



1 allegations contained in this Consent Agreement.

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

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

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

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14 approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of  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

20 7. Respondent understands that once the Board approves and signs this  
21 Consent Agreement, it is a public record that may be publicly disseminated as a formal  
22

1 action of the Board, and that it shall be reported as required by law to the National  
2 Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

3 8. Respondent further understands that any violation of this Consent  
4 Agreement constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(n) and may  
5 result in disciplinary action pursuant to A.R.S. § 32-3281.  
6

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

8 **FINDINGS OF FACT**

9 1. Respondent is the holder of License No. LPC-13569 for the practice of  
10 professional counseling in the State of Arizona. Respondent was licensed as a  
11 professional counselor in October 2010. Respondent was a licensed associate counselor  
12 from March 3, 2009, until he was licensed as a professional counselor on October 1,  
13 2010.  
14

15 2. From December 2007 until March 2011, Respondent was employed at  
16 Remuda Ranch in Chandler, Arizona (the "Agency"). The Agency is a treatment facility  
17 for persons with eating and anxiety disorders.

18 3. From October 20, 2009, until December 4, 2009, nineteen-year-old KB  
19 received inpatient treatment at the Agency for bulimia nervosa, generalized anxiety  
20 disorder, major depressive disorder, social anxiety, panic disorder, and obsessive  
21 compulsive disorder with borderline personality traits. Respondent was KB's primary  
22 therapist while KB was receiving inpatient treatment at the Agency. Respondent  
23 provided KB with individual and group therapy.  
24  
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1           4.     Under Agency policy, Agency staff was not to initiate contact or to have  
2 contact with discharged patients.

3           5.     In January 2011, KB sent Respondent an e-mail seeking professional help  
4 and therapeutic advice. Based upon this e-mail, Respondent called KB. KB  
5 acknowledged Respondent's call in a February 2011 e-mail to Respondent. In the  
6 February 2011 e-mail, KB asked Respondent if he would be her counselor again.  
7 Respondent declined to act as KB's counselor.

8           6.     Respondent and KB engaged in Facebook contacts and arranged to meet  
9 while KB was in Arizona (KB had moved out of state).

10           7.     In December 2011, Respondent met KB at a cafe in Phoenix, Arizona.  
11 Respondent picked KB and drove her to the cafe.

12           8.     In mid-February 2012, Respondent and KB made arrangements partially  
13 through Facebook posts to meet while KB was in Phoenix. In February 2012,  
14 Respondent met KB for dinner at a restaurant in Scottsdale, Arizona. Following the  
15 February 2012 meeting, Respondent continued to exchange texts with KB.

16           9.     In December 2012, Respondent and KB, who was living in Colorado at the  
17 time, arranged to meet while Respondent was in Colorado. Respondent met KB at the  
18 Ellington Café in the Brown Palace Hotel in Denver, Colorado.

19           10.    Following the meeting in Denver, Colorado, Respondent and KB had  
20 telephone conversations, and KB expressed that she had romantic feelings for  
21 Respondent.

22           11.    Respondent suggested a trip to Las Vegas with KB in February 2013.  
23 However, the trip never took place.  
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1 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties  
2 agree to the provisions and penalties imposed as follows:

3 1. As of the effective date of the Consent Agreement, Respondent's license is  
4 suspended and he shall not practice under his license.

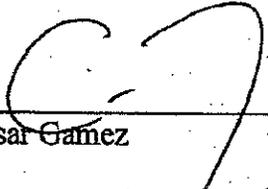
5 2. Respondent's license number LPC-13569 expires on September 30, 2014.

6 3. Respondent agrees not to renew his license.

7  
8 4. Respondent agrees not to submit any type of new license application to the  
9 Board for a minimum of three (3) years.

10 5. This Consent Agreement is conclusive evidence of the matters described  
11 herein and may be considered by the Board in determining appropriate sanctions in the  
12 event a subsequent violation occurs.

13  
14 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT**  
15 **AGREEMENT**

16   
17 \_\_\_\_\_  
18 Cesar Gamez

19 5/25/14  
20 Date

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

22 Dated this 2nd day of July, 2014.

23 By:

24   
25 TOBI ZAVALA, Interim Executive Director  
Arizona Board of Behavioral Health Examiners

26 **ORIGINAL** of the foregoing filed

27 This 2nd day of July, 2014 with:

28 Arizona Board of Behavioral Health Examiners

3443 N. Central Ave., Suite 1700  
Phoenix, AZ 85012

**COPY of the foregoing mailed via Interagency Mail**  
This 2<sup>nd</sup> day of July, 2014, to:

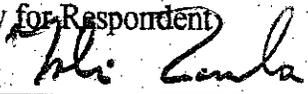
Elizabeth A. Campbell  
Assistant Attorney General  
1275 West Washington CIV/LES  
Phoenix, Arizona 85007

**COPY of the foregoing mailed via**  
Certified mail no. 7014 DS10 0001 3723 8349  
This 2<sup>nd</sup> day of July, 2014, to:

Cesar Gamez  
Address of Record  
Respondent

**COPY of the foregoing mailed via Mail**  
This 2<sup>nd</sup> day of July, 2014 to:

Teresa Sanzio, Esq.  
428 E. Thunderbird Road, Suite 238  
Phoenix, AZ 85022  
Attorney for Respondent



Tobi Zavala, Interim Executive Director  
602-542-1617