



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 his  
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12 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,  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(16)(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 he 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-11472 for the practice of  
4 substance abuse counseling in Arizona.

5 2. On 11/17/14, Respondent self-reported an arrest for assault and disorderly  
6 conduct by domestic violence to the Board.

7 3. On 08/06/15, the Board reviewed the investigative report and found that  
8 Respondent's conduct violated A.R.S. § 32-3251(15)(l).

9 4. Additionally, on 08/06/15, based on self-disclosures of behavioral health issues,  
10 the Board ordered that the Respondent undergo an evaluation by a psychiatrist and provide the  
11 results to the Board.

12 5. The 09/08/15 psychiatric evaluation indicated a diagnosis and treatment  
13 recommendations.

14 6. In addition to the psychiatrist's evaluation, Respondent provided documentation  
15 to the Board including medical records from the VA which indicated that Respondent had been  
16 drinking alcohol heavily from October 2012 to March 2013.

17 7. During Board's staff initial investigation of the self-report, Respondent provided  
18 information regarding his substance use, including his sobriety date of September 2008. Board  
19 staff questioned Respondent about the discrepancy in his stated sobriety date of September  
20 2008 and the VA records, and Respondent acknowledged that he had misrepresented the date  
21 during the initial investigation.

22 **CONCLUSIONS OF LAW**

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







1 approval by the Board Chair or designee. The quarterly reports shall include issues presented in  
2 this Consent Agreement that need to be reported and the supervisor shall notify the Board if  
3 more frequent supervision is needed. Quarterly reports shall include the following:

- 4 a. Dates of each clinical supervision session.
- 5 b. A comprehensive description of issues discussed during supervision  
6 sessions.

7 16. All quarterly supervision reports shall include a copy of clinical supervision  
8 documentation maintained for that quarter. All clinical supervision documentation maintained by  
9 the supervisor shall comply with requirements set forth in A.A.C. R4-6-212(C).

10 17. After Respondent's probationary period, the supervisor shall submit a final  
11 summary report for review and approval by the Board Chair or designee. The final report shall  
12 also contain a recommendation as to whether the Respondent should be released from this  
13 Consent Agreement.

#### 14 **Change of Clinical Supervisor During Probation**

15 18. If, during the period of Respondent's probation, the clinical supervisor determines  
16 that he/she cannot continue as the clinical supervisor, he/she shall notify the Board within 10  
17 days of the end of supervision and provide the Board with an interim final report. Respondent  
18 shall advise the Board Chair or designee within 30 days of cessation of clinical supervision by  
19 the approved clinical supervisor and provide the name of a new proposed clinical supervisor.  
20 The proposed clinical supervisor shall provide the same documentation to the Board as was  
21 required of the initial clinical supervisor.

#### 22 **Psychiatrist's Evaluation**

23 19. During the period of probation, Respondent shall comply with psychiatrist's  
24 recommendations and continue medication management with a medical practitioner with  
25 expertise in the treatment of behavioral health issues.



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

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

12           27.     If Respondent currently sees clients in their own private practice, and obtains any  
13 other type of behavioral health position, either as an employee or independent contractor, where  
14 he provides behavioral health services to clients of another individual or agency, he shall  
15 comply with requirements set forth in Paragraphs 28 through 30 below.

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

24           29.     If Respondent is not employed as of the effective date of this Order, within 10  
25 days of accepting employment in a position where Respondent provides any type of behavioral

1 health related services or in a setting where any type of behavioral health, health care, or social  
2 services are provided, Respondent shall provide the Board Chair or designee with a written  
3 statement providing the contact information of his new employer and a signed statement from  
4 Respondent's new employer confirming Respondent provided the employer with a copy of this  
5 Consent Agreement. If Respondent does not provide the employer's statement to the Board  
6 within 10 days, as required, Respondent's failure to provide the required statement to the Board  
7 shall be deemed a violation of A.R.S. § 32-3251(16)(n) and the Board will provide Respondent's  
8 employer(s) with a copy of the Consent Agreement.

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

23         31. Respondent shall practice behavioral health using the name under which he is  
24 licensed. If Respondent changes his name, he shall advise the Board of the name change as  
25 prescribed under the Board's regulations and rules.

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

12 33. Respondent shall bear all costs relating to probation terms required in this  
13 Consent Agreement.

14 34. Respondent shall be responsible for ensuring that all documentation required in  
15 this Consent Agreement is provided to the Board in a timely manner.

16 35. This Consent Agreement shall be effective on the date of entry below.

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

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

22 Jeremy A. Courtney  
23 Jeremy A. Courtney

12/9/15  
Date

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

2 Dated this 15<sup>th</sup> day of December, 2015.

3  
4 By:   
5 TOBI ZAVALA, Executive Director  
Arizona Board of Behavioral Health Examiners

6 **ORIGINAL** of the foregoing filed  
This 15<sup>th</sup> day of December, 2015 with:

7 Arizona Board of Behavioral Health Examiners  
8 3443 N. Central Ave., Suite 1700  
Phoenix, AZ 85012

9 **COPY** of the foregoing mailed via Interagency Mail  
10 This 15<sup>th</sup> day of December, 2015, to:

11 Marc Harris  
12 Assistant Attorney General  
1275 West Washington  
Phoenix, Arizona 85007

13 **COPY** of the foregoing mailed via  
14 Certified mail no. 70141200 00006633 8601  
This 15<sup>th</sup> day of December, 2015, to:

15 Jeremy A. Courtney  
16 Address of Record  
Respondent