

1 **BEFORE THE ARIZONA BOARD**
2 **OF BEHAVIORAL HEALTH EXAMINERS**

3 **In the Matter of:**

4 **Amanda M. Curry, LPC-18917,**
5 **Licensed Professional Counselor,**
6 **In the State of Arizona.**

7 **RESPONDENT**

CASE NO. 2023-0162
CONSENT AGREEMENT
FOR VOLUNTARY SURRENDER

8 In the interest of a prompt and speedy settlement of the above captioned matter,
9 consistent with the public interest, statutory requirements and responsibilities of the Arizona
10 State Board of Behavioral Health Examiners (“Board”), and pursuant to A.R.S. §§ 32-3281(F)
11 and 41-1092.07(F)(5), Amanda M. Curry (“Respondent”) and the Board enter into this Consent
12 Agreement, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a final
13 disposition of this matter.

14 **RECITALS**

15 Respondent understands and agrees that:

16 1. Any record prepared in this matter, all investigative materials prepared or
17 received by the Board concerning the allegations, and all related materials and exhibits may be
18 retained in the Board’s file pertaining to this matter.

19 2. Respondent has the right to a formal administrative hearing at which Respondent
20 can present evidence and cross examine the State’s witnesses. Respondent hereby irrevocably
21 waives their right to such formal hearing concerning these allegations and irrevocably waives
22 their right to any rehearing or judicial review relating to the allegations contained in this Consent
23 Agreement.

24 3. Respondent has the right to consult with an attorney prior to entering into this
25 Consent Agreement.

1 4. Respondent acknowledges and agrees that upon signing this Consent
2 Agreement and returning it to the Board's Executive Director, Respondent may not revoke their
3 acceptance of this Consent Agreement or make any modifications to it. Any modification of this
4 original document is ineffective and void unless mutually approved by the parties in writing.

5 5. The findings contained in the Findings of Fact portion of this Consent Agreement
6 are conclusive evidence of the facts stated herein between only Respondent and the Board for
7 the final disposition of this matter and may be used for purposes of determining sanctions in any
8 future disciplinary matter.

9 6. This Consent Agreement is subject to the Board's approval, and will be effective
10 only when the Board accepts it. In the event the Board in its discretion does not approve this
11 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,
12 nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except
13 that Respondent agrees that should the Board reject this Consent Agreement and this case
14 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its
15 review and discussion of this document or of any records relating thereto.

16 7. Respondent acknowledges and agrees that the acceptance of this Consent
17 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
18 other proceedings as may be appropriate now or in the future. Furthermore, and
19 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
20 preclude in any way any other state agency or officer or political subdivision of this state from
21 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
22 in the future relating to this matter or other matters concerning Respondent, including but not
23 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other
24 than with respect to the Board, this Consent Agreement makes no representations, implied or

25 ...

1 otherwise, about the views or intended actions of any other state agency or officer or political
2 subdivision of the state relating to this matter or other matters concerning Respondent.

3 8. Respondent understands that once the Board approves and signs this Consent
4 Agreement, it is a public record that may be publicly disseminated as a formal action of the
5 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

6 The Board issues the following Findings of Fact, Conclusions of Law and Order:

7 **FINDINGS OF FACT**

8 1. Respondent is the holder of License No. LPC-18917 for the practice of
9 counseling in the State of Arizona.

10 2. From 01/23 – 03/23, Respondent was employed at Agency as a therapist.

11 3. On 03/07/23, Respondent emailed her notice of resignation with a two weeks'
12 notice with 03/21/23 being her last day.

13 4. One 03/07/23, roughly two hours after Respondent submitted her resignation,
14 Complainant emailed Respondent informing her that they would need to meet one or two times
15 weekly until her departure to plan for the continuity of care for her clients.

16 5. On 03/07/23, several hours later, Respondent emailed Complainant again
17 informing him of her immediate resignation.

18 6. Respondent in fact resigned immediately while she had 37 clients on her
19 caseload, without making any efforts to ensure clients had continuity of care in place or provide
20 any sort of appropriate referral.

21 7. Respondent represented the following during Board staff's investigative interview:

22 a. Respondent resigned abruptly because she was so ill.

23 b. Respondent did not inform any of her clients of her departure because it was
24 the supervisor's responsibility.

25

1 c. If Respondent is physically unable to work it is not her responsibility to ensure
2 continuity of care for her clients.

3 d. Respondent believes she appropriately terminated clients by giving the
4 responsibility to Complainant.

5 8. Respondent in fact took no steps to contact clients regarding her departure or
6 ensure continuity of care was place prior to her immediate departure.

7 9. On 10/10/23, Board staff received an email from another licensee employed at a
8 separate agency indicating Respondent resigned effective immediately from this job without any
9 notice.

10 10. Upon review it was observed that Board staff was never aware of this
11 employment where Respondent had been employed for roughly three months.

12 11. Respondent in fact failed to update her employment with the Board within 30
13 days of a change in employment as required by Board rules.

14 **CONCLUSIONS OF LAW**

15 1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.*
16 and the rules promulgated by the Board relating to Respondent's professional practice as a
17 licensed behavioral health professional.

18 2. The conduct and circumstances described in the Findings of Fact constitute a
19 violation of A.R.S. § 32-3251(16)(s), terminating behavioral health services to a client without
20 making an appropriate referral for continuation of care for the client if continuing behavioral
21 health services are indicated.

22 3. The conduct and circumstances described in the Findings of Fact constitute a
23 violation of A.R.S. § 32-3251(16)(ii), violating any federal or state law rule or regulation
24 applicable to the practice of behavioral health, as it relates to:

25 A.A.C. R4-6-05. Change of Contact Information


1 **ORDER**

2 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to
3 the provision and penalties imposed as follows:

4 1. Respondent's license, LPC-18917, shall be surrendered to the Board, effective
5 from the date of entry as signed below.


6 2. The surrender shall be considered a revocation of Respondent's license.

7
8 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

9 
Amanda Curry (Oct 18, 2023 13:23 PDT)
Amanda M. Curry

Oct 18, 2023
Date

11 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

12 By: 
13 TOBI ZAVALA, Executive Director
14 Arizona Board of Behavioral Health Examiners

Nov 13, 2023
Date

15 **ORIGINAL** of the foregoing filed Nov 13, 2023
16 with:

17 Arizona Board of Behavioral Health Examiners
18 1740 West Adams Street, Suite 3600
Phoenix, AZ 85007

19 **EXECUTED COPY** of the foregoing sent electronically Nov 13, 2023
20 to:

21 Mona Baskin
22 Assistant Attorney General
2005 North Central Avenue
Phoenix, AZ 85004

23 Amanda M. Curry
24 Address of Record
Respondent