



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, February 13, 2009

Members Present: Vicki Dawson, Douglas Mitchell, Stephen Lankton

Members Absent: Teresa Menchaca

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Mary Wilson, Elma Brambila

1. Call to Order

The meeting was called to order on February 13, 2009, at 9:03 a.m. with Mr. Mitchell presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Mr. Lankton moved, seconded by Ms. Dawson, to approve the general meeting minutes from the January 16, 2008, meeting, as submitted. The motion passed unanimously.

4. Review, consideration and action of complaints and other disciplinary matters

Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed. Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

Mr. Mitchell reviewed the procedure for conducting informal meetings.

A. 2008-0019, Margaret Cattey, LCSW-1845

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional and her attorney, Tim Tomason, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Mitchell moved, seconded by Ms. Dawson, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to:
 - A.A.C. R4-6-1101(3), consent for treatment
 - A.A.C. R4-6-1102(1)(e), licensee will work with client to prepare integrated treatment plan that includes the client's signature and date signed
 - A.A.C. R4-6-1103(B)(9), client record shall contain documentation of telephone contact
 - A.A.C. R4-6-1105(B) and A.A.C. R4-6-1105(C)
- A.R.S. §32-3251(12)(jj), failing to make client records in the licensee's possession available in a timely manner to another behavioral health professional upon receipt of proper authorization from the client

The motion passed unanimously.

Following further discussion, Mr. Mitchell moved, seconded by Mr. Lankton, to recommend to the Board to offer a consent agreement that stipulates the following:

- The professional's license will be placed on probation for a period of 12 months
- The professional shall complete 6-clock hours of pre-approved continuing education in ethics that includes HIPPA and documentation - such as the NASW course "How to Stay Out of Trouble" or an equivalent course
- The professional shall employ a pre-approved practice monitor to audit the professional's records and submit a report regarding the findings within 90 days
- The practice monitor will perform 3 quarterly audits to ensure compliance and submit reports to the committee chair for approval
- The professional can request early release upon the recommendation of the practice monitor after 2 audits that indicate no ongoing deficiencies

The motion passed unanimously.

B. 2007-0123, Trudy Sloane-Farrell, LCSW-2164

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional and her attorney, Robin Greenberg, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Mitchell moved, seconded by Ms. Dawson, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to A.A.C. R4-6-1101(3), consent for treatment

The motion passed unanimously.

Following further discussion by members, Mr. Mitchell moved, seconded by Ms. Dawson, to recommend to the Board to offer the professional a consent agreement that stipulates the following:

- License will be placed on probation for a period of 6 months
- The professional shall complete a 6-clock hour course in documentation, such as the NASW course "How to Stay Out of Trouble" or an equivalent course
- The professional can request early release from the consent agreement upon completion of the required continuing education course

The motion passed unanimously.

C. 2008-0002, Thomas Hall, LCSW-0017

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional and his attorney, Charlie Hover, appeared and were available for questions.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

D. 2008-0045 and 2008-0049, Kathleen Miholich, LCSW-0762

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Lankton, to find that the complaint is without merit pursuant to A.R.S. §32-3281(D)(1), and to remove it from the professional's complaint history pursuant to A.R.S. §32-3281(E). The motion passed unanimously.

E. 2008-0059, Deanne Miller, LCSW-3933 suspended

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Mr. Lankton moved, seconded by Ms. Dawson, to recommend to the Board to find the following violations:

- A.R.S. § 32-3251(12)(hh), failing to retain records pursuant to section 12-2297, a health care provider shall retain the original or copies of a patient's medical records for at least six years.
- A.R.S. §32-3251(12)(p), failing to conform with minimum practice standards as developed by the Board, as it relates to A.A.C. R4-6-1103, a licensee shall ensure that a client record is protected at all times from loss, damage or alteration.
- A.R.S. § 32-3211, a health professional must prepare a written protocol for the secure storage, transfer and access of the medical records of the health professional's patients.
- A.R.S. §32-3251(12)(n), failing to comply with or violating any rule adopted pursuant to this chapter, as it relates to A.A.C. R4-6-205, a licensee shall notify the agency in writing no later than 30 days after any change of the licensee's residence or office mailing address or telephone number.

and to remand the matter to formal hearing. The motion passed unanimously.

The committee took a break at 11:10 a.m., reconvening its public meeting at 11:16 a.m.

F. 2005-0105 and 2007-0133, Michael Caputa, LCSW-1701
Tabled

G. 2009-0052, Jesse Hash, LCSW applicant
Ms. Rinaudo summarized the results of the Board's investigation.

The complainants addressed the committee telephonically.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

LCSW application background

Ms. Rinaudo summarized the information regarding the background investigation.

The applicant addressed the committee.

Following review and discussion by members, Mr. Lankton moved, seconded by Mr. Mitchell, to open a complaint and order that the applicant have a substance abuse evaluation by an addictionologist within 60 days and have the results reviewed by the committee. The motion passed unanimously.

H. 2008-0028, Penni Patterson, LCSW-3490
Ms. Rinaudo summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to dismiss the complaint and issue a letter of concern regarding the professional's failure to have the treatment plan signed. The motion passed unanimously.

I. Abel Moniz-Ferriera, LMSW applicant
Ms. Rinaudo summarized the results of the Board's investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Mitchell, to open a complaint and recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(b), the use of fraud or deceit in establishing qualifications pursuant to A.R.S. Title 32, Chapter 33
- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice

to recommend to the Board to deny the application. The motion passed unanimously.

J. Kelly Obert, LMSW applicant

Ms. Rinaudo summarized the results of the Board's investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion, members agreed that no further action is necessary regarding the background issue.

5. Report from the Chair and items for review, consideration, and possible action

No report

6. Report from the Executive Director and/or staff

A. General Agency Operations

No report

7. Report from the Board and other committees

No report.

8. National and regional trends and news regarding the profession(s)

None

9. Review, consideration and action of supervision/work experience and/or exemptions

A. Oleg Topolev (Jennifer Williamson, LPC)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the supervisor exemption request for clinical supervision hours provided by Jennifer Williamson, LPC. The motion passed unanimously.

B. Oleg Topolev (Tawny Myers, LPC)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the supervisor exemption request for clinical supervision hours provided by Tawny Myers, LPC. The motion passed unanimously.

10. Applications for reassessment

None

11. Review, consideration and action of consent agenda for applications for inactive, extension and exam extension requests

Mr. Mitchell moved, seconded by Ms. Dawson, to approve the consent agenda, as reviewed by Mr. Lankton, granting second 60-day extensions to Darla Hardy and Robin Rudic and inactive status to Kato Haws, Sharon Hickey, Sandra Wilson and Carolyn Benninger. The motion passed unanimously.

12. Review, consideration and action regarding exam accommodations, exam extensions and inactive extensions

None

13. Review, consideration and action regarding applications for licensure

The committee reviewed files from 12:30 p.m. through 1:20 p.m.

A. Jesse HAsH

See agenda item 4(G).

B. Abel Moniz-Ferriera

See agenda item 4(I).

C. Kelly Obert

See agenda item 4(J).

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Lesley Wimmer Kelly as a Licensed Associate Marriage and Family Therapist upon receipt of the required license issuance fee and a passing score on the required exam. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Sofia Crowe as a Licensed Master Social Worker upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Amy Robb as a Licensed Master Social Worker upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Amy Blanchette as a Licensed Bachelor Social Worker upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Michelle Buhman-Livermore as a Licensed Clinical Social Worker upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve Jill Mason and Mindy Kavalershik as Reciprocal Licensed Clinical Social Workers upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve the following 21 applicants as Licensed Master Social Workers after receiving a passing score on the required exam and upon receipt of the license issuance fee:

| | | | |
|------------------------|-----------------|--------------------|------------------|
| Bernadette Herran | Kelly Obert | Daren Miller | Leanne Lemire |
| Jacqueline Sierzega | Mike Wilder | Roxanne Kopzienski | Maureen Stepanek |
| Anne Paulus | Larisa Boswell | Ysela Craig | Troy Loosle |
| Gwyneth Kelly | Kristin Brennan | Valerie Flaherty | Cherry Clark |
| Victoria Sutton | Jennifer Wilder | Sara McCauley | Cindy Cook |
| Khonsavanh Silivongxay | | | |

The motion passed unanimously.

Ms. Dawson moved, seconded by Mr. Lankton, to recommend to the Board to approve the following 8 applicants as Licensed Clinical Social Workers upon receipt of a passing score on the required exam and receipt of the license issuance fee:

| | | | |
|----------------|--------------------|--------------|---------------|
| Erin Stanfield | Michelle Kierstead | Oleg Topolev | Leyla Molina |
| Karen McIntyre | Vicki Hicks | Michael Peck | Steve Randall |

The motion passed unanimously.

Mr. Mitchell moved, seconded by Mr. Lankton, to recommend to the Board to deny Abel Moniz-Ferriera based on a finding of unprofessional conduct. The motion passed unanimously.

14. Future agenda items

Consent agreement terms

15. Call for public comment

None

16. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, March 13, 2008, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Ms. Dawson moved, seconded by Mr. Lankton, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:23 p.m.

Steve Lankton
Secretary/Treasurer

Date