

JUDITH A. JENSEN (U.S.B. 4603)
Assistant Attorney General
VALERIE M. WILDE (U.S.B. 7345)
Special Assistant Attorney General
SEAN D. REYES (U.S.B. 7969)
Utah Attorney General
Commercial Enforcement Division
Heber M. Wells Building
Box 140872
Salt Lake City, UT 84114-6741
TEL: (385) 395-0855

**BEFORE THE DIVISION OF PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH**

IN THE MATTER OF THE LICENSES OF)	SURRENDER
SHAMIS TATE)	STIPULATION AND ORDER
UTAH LICENSES #9311052-4405 AND)	
#9311052-3102)	
TO PRACTICE AS AN ADVANCED PRACTICE)	
REGISTERED NURSE AND)	
A REGISTERED NURSE)	
IN THE STATE OF UTAH)	CASE NO. DOPL 2022-154
)	

SHAMIS TATE (“Respondent”) and the **DIVISION OF PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah (“Division”) stipulate and agree as follows:

1. Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action.
2. Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily.
3. Respondent understands that Respondent has the right to be represented by

counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter.

4. Respondent understands that Respondent is entitled to a hearing before the State of Utah's Board of Nursing ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses. Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing. Respondent understands that by signing this document Respondent waives all rights to any administrative and judicial review as set forth in Utah Code Ann. §§ 63G-4-301 through 63G-4-405 and Utah Administrative Code R151-4-901 through R151-4-902. Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann. § 63G-4-102(4).

5. Respondent waives the right to proceed in the pending administrative action (DOPL Case No. 2022-154) and hereby requests that the administrative action be resolved by the terms of this Stipulation and Order.

6. Respondent understands that this Stipulation and Order, if adopted by the Director of the Division, will be classified as a public document. This stipulation may not be used for any purpose in any other administrative proceeding initiated by any agency of the State of Utah or as evidence of criminal conduct in any proceeding. The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent's licenses, to other persons and entities.

7. Respondent neither admits nor denies the following, but agrees that the Division shall make the following findings of fact:

- a. On or about September 24, 2019, Respondent was first licensed as an advanced practice registered nurse in the State of Utah.
- b. On or about February 17, 2015, Respondent was first licensed as a registered nurse in the State of Utah.
- c. In December 2021, the Division received a complaint from a patient of True Health alleging that they received ineffective medical treatment for neuropathy for a large fee. The Division's investigation revealed multiple complainants. Respondent is a cofounder and operator of True Health.
- d. Through True Health, Respondent employed clinical case managers and other personnel, some of whom were not licensed, to perform patient intake, diagnostic testing and recommend treatment options, options which included therapies and injections. True Health employed licensed APRNs, nurses and other licensed personnel who provided patient care. Respondent did not typically write or carry out orders.
- e. Some Patients alleged that they were prescribed ineffective treatments and improperly diagnosed with severe peripheral neuropathy, prescribed ineffective treatments, pressured to sign up with claims about symptom progression and charged for treatments, or expensive devices with loans from a third-party that ranged from 9.99% interest to 26.99% interest. Some patients were provided with interest free loans if the balance was paid within two years.
- f. Respondent contends that no patient was incorrectly diagnosed, that prescribed treatments benefited some patients and some patients showed documented improvement.
- g. Respondent denies that she personally participated in any false, misleading deceptive or fraudulent conduct towards patients at True Health clinics. Respondent further denies any criminal conduct.
- h. Respondent desires to surrender Respondent's license to practice as an advance practice registered nurse in the State of Utah, along with all residual rights to said license.

8. Respondent, while neither admitting nor denying the findings of fact above, agrees to voluntarily surrender Respondent's licenses to practice as an advanced practice registered nurse and

a registered nurse in the State of Utah along with all residual rights pertaining to said licenses and resolution of the pending administrative matter based on this Stipulation. Respondent agrees not to reapply for licensure as any type of nurse in the State of Utah until five years have elapsed from the effective date of this Stipulation and Order. The Division does not guarantee that any future application by Respondent for licensure will be granted. If the Division Director accepts the terms of this Stipulation and Order, Respondent forfeits all rights to practice as an advanced practice registered nurse and registered nurse in the State of Utah. Respondent understands that Respondent will not receive any refund of license or renewal fees previously paid to the Division. Respondent shall pay a fine of \$10,000.00 (ten thousand dollars), pursuant to Utah Code Ann. § 58-31b-503, to the Division. Of that total fine, \$5,000.00 (five thousand dollars) shall be immediately stayed. If Respondent pays the unstayed portion of the fine within 180 days from the effective date of this Stipulation and Order, the remaining stayed portion of the fine will be dismissed. If Respondent fails to pay the unstayed portion of the fine within 180 days, the Division may move to lift the stay and immediately impose the stayed portion of the fine.

9. This Stipulation and Order, upon approval by the Director of the Division, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of his having reviewed this Stipulation, and this waiver shall survive such nullification.

10. This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between

the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation.

11. If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law.


12. Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

13. Respondent understands and agrees that if Respondent has been issued an Order by the Division to pay an administrative penalty or a fine, and Respondent has not paid the administrative penalty or fine in full at the time this Stipulation and Order becomes effective, then Respondent may not reapply for licensure in the State of Utah, in any profession or occupation, until Respondent has paid the administrative penalty or fine in full. Respondent understands and agrees that any application for licensure submitted by Respondent shall be denied for the reason of failure to pay an administrative penalty or fine by the Division until Respondent has paid the administrative penalty or fine in full. The Division may also deny the license for any other lawful reason. Respondent understands and agrees that this surrender of Respondent's license(s) does not extinguish any obligation Respondent has to pay any administrative penalty or fine previously ordered by the Division.

14. Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

RESPONDENT


BY: 
JEFFREY BUSJAHN
Bureau Manager

BY: 
SHAMIS TATE

DATE: 09/01/2023

DATE: 8/31/2023

SEAN D. REYES
UTAH ATTORNEY GENERAL

BY: 
VALERIE M. WILDE
Counsel for the Division

DATE: 8/31/23

ORDER

THE ABOVE STIPULATION, in the matter of **SHAMIS TATE**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(7) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 1 day of September , 2023.

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING



MARK B. STEINAGEL
Director

Investigator: Dave Olsen