

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

2 **In the Matter of:**

3 **Joanna L. Parris, LISAC-10846,**
4 **Licensed Independent Substance Abuse**
5 **Counselor,**
6 **In the State of Arizona.**

7 **RESPONDENT**

CASE NO. 2011-0062

RELEASE FROM
CONSENT AGREEMENT AND ORDER

8 The Board received a request from Respondent to release her from the terms and
9 conditions of the Consent Agreement and Order dated July 13, 2015. After consideration, the
10 Board voted to release Respondent from the terms and conditions of the Consent Agreement
11 and Order dated July 13, 2015.

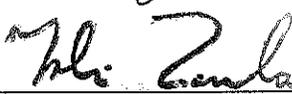
12 **ORDER**

13 **GOOD CAUSE APPEARING, IT IS THEREFORE ORDERED THAT:**

14 Respondent is hereby released from all terms and conditions of the Consent Agreement
15 and Order dated July 13, 2015.

16 Dated this 12th day of August, 2015.

17 By:

18 
19 **TOBI ZAVALA, Executive Director**
 Arizona Board of Behavioral Health Examiners

20 **ORIGINAL** of the foregoing filed

21 This 12th day of August, 2015, with:

22 Arizona Board of Behavioral Health Examiners
23 3443 N. Central Ave., Suite 1700
24 Phoenix, AZ 85012

25 **COPY** of the foregoing mailed via

 Certified mail no: 10142870000189573088

 This 12th day of August, 2015, to:

1 Joanna L. Parris
Address of Record
2 Respondent

3 **COPY** of the foregoing mailed via Mail
This 12th day of August, 2015 to:

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5 Erin Byrnes
4600 East Washington Street, STE 300
Phoenix, AZ 85034
6 Attorney for Respondent

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

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

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

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

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

20 8. Respondent further understands that any violation of this Consent Agreement
21 constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(15)(n) and may result in
22 disciplinary action pursuant to A.R.S. § 32-3281.

23 9. The Board therefore retains jurisdiction over Respondent and may initiate
24 disciplinary action against Respondent if it determines that she has failed to comply with the
25 terms of this Consent Agreement or of the practice act.

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

2 **FINDINGS OF FACT**

3 1. Respondent is the holder of License No. LISAC-10846 for the practice of
4 substance abuse counseling in Arizona.

5 2. Respondent's personnel records reflect the following:

6 a. While employed by an Agency 1 in 2006, Respondent received a 60-day
7 Disciplinary Probation based on her quality of work.

8 b. When Respondent resigned from Agency 2 in 03/07, she failed to fulfill her
9 commitments to clients to ensure a smooth transition before the effective date
10 of her resignation.

11 c. After submitting a notice of resignation to Agency 4 on 11/02/07, Respondent
12 failed to ensure that groups were covered. Agency 4 then informed
13 Respondent that she was not to return.

14 d. While employed by Agency 5 from 11/08 to 12/09, Agency 5 identified
15 multiple performance issues regarding Respondent.

16 e. On 11/19/09, Agency 5 issued a written warning to Respondent based on the
17 following:

- 18 • Creating a hostile work environment/abusive management style
19 • Failure to perform assigned duties/blatant abuse of company time

20 f. After submitting a two week resignation notice to Agency 6 on 08/23/10,
21 Respondent worked for two more days and then failed to return to work or
22 respond to messages.

23 3. On her 03/25/10 and 01/17/12 LISAC renewal applications:

24 a. Respondent attested to the following: "I certify under penalty of perjury that all
25 information contained in this renewal application, including all supporting

1 documents, is true and correct to the best of my knowledge and belief with
2 full knowledge that all statements made in this renewal application may be
3 grounds for refusal or subsequent revocation or suspension of my license(s).”

4 b. Respondent answered “No” to question (d) “Have you ever had any
5 disciplinary action or sanctions of any kind taken against you by any state or
6 federally licensed facility or employer in Arizona or any other state or
7 country?”

8 4. Although Respondent now represents that she mistakenly answered her renewal
9 applications incorrectly, Respondent’s failure to identify prior disciplinary action taken against
10 her by Agency 5, as required on her 2010 and 2012 renewal applications, was inappropriate.

11 5. During an interview of Respondent, Board Staff:

12 a. Provided Board work history forms to Respondent.

13 b. Requested that she complete and return these forms within 7 days.

14 6. Respondent failed to submit completed work history forms as requested.

15 7. On 01/10/13, Board staff sent Respondent a letter again requesting that she
16 complete and return work history forms.

17 8. Respondent again failed to submit completed work history forms as requested.

18 **CONCLUSIONS OF LAW**

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

22 2. The conduct and circumstances described in the Findings of Fact constitute a
23 violation of A.R.S. § 32-3251(12)(l), any conduct, practice or condition that impairs the ability of
24 the licensee to safely and competently practice the licensee’s profession.

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1 addressing current behavioral health documentation standards in Arizona. All required
2 continuing education shall be pre-approved by the Board Chair or designee. Upon completion,
3 Respondent shall submit a certificate of completion of the required continuing education.

4 5. In addition to the continuing education requirements of A.R.S. § 32-3273, within
5 12 months of the effective date of this Consent Agreement, Respondent shall complete 6 clock
6 hours of continuing education addressing behavioral health ethics. All required continuing
7 education shall be pre-approved by the Board Chair or designee. Upon completion, Respondent
8 shall submit a certificate of completion of the required continuing education.

9 6. Respondent may submit continuing education completed since the complaint
10 was filed for consideration by the Board Chair or designee.

11 Early Release

12 7. After completion of the continuing education requirements set forth in this
13 Consent Agreement, Respondent may request early release from the Consent Agreement if all
14 other terms of the Consent Agreement have been met.

15 GENERAL PROVISIONS

16 Provision of Clinical Supervision

17 Civil Penalty

18 8. Subject to the provisions set forth in paragraph 9, the Board imposes a civil
19 penalty against the Respondent in the amount of \$1,000.00.

20 9. Respondent's payment of the civil penalty shall be stayed so long as Respondent
21 remains compliant with the terms of this Consent Agreement. If Board staff determines that
22 Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the
23 exception of the tolling provision under Paragraph 3, the stay of the civil penalty payment shall
24 be automatically lifted and payment of the civil penalty shall be made by certified check or
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1 money order payable to the Board within 30 days after being notified in writing of the lifting of
2 the stay.

3 10. Within 10 days of being notified of the lifting of the stay, Respondent may request
4 that the matter be reviewed by the Board for the limited purpose of determining whether the
5 automatic lifting of the stay was supported by substantial evidence. If the Board receives the
6 written request within 10 days or less of the next regularly scheduled Board meeting, the
7 request will not be heard at that meeting, but will be heard at the next regularly scheduled Board
8 meeting. The Board's decision on this matter shall not be subject to further review.

9 11. The Board reserves the right to take further disciplinary action against
10 Respondent for noncompliance with this Consent Agreement after affording Respondent notice
11 and an opportunity to be heard. If a complaint is filed against Respondent for failure to comply
12 with this Consent Agreement, the Board shall have continuing jurisdiction until the matter is final
13 and the period of probation shall be extended until the matter is final.

14 12. If Respondent currently sees clients in their own private practice, and obtains any
15 other type of behavioral health position, either as an employee or independent contractor, where
16 she provides behavioral health services to clients of another individual or agency, she shall
17 comply with requirements set forth in Paragraphs 13 through 14 below.

18 13. Within 10 days of the effective date of this Order, if Respondent is working in a
19 position where Respondent provides any type of behavioral health related services or works in a
20 setting where any type of behavioral health, health care, or social services are provided,
21 Respondent shall provide the Board Chair or designee with a signed statement from
22 Respondent's employer(s) confirming Respondent provided the employer(s) with a copy of this
23 Consent Agreement. If Respondent does not provide the employer's statement to the Board
24 within 10 days of the effective date, the Board will provide Respondent's employer(s) with a
25 copy of the Consent Agreement.

1 14. If Respondent is not employed as of the effective date of this Order, within 10
2 days of accepting employment in a position where Respondent provides any type of behavioral
3 health related services or in a setting where any type of behavioral health, health care, or social
4 services are provided, Respondent shall provide the Board Chair or designee with a written
5 statement providing the contact information of her new employer and a signed statement from
6 Respondent's new employer confirming Respondent provided the employer with a copy of this
7 Consent Agreement. If Respondent does not provide the employer's statement to the Board
8 within 10 days, as required, Respondent's failure to provide the required statement to the Board
9 shall be deemed a violation of A.R.S. § 32-3251(15)(n) and the Board will provide Respondent's
10 employer(s) with a copy of the Consent Agreement.

11 15. If, during the period of Respondent's probation, Respondent changes
12 employment, resigns, is involuntarily terminated, resigns in lieu of termination, or goes on
13 extended leave of absence for whatever reason that may impact her ability to timely comply with
14 the terms of probation, Respondent shall, within 10 days of the aforementioned acts, inform the
15 Board of her change of employment status. After the change and within 10 days of accepting
16 employment in a position where Respondent provides any type of behavioral health related
17 services or in a setting where any type of behavioral health, health care, or social services are
18 provided, Respondent shall provide the Board Chair or designee a written statement providing
19 the contact information of her new employer(s) and a signed statement from Respondent's new
20 employer(s) confirming Respondent provided the employer(s) with a copy of this Consent
21 Agreement. If Respondent does not provide the employer's statement to the Board within 10
22 days, as required, Respondent's failure to provide the required statement to the Board shall be
23 deemed a violation of A.R.S. § 32-3251(15)(n) and the Board will provide Respondent's
24 employer(s) with a copy of the Consent Agreement.

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1 16. Respondent shall practice behavioral health using the name under which she is
2 licensed. If Respondent changes her name, she shall advise the Board of the name change as
3 prescribed under the Board's regulations and rules.

4 17. Prior to the release of Respondent from probation, Respondent must submit a
5 written request to the Board for release from the terms of this Consent Agreement at least 30
6 days prior to the date she would like to have this matter appear before the Board. Respondent
7 may appear before the Board, either in person or telephonically. Respondent must provide
8 evidence that she has successfully satisfied all terms and conditions in this Consent Agreement.
9 The Board has the sole discretion to determine whether all terms and conditions of this Consent
10 Agreement have been met and whether Respondent has adequately demonstrated that she has
11 addressed the issues contained in this Consent Agreement. In the event that the Board
12 determines that any or all terms and conditions of this Consent Agreement have not been met,
13 the Board may conduct such further proceedings as it determines are appropriate to address
14 those matters.

15 18. Respondent shall bear all costs relating to probation terms required in this
16 Consent Agreement.

17 19. Respondent shall be responsible for ensuring that all documentation required in
18 this Consent Agreement is provided to the Board in a timely manner.

19 20. This Consent Agreement shall be effective on the date of entry below.

20 21. This Consent Agreement is conclusive evidence of the matters described herein
21 and may be considered by the Board in determining appropriate sanctions in the event a
22 subsequent violation occurs.

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1 PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

2 Joanna L. Parris
3 Joanna L. Parris

7/3/15
Date

4 BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

5 Dated this 13~~th~~ day of July, 2015.

6 By: [Signature]
7 TOBI ZAVALA, Executive Director
8 Arizona Board of Behavioral Health Examiners

9 ORIGINAL of the foregoing filed
10 This 13 day of July, 2015 with:

11 Arizona Board of Behavioral Health Examiners
12 3443 N. Central Ave., Suite 1700
13 Phoenix, AZ 85012

14 COPY of the foregoing mailed via Interagency Mail
This 13 day of July, 2015, to:

15 Marc Harris
16 Assistant Attorney General
17 1275 West Washington
18 Phoenix, Arizona 85007

19 COPY of the foregoing mailed via
20 Certified mail no. 70142870000189570735
This 13 day of July, 2015, to:

21 Joanna L. Parris
22 Address of Record
23 Respondent

24 COPY of the foregoing mailed via Mail
This 13 day of July, 2015 to:

25 Erin Byrnes
4600 East Washington Street, STE 300
Phoenix, AZ 85034
Attorney for Respondent