lic. #43430, Bean Station

Violation: Allowing a pharmacy technician to practice pharmacy without a Tennessee license and failing to properly supervise. Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy; Been guilty of dishonorable, immoral, unethical, or unprofessional conduct; Failed to comply with a lawful order or duly promulgated rule of the board. 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. The pharmacist in charge at each pharmacy practice site is responsible for compliance with the provisions of this chapter by pharmacy technicians at that pharmacy practice site. All pharmacy technician functions shall be performed under the supervision of a pharmacist, who shall direct and verify the accuracy of all pharmacy technician functions. 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.

Licensee: Charles M. Roark, Pharmacist Lic. #41552, Knoxville

Violation: Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy. Been guilty of dishonorable, immoral, unethical, or unprofessional conduct; Failed to comply with a lawful order or duly promulgated rule of the board. 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. 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. A pharmacist shall seek at all times only fair and reasonable remuneration for the pharmacist's services. A pharmacist shall not make publication or circulation of any statement tending to deceive, misrepresent, or mislead anyone, nor be a party or accessory to any fraudulent or deceptive practice or transaction in pharmacy. A pharmacist upon refilling a medical or prescription order shall enter on the back of that medical or prescription order: the date such medical or prescription order was refilled, the pharmacist's initials, and the amount of any product dispensed on such refill. If the pharmacist merely initials and dates the back of the medical or prescription order the pharmacist shall be deemed to have dispensed a refill for the full-face amount of the medical or prescription order. As an alternative to recording refill information on the back of medical and prescription orders, an automated data processing system may be used for the storage and retrieval of refill information for medical and prescription orders, subject to the following conditions: Each individual pharmacist using a computerized system in the refilling of a medical or prescription order shall certify that the information entered into the computer for such a refill is correct by verifying, dating, and signing a hard-copy printout of each day's medical or prescription order refill data, or in lieu of such a printout, by signing a statement in a book or file each day attesting that the refill information entered that day has been reviewed by the pharmacist and is correct as shown. Such documentation shall be separately maintained at the pharmacy practice site for at least two (2) years from the date of the last dispensing. No pharmacist, or pharmacy intern or pharmacy technician under the supervision of a pharmacist, shall compound or dispense any medical or prescription order except upon the following conditions: All medical and prescription orders shall be compounded and dispensed in strict conformity with any directions of the prescriber. Nothing in this rule shall prohibit a pharmacist from substituting a therapeutically equivalent prescription drug or device or related material containing the same active ingredient or ingredients, dosage form and strength; 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. 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. 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. Each person registered or authorized (by §§ 1301.13(e), 1307.11, 1307.13, or part 1317 of this chapter) to manufacture, distribute, dispense, import, export, reverse distribute, destroy, conduct research with controlled substances, or collect controlled substances from ultimate users, shall maintain records with the information listed in paragraphs (a) through (f) of this section. Records for dispensers and researchers. Each person registered or authorized to dispense or conduct research with controlled substances shall maintain records with the same information required of manufacturers pursuant to paragraph (a)(2)(i), (ii), (iv), (vii), and (ix) of

this section. In addition, records shall be maintained of the number of units or volume of such finished form dispensed, including the name and address of the person to whom it was dispensed, the date of dispensing, the number of units or volume dispensed, and the written or typewritten name or initials of the individual who dispensed or administered the substance on behalf of the dispenser. In addition to the requirements of this paragraph, practitioners dispensing gamma-hydroxybutyric acid under a prescription must also comply with § 1304.26. Persons registered to manufacture, distribute or dispense controlled substances under this part and part 4 of this chapter and title 39, chapter 17, part 4, shall keep records and maintain inventories in conformance with the record keeping and inventory requirements of federal law, and with any additional rules the board of pharmacy and the appropriate occupational or professional licensing board governing persons who may legally dispense controlled substances.

Action: License is suspended; licensee may undergo an evaluation approved by the Tennessee Pharmacy Recovery Network ("TPRN"). Licensee shall not serve as a pharmacist-in-charge (PIC) for a period of five (5) years unless modified. Licensee shall not work as a floater for a period of three (3) years.

Licensee: Amanda Schecht, Pharmacy Technician Lic. No. 77216, Knoxville

Violation: Licensee, a Pharmacy Technician, diverted prescription drug products from the pharmacy practice site where they were working. Licensee Engaged in conduct that is prohibited or unlawful under parts 2-7 of this chapter, or another state or federal law relating to drugs or to the practice of pharmacy, been guilty of dishonorable, immoral, unethical, or unprofessional conduct, and failed to comply with a lawful order or duly promulgated rule of the board. It is unlawful for any person, firm or corporation to possess, sell, barter or give away any drug known as legend drugs, as defined in §53-10-101, except upon the written prescription of a duly licensed physician, certified physician's assistant, nurse authorized pursuant to §63-6-204 or §63-9-113, who is rendering service under the supervision, control and responsibility of a licensed physician, and who meets the requirements pursuant to §63-7-123, a dentist, an optometrist authorized pursuant to §63-8-102(12), or a veterinarian, and compounded or dispensed by a duly registered pharmacist. It is unlawful for any person, firm or corporation to obtain or attempt to obtain a legend drug, or to procure to attempt to procure the administration of a legend drug, by fraud, deceit, misrepresentation, subterfuge, forgery, alteration of a prescription, by the concealment of a material fact, or by the use of a false name or address. It is unlawful for any person to have in the person's possession, any drug defined or enumerated in this part, without the drug having been prescribed by a duly licensed physician, certified physician assistant, dentist, optometrist authorized pursuant to § 63-8-102(12), or veterinarian, and having been dispensed by a pharmacy duly licensed and registered in this state, unless the person was a resident of another state and had the prescription filled by a duly licensed and registered pharmacist of the other state. It is unlawful for any person knowingly or intentionally to acquire or obtain, or attempt to acquire or attempt to obtain, possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge.

Action: Licensees' registration to practice as a Pharmacy Technician has been revoked.

Licensee: Nina Sleiman, Technician Lic. No. 79673, Knoxville

Violation: Licensee practiced without a pharmacy technician license for about seven (7) months. Licensee failed to comply with a lawful order or duly promulgated rule of the board. A registered technician shall maintain his or her registration certificate at the

pharmacy practice site; additionally, all certified technicians shall display in like manner evidence of certification. Pharmacy technicians shall possess at all times, while on duty, proof of registration and proof of certification, if applicable.

Action: License is assessed a civil penalty of one hundred dollars (\$100).

Licensee: Shannon Toland D.Ph., Pharmacist Lic. No. 13243, Knoxville

Violation: While licensee was PIC at a pharmacy practice site, a store employee practiced without an active and valid registration to perform the tasks of a registered pharmacy technician for about seven months. Licensee failed to comply with a lawful order or duly promulgated rule of the board. The pharmacist in charge at each pharmacy practice site is responsible for compliance with the provisions of this chapter by the pharmacy technicians at the pharmacy practice site.

Action: License is assessed a civil penalty of seven hundred dollars (\$700).

Licensee: Village Lane Apothecary, License #7110, Colleyville, TX

Violation: Failure to notify of change in pharmacist in charge ("PIC").

Action: Respondent must pay a civil penalty in the amount of five hundred dollars (\$500) within sixty (60) days of the date of the Order. This amount represents \$500 per month or portion thereof that Respondent failed to notify the Board of Pharmacy of the change in PIC.

Licensee: Walgreens Pharmacy #11700, Pharmacy Lic. No. 4585, Murfreesboro

Violation: Licensee, a Pharmacy, failed to have a PIC at the pharmacy practice site, did not immediately notify the Board's administrative office of a change in PIC, and did not conduct a timely controlled substance inventory. 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). Except in case of death or incapacity, the outgoing pharmacist in charge shall, prior to departure, conduct with the successor pharmacist in charge a joint inventory of all controlled substances. In case of failure of the outgoing pharmacist in charge to comply with this requirement, the successor pharmacist in charge shall conduct such inventory alone. In the event of death of a pharmacist in charge, the successor pharmacist in charge shall, immediately upon assuming the appointment as pharmacist in charge, conduct an inventory of all controlled substances. In the event of disability for a period exceeding thirty (30) days of a pharmacist in charge, the successor pharmacist in charge (temporary or permanent) shall conduct an inventory of all controlled substances. Should the disabled pharmacist in charge return, the disabled pharmacist in charge and successor pharmacist in charge shall immediately conduct a joint inventory of all controlled substances. A record of any inventory required by this rule shall be signed by the pharmacist(s) in charge conducting it and maintained at the pharmacy practice site with other controlled substance records for at least two (2) years. The inventory record shall indicate: The name and address of the pharmacy practice site; The name, strength, dosage form, and quantity of each controlled substance on hand; The date of inventory; and whether the inventory was taken as of the opening or close of business on that date.

Action: Licensee has been assessed a Civil Penalty of one hundred and fifty dollars (\$150).

Licensee: Walgreen's Pharmacy #09907, Brentwood

Violation: Respondent did not have required records readily available during inspection. Respondent had twenty-five (25) expired drug products onsite.

Action: Respondent must pay a civil penalty in the amount of twenty-five hundred dollars (\$2,500) within sixty (60) days of the date of the Order. This amount represents \$100 per each expired drug product. Respondent must also pay a civil penalty in the amount of one thousand dollars (\$1,000) for failing to ensure that pharmacy records were available and retrievable when requested by Board investigators during a periodic inspection.

Licensee: Yourliferx, Inc., Pharmacy Lic. No. 5289, Wyckoff, NJ

Violation: Licensee, a Pharmacy, failed to immediately notify the Board's administrative office of a change in pharmacist-in-charge. 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 dollars (\$500).

TENNESSEE BOARD OF PHYSICAL THERAPY

Licensee: Robert D. Keene, PTA 4558, Gallatin

Violation: Respondent failed to submit proof of completing the required continuing education hours for the 2020-2022 cycle. Any licensee who fails to complete the continuing competence activities or who falsely certifies completion of continuing competence activities may be subject to disciplinary action pursuant to T.C.A. §§ 63-13-304, 63-13-312, 63-13-313, and 63-13-315; The licensee must, within thirty (30) days of a request from the Board, provide evidence of continuing competence activities; Each licensee must retain completion documents, certificates, transcripts and syllabi of all continuing competence requirements of this rule for a period of five (5) years from when the requirements were completed. This documentation must be produced for inspection and verification, if requested in writing by the Board during its verification process; Physical Therapist Assistant – Thirty (30) hours are required for the twenty-four (24) months that precede the licensure renewal month; The Board shall require each licensed physical therapist and physical therapist assistant to participate in a minimum number of experiences to promote continuing competence for the twenty – four (24) months that precede the licensure renewal month. Beginning January 1, 2005, all applicants for licensure, renewal of license, reactivation of license, or reinstatement of license must demonstrate competency.

Action: Respondent's license was reprimanded. He was assessed a civil penalty, required to pay costs, and make up the deficient continuing education hours.

Licensee: Beth R. Ray, PT 8663, Maryville

Violation: Making false or misleading statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the licensee's practice; Engaging in the performance of substandard care by a physical therapist due to ignorance, incompetence or a deliberate or negligent act or failure to act, regardless of whether actual injury to the patient is established; Failing to adhere to standards of ethics of the physical therapy profession; Failing to maintain adequate patient records that contain a minimum of an evaluation of objective finding, a physical

therapy treatment diagnosis, the plan of care including desired outcomes, the treatment record, a discharge plan including results of intervention and sufficient information to identify the patient; Acting in a manner inconsistent with generally accepted standards of physical therapy practice

Action: License reprimanded; four (4) hours of physical therapy ethics and jurisprudence(s) pre-approved by the Board's consultant; 1 Type B civil penalty in the amount of \$300.00; costs not to exceed \$3,000.

Licensee: Ryan Sowder, PTA 5247, Murfreesboro

Violation: Making false or misleading statements or representations, being guilty of fraud or deceit in obtaining admission to practice or being guilty of fraud or deceit in the licensee's practice; Engaging in the performance of substandard care by a physical therapist due to ignorance, incompetence or a deliberate or negligent act or failure to act, regardless of whether actual injury to the patient is established; Practicing as a physical therapist or working as a physical therapist assistant when physical or mental abilities are impaired by the use of controlled substances, controlled substance analogues, other habit-forming drugs, chemicals or alcohol; Failing to adhere to standards of ethics of the physical therapy profession; Acting in a manner inconsistent with generally accepted standards of physical therapy practice; The Board shall require each licensed physical therapist and physical therapist assistant to participate in a minimum number of experiences to promote continuing competence for the twenty-four (24) months that precede the licensure renewal month. Beginning January 1, 2005, all applicants for licensure, renewal of license, reactivation of license, or reinstatement of license must demonstrate competency; Physical Therapist Assistant – Thirty (30) hours are required for the twenty-four (24) months that precede the licensure renewal month. At least twenty (20) hours of the thirty (30) hour requirement must be from Class I activities as provided in paragraph (5), and only ten (10) may be acquired online. Up to ten (10) hours of the thirty (30) hour requirement may be from Class II activities as provided in paragraph (6). Four (4) of the hours required in parts (3)(a)1. and (3)(b)1. must consist of ethics and jurisprudence education courses. These four (4) hours are required every renewal cycle. Any licensee who fails to complete the continuing competence activities or who falsely certifies completion of continuing competence activities may be subject to disciplinary action

Action: License suspended; four (4) hours of physical therapy ethics and jurisprudence(s) pre-approved by the Board's consultant; \$6500 civil penalties; costs not to exceed \$5,000.

POLYSOMNOGRAPHY BOARD

Licensee: Misty Hernandez, RPSGT 578, Murfreesboro

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Stephen B. McNeely, RPSGT 1277, Murray, KY

Violation: Failure to complete continuing education requirements

Action: Agreed Citation; must submit continuing education; assessed civil penalty in the amount of \$300.00

Licensee: Kevin Plemons, RPSGT 538, Clinton

Violation: Violation of statutes: Unprofessional, dishonorable, or unethical conduct; violation of a lawful order of the board. Violation of a rule: Failure to comply with continuing education requirements.

Action: License is Suspended, and Respondent is ordered to pay \$1,750 as a civil penalty, and the costs of the case not to exceed \$20,000. Respondent must complete all continuing education and pay all penalties and costs, then personally appear in front of the committee before the license suspension is lifted.

BOARD OF RESPIRATORY CARE

Licensee: Daise Abraham, RRT, License No. 3950, Chattanooga
Violation: Licensee failed to renew Licensee's respiratory care license and practiced as a registered respiratory care therapist on an expired license for four months.
Action: Agreed Citation; Assessed Civil Penalties of \$1,000.00.

Licensee: Coleman Boyd, RRT, License No. 6668, Murfreesboro
Violation: Licensee failed to obtain 11 hours of continuing education credits during the 2022 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$1,000.00.

Licensee: Theresa T. Clouse, Respiratory Care Therapist License #4012; Polysomnographic Technologist License #210
Violation: The Respondent allegedly was absent from a work shift because of an overdose on non-prescribed controlled substances. Respondent admittedly retired her licenses because of her addictions and does not wish to practice in the future.
Action: License retired

Licensee: Linda Ethridge, RRT, License No. 7862, Oak Ridge
Violation: Licensee failed to obtain 11 hours of continuing education credits during the 2021 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00.

Licensee: Morgan Greenfield, RRT, License No. 7753, Crab Orchard
Violation: Licensee failed to obtain 12 hours of continuing education credits during the 2021 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00.

Licensee: John Greer, Jr., RRT, License No. 437, Fort Worth, TX
Violation: Licensee failed to obtain 12 hours of continuing education credits during the 2021 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00.

Licensee: Sean Patton, RRT, License No. 8344, Memphis
Violation: Licensee failed to obtain 12 hours of continuing education credits during the 2022 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00

Licensee: Kelli Scott, CRT, License No. 3562, Lawrenceburg
Violation: Licensee failed to obtain 7 hours of continuing education credits during the 2021 and 2020 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00

Licensee: Suzanne Wiley, RRT, License No. 7641, Abingdon, VA
Violation: Licensee failed to obtain 12 hours of continuing education credits during the 2022 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00

Licensee: Gregory Williams, CRT, License No. 2600, Murfreesboro
Violation: Licensee failed to obtain 24 hours of continuing education credits during the 2021 and 2020 cycle.
Action: Agreed Citation; Assessed Civil Penalties of \$300.00

BOARD OF SOCIAL WORKER LICENSURE

Licensee: Peggy Randolph, LMSW, License No. 3191, Ellenton, FL
Violation: Voluntarily retired license during the course of the investigation.
Action: License Voluntarily Retired; Assessed Civil Penalty of \$1,000.00 and Costs not to Exceed \$1,000.00.

Licensee: India Johnson, LMSW, License No. 6272, Millington
Action: Probation lifted via order of compliance.
Reason: Petitioner is relieved from any further responsibilities under the February 23, 2023 Order but is subject to the discipline specified in the May 2, 2024 Order.

Licensee: India Johnson, LMSW, License No. 6272, Millington
Violation: Testing positive for any drug on the government or private sector pre-employment or employer-ordered drug test for an employer when the practitioner does not have a lawful prescription for using the drug or a valid medical reason for using the drug.
Action: Probation for a minimum of twenty-four months. Probation will be stayed immediately if Respondent submits to a urine drug screen and the results are negative for illegal drugs or prescription drugs for which the Respondent has no current prescription. Probation will remain stayed as long as Respondent submits to a urine drug screen at least quarterly with the next screening results due no later than August 10th, 2024, and Respondent submits to urine drug screens every three months thereafter.