

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

2 **In the Matter of:**

3 **Charity E. Northan James, LPC-18935,**
4 **Licensed Professional Counselor,**
5 **In the State of Arizona.**

6 **RESPONDENT**

CASE NO. 2023-0169

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER OF REVOCATION**

7 On December 8, 2023, the Arizona Board of Behavioral Health Examiners (“Board”) held
8 a formal hearing in the above matter for the purpose of determining whether good cause exists
9 for the Board to discipline Charity E. Northan James, holder of License No. LPC-18935 pursuant
10 to A.R.S. § § 32-3251 *et. seq.* and A.A.C. R4-6-101 *et. seq.* Assistant Attorney General Mona
11 Baskin appeared on behalf of the State. Assistant Attorney General Roberto Pulver was
12 present to provide independent legal advice to the Board. Respondent was not present.

13 AAG Baskin introduced 8 exhibits¹ and the testimony of one witness - Tobi Zavala, the
14 Board’s Executive Director. After having considered all the testimony and evidence presented,
15 the Board issues the following Findings of Fact, Conclusions of Law and Order for License
16 Revocation.

17 **FINDINGS OF FACT**

18 1. Charity E. Northan James (“Respondent”) is the holder of License No. LPC-18935 for
19 the practice as a licensed professional counselor in the state of Arizona. The Board issued
20 Respondent’s License No. LPC-18935 on April 1, 2020 and it remains active until March 31,
21 2024.

22 2. On or about January 17, 2023, the Board received a complaint against Respondent’s
23 License No. LPC-18935.

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25 ¹ Exhibits 1 - 5 were accepted under seal as confidential documents.

1 3. On or about March 29, 2023, Board staff sent a notice of complaint letter to
2 Respondent, at her email and physical address with the Board, and enclosed a copy of the
3 complaint. The notice of complaint letter advised Respondent that she was required to submit a
4 written response to the complaint within thirty-five (35) days from the date of the letter. The
5 Board advised Respondent that her response must be received by May 3, 2023. The notice of
6 complaint letter advised Respondent of the complaint process and the consequences of her
7 failure to respond. The notice of complaint letter also provided Respondent with the Board staff
8 email address and direct line telephone number should she have any questions. The complaint
9 letter and complaint that were sent by regular mail to Respondent's address of record were not
10 returned to the Board. 4. On or about May 4, 2023, at 2:30 p.m., Board staff emailed
11 Respondent at her email address of record advising her that the response to the complaint as
12 overdue. Board staff requested that Respondent submit a response by May 8, 2023.

13 5. On or about May 4, 2023, at 2:46 p.m., Respondent sent an email to Board staff
14 stating that she had not received the complaint in the mail and asked that the complaint be
15 resent.

16 6. On or about May 5, 2023, at 7:58 a.m., Board staff sent an email response and
17 attached the complaint information and asked Respondent to submit a response as soon as
18 possible. Board staff also asked Respondent to update her physical address with the Board if it
19 is no longer current.

20 7. On or about May 5, 2023, at 11:28 a.m., Respondent sent an email response to the
21 Board that stated, "Received. Thank you."

22 8. On or about May 30, 2023, at 1:56 p.m., Board staff sent an email to Respondent
23 regarding the complaint and her overdue response. Board staff set a June 2, 2023, deadline for
24 Respondent to submit a response. Respondent did not reply to the Board email.

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1 9. On or about June 6, 2023, Board staff attempted to call Respondent at 2:20 p.m. and
2 was unsuccessful in contacting Respondent.

3 10. On or about June 9, 2023, Board staff emailed Respondent and copied the Board
4 Executive Director for an explanation regarding why Respondent had not submitted a response.
5 Respondent failed to respond.

6 11. On or about June 11, 2023, the Board's Executive Director emailed Respondent
7 informing her that the complaint response was past due and requested that Respondent call the
8 Board. Respondent failed to respond.

9 12. On or about June 13, 2023, the Board's Executive Director emailed Respondent
10 following up on previous attempts to contact her. Respondent failed to respond.

11 13. On or about June 13, 2023, the Board's Executive Director emailed Respondent
12 through her Psychology Today profile asking her to call the Board as soon as possible.
13 Respondent failed to respond.

14 14. On or about June 21, 2023, the Board's Executive Director emailed Respondent
15 informing her that Board staff will be presenting her case to the Board. Respondent failed to
16 respond.

17 15. On or about July 17, 2023, Board staff sent Respondent an email advising her that
18 her response to the complaint is overdue. Board staff also advised Respondent that her case
19 will be presented at the August 11, 2023 Board meeting.

20 16. On or about July 17, 2023, Board staff emailed and mailed a letter and subpoena for
21 Respondent to appear at the Board meeting pursuant to A.R.S. § 32-3282(B)(1). The letter and
22 subpoena were sent to Respondent's two addresses of record by United States Postal Service
23 certified mail.

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1 17. Respondent failed to appear at the August 11, 2023, Board meeting in violation of
2 the Board subpoena. Respondent failed to contact Board staff regarding her non-appearance in
3 violation of the subpoena.

4 18. On or about August 14, 2023, Board staff sent a Board correspondence to
5 Respondent by email. On or about August 14, 2023, Board staff received verification confirming
6 that Respondent viewed the email containing the Board correspondence at 11:10 p.m. The
7 Board correspondence was also sent by certified mail to Respondent's address of record and
8 according to United States Postal Service records the certified mail was accepted and signed
9 for on August 14, 2023 at 9:53 a.m. Respondent did not contact Board staff after receiving the
10 Board correspondence.

11 19. Board staff verified that Respondent was currently operating an active behavioral
12 health private practice and was not responding to the Board.

13 **CONCLUSIONS OF LAW**

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

17 2. The conduct and circumstances described in the Findings of Fact constitute a
18 violation of A.R.S. § 32-3251(16)(o), failing to furnish information within a specified time to the
19 board or its investigators or representatives if legally requested by the board.

20 **ORDER**

21 Based upon the foregoing Findings of Fact and Conclusion of Law, the Board issues the
22 following order:

23 1. Respondent's license, LPC-18574, is hereby REVOKED, effective immediately.

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1 Charity E. Northan James
2 Address of Record
3 Respondent

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