BEFORE THE ARIZONA BOARD OF BEHAVIORAL HEALTH EXAMINERS

In the Matter of:

Tonilyn Skater, LISAC-11659, Licensed Independent Substance Abuse Counselor; LPC-12831, Licensed Professional Counselor, In the State of Arizona.

CASE NO. 2013-0074
CONSENT AGREEMENT

RESPONDENT

In the interest of a prompt and speedy settlement of the above captioned matter, consistent with the public interest, statutory requirements and responsibilities of the Arizona State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(H) and 41-1092.07(F)(5), Tonilyn Skater ("Respondent") and the Board enter into this Consent Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

RECITALS

Respondent understands and agrees that:

- Any record prepared in this matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.
- 2. Respondent has the right to a formal administrative hearing at which Respondent can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably waives her right to such formal hearing concerning these allegations and irrevocably waives her right to any rehearing or judicial review relating to the allegations contained in this Consent Agreement.

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- Respondent has the right to consult with an attorney prior to entering into this Consent Agreement.
- 4. Respondent acknowledges and agrees that upon signing this Consent Agreement and returning it to the Board's Executive Director, Respondent may not revoke her acceptance of this Consent Agreement or make any modifications to it. Any modification of this original document is ineffective and void unless mutually approved by the parties in writing.
- 5. The findings contained in the Findings of Fact portion of this Consent Agreement are conclusive evidence of the facts stated herein and may be used for purposes of determining sanctions in any future disciplinary matter.
- 6. This Consent Agreement is subject to the Board's approval, and will be effective only when the Board accepts it. In the event the Board in its discretion does not approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value, nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or of any records relating thereto.
- 7. Respondent understands that once the Board approves and signs this Consent Agreement, it is a public record that may be publicly disseminated as a formal action of the Board, and that it shall be reported as required by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.
- 8. Respondent further understands that any violation of this Consent Agreement constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(15)(n) and may result in disciplinary action pursuant to A.R.S. § 32-3281.

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

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

FINDINGS OF FACT

- Respondent is the holder of License Nos. LPC-12831 and LISAC-11659 for the practice of counseling and substance abuse counseling in Arizona.
 - 2. Respondent worked at Agency from 10/12 02/13.
- 3. From 01/02/13 to 02/22/13, Respondent was missing approximately 142 clinical notes for individual and group counseling.
- 4. Respondent acknowledges that she was unable to complete all her clinical documentation prior to resigning from Agency.

CONCLUSIONS OF LAW

- The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 et seq.
 and the rules promulgated by the Board relating to Respondent's professional practice as a
 licensed behavioral health professional.
- 2. The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-3251(12)(q), failing or refusing to maintain adequate records of behavioral health services provided to a client.

ORDER of CENSURE

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provisions and penalties imposed as follows:

- Respondent is hereby censured, which is an official action against her license, for her conduct as set forth in the Findings of Fact.
 - 2. This Consent Agreement shall be effective on the date of entry below.

1	3. This Consent Agreement is conclusive evidence of the matters described herein
2	and may be considered by the Board in determining appropriate sanctions in the event a
3	subsequent violation occurs.
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5	PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT
6	3/11/15
7	Tonilyn Skater Date
8	BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT
9	Dated this 24th day of Mach, 2015.
10	Dated this day of fluch, 2015.
11	By: TOBI ZAVALA, Executive Director
12	Arizona Board of Behavioral Health Examiners
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14	ORIGINAL of the foregoing filed
15	ORIGINAL of the foregoing filed This 24h day of March, 2015 with:
16	Arizona Board of Behavioral Health Examiners 3443 N. Central Ave., Suite 1700
17	Phoenix, AZ 85012
18	COPY of the foregoing mailed via Interagency Mail This day of
19	Marc Harris
20	Assistant Attorney General 1275 West Washington
21	Phoenix, Arizona 85007
22	COPY of the foregoing mailed via Certified mail no. 1014787000018957.0162
23	Certified mail no. 1014187000018957 0162, This 144_ day of 7000018957 0162, 2015, to:
24	Tonilyn Skater Address of Record
25	Respondent