

- 1 4. Respondent was not licensed to practice independently until 07/12.
- 2 5. Respondent acknowledged treating clients in her home and accepting payment
3 for sessions prior to receiving her independent license.
- 4 6. Respondent acknowledged her relationship with Wife was probably not always
5 professional including:
- 6 a. In 10/12, accompanying Wife to her home to assist in packing her
7 belongings.
- 8 b. Meeting Wife for coffee.
- 9 7. Respondent shared information with a Parent Evaluator involved in Wife's
10 custody case with her husband ("Husband").
- 11 8. Respondent's decision to share information with the Parent Evaluator is
12 problematic where:
- 13 a. Respondent had not met Husband, yet shared her clinical opinion of him
14 including:
- 15 i. Concerns of Husband's abusive and controlling behavior.
- 16 ii. Possible mental health diagnoses for Husband.
- 17 b. Respondent was aware that Wife and Husband were in a custody dispute
18 and the information would likely be used in custodial related matters.
- 19 c. Providing information regarding custodial matters was outside her scope
20 of duties.
- 21 9. Respondent's client record failed to contain:
- 22 a. A signed consent for treatment
- 23 b. Treatment planning documentation
- 24 c. Accurate progress notes
- 25 d. Billing information that corresponded to the clinical documentation.

1 CONCLUSIONS OF LAW

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

5 2. The conduct and circumstances described in the Findings of Fact constitute a
6 violation of A.R.S. § 32-3251(12)(m), engaging or offering to engage as a licensee in activities
7 that are not congruent with the licensee's professional education, training or experience, as it
8 relates to:

- 9 a. A.A.C. R4-6-505 Licensed Associate Counselor- Independent Practice
10 Prohibition

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

14 4. The conduct and circumstances described in the Findings of Fact constitute a
15 violation of A.R.S. § 32-3251(12)(y), engaging in a dual relationship with a client that could
16 impair the licensee's objectivity or professional judgment or create a risk of harm to the client.

17 5. The conduct and circumstances described in the Findings of Fact constitute a
18 violation of A.R.S. § 32-3251(12)(p), failing to conform to minimum practice standards as
19 developed by the Board, as it relates to:

- 20 a. A.A.C. R4-6-1101, Consent for Treatment
21 b. A.A.C. R4-6-1102, Treatment Plan
22 c. A.A.C. R4-6-1103, Client Record
23 d. A.A.C. R4-6-1104, Financial and Billing Records

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1 **SURRENDER ORDER**

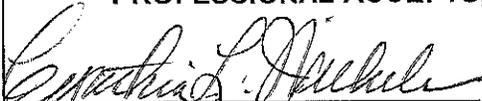
2 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to
3 the provision and penalties imposed as follows:

4 1. Respondent's license, LPC-13995, 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 3. This Consent Agreement is conclusive evidence of the matters described herein
8 and may be considered by the Board in determining appropriate sanctions in the event a
9 subsequent violation occurs.

10 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

11 
12 Cynthia L. Wilhelms
13 Cynthia L. Wilhelms

8-10-2015
Date

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

15 Dated this 18th day of August, 2015.

16 By: 
17 Tobi Zavala
18 TOBI ZAVALA, Executive Director
19 Arizona Board of Behavioral Health Examiners

20 **ORIGINAL** of the foregoing filed
21 This 18th day of August, 2015 with:

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

24 **COPY** of the foregoing mailed via Interagency Mail
25 This 18th day of August, 2015, to:

1 Marc Harris
Assistant Attorney General
2 1275 West Washington
Phoenix, Arizona 85007
3

COPY of the foregoing mailed via

4 Certified mail no. 70142870000189573149
This 18th day of August, 2015, to:

5 Cynthia L. Wilhelms
6 Address of Record
Respondent
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