

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

2 **In the Matter of:**

3 **Valerie D. Lancaster, LAC-13529,**
4 **Licensed Associate Counselor,**
5 **In the State of Arizona.**

CASE NO. 2015-0034

**RELEASE FROM
CONSENT AGREEMENT AND ORDER**

6 **RESPONDENT**

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

11 **ORDER**

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

13 Respondent is hereby released from all terms and conditions of the Consent Agreement
14 and Order dated June 11, 2015.

15 Dated this 12th day of July, 2016.

16
17 By: 

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

20 **ORIGINAL** of the foregoing filed

This 12th day of July, 2016, with:

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

23 **COPY** of the foregoing mailed via

24 Certified mail no. 70142870000189577116
This 12th day of July, 2016, to:

25 Valerie D. Lancaster
Address of Record
Respondent

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

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

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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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

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

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

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

24 The Board issues the following Findings of Fact, Conclusions of Law and Order:
25

ORDER

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

Stayed Suspension

3
4 1. As of the effective date of this Consent Agreement, Respondent's license, LAC-
5 13529, shall be **SUSPENDED** for 12 months. However, the suspension shall be stayed and
6 Respondent's license shall be placed on probation.

7 2. During the stayed suspension portion of the Order, if Respondent is
8 noncompliant with the terms of the Order in any way, the stay of the suspension shall be lifted
9 and Respondent's license shall be automatically suspended as set forth above.

10 3. If Respondent contests the lifting of the stay as it relates to this paragraph,
11 Respondent shall request in writing, within 10 days of being notified of the automatic
12 suspension of licensure, that the matter be placed on the Board agenda for the Board to review
13 and determine if the automatic suspension of Respondent's license was supported by
14 substantial evidence.

15 4. If the written request is received within 10 days of a regularly scheduled Board
16 meeting, the request will not be heard at that meeting, but will be heard at the next regularly
17 scheduled Board meeting.

18 5. Pending the Board's review, Respondent's license shall be reported as
19 suspended - under review. Respondent may not work in any capacity as a licensed behavioral
20 health professional pending the Board's review. The Board's decision and Order shall not be
21 subject to further review.

Probation

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23 6. Respondent's license, LAC-13529, will be placed on probation, effective from the
24 date of entry as signed below.
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1 11. Upon approval, the Board will provide the therapist with copies of any required
2 evaluations completed at the request of the Board prior to this Consent Agreement and the
3 Board's investigative report.

4 **Focus and Frequency of Therapy**

5 12. The focus of the therapy shall relate to interpersonal relationships, boundaries
6 and countertransference. Respondent shall meet in person with the therapist twice monthly.

7 **GENERAL PROVISIONS**

8 **Provision of Clinical Supervision**

9 13. Respondent shall not provide clinical supervision while subject to this Consent
10 Agreement.

11 **Civil Penalty**

12 14. Subject to the provisions set forth in paragraph 15, the Board imposes a civil
13 penalty against the Respondent in the amount of \$1,000.00.

14 15. Respondent's payment of the civil penalty shall be stayed so long as Respondent
15 remains compliant with the terms of this Consent Agreement. If Board staff determines that
16 Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the
17 exception of the tolling provision under Paragraph 8, the stay of the civil penalty payment shall
18 be automatically lifted and payment of the civil penalty shall be made by certified check or
19 money order payable to the Board within 30 days after being notified in writing of the lifting of
20 the stay.

21 16. Within 10 days of being notified of the lifting of the stay, Respondent may request
22 that the matter be reviewed by the Board for the limited purpose of determining whether the
23 automatic lifting of the stay was supported by substantial evidence. If the Board receives the
24 written request within 10 days or less of the next regularly scheduled Board meeting, the
25 ...

request will not be heard at that meeting, but will be heard at the next regularly scheduled Board meeting. The Board's decision on this matter shall not be subject to further review.

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

18. If Respondent currently sees clients in their own private practice, and obtains any other type of behavioral health position, either as an employee or independent contractor, where she provides behavioral health services to clients of another individual or agency, she shall comply with requirements set forth in Paragraphs 19 through 21 below.

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

20. If Respondent is not employed as of the effective date of this Order, within 10 days of accepting employment in a position where Respondent provides any type of behavioral health related services or in a setting where any type of behavioral health, health care, or social services are provided, Respondent shall provide the Board Chair or designee with a written statement providing the contact information of her new employer and a signed statement from Respondent's new employer confirming Respondent provided the employer with a copy of this

1 Consent Agreement. If Respondent does not provide the employer's statement to the Board
2 within 10 days, as required, Respondent's failure to provide the required statement to the Board
3 shall be deemed a violation of A.R.S. § 32-3251(15)(n) and the Board will provide Respondent's
4 employer(s) with a copy of the Consent Agreement.

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

19 22. Respondent shall practice behavioral health using the name under which she is
20 licensed. If Respondent changes her name, she shall advise the Board of the name change as
21 prescribed under the Board's regulations and rules.

22 23. Prior to the release of Respondent from probation, Respondent must submit a
23 written request to the Board for release from the terms of this Consent Agreement at least 30
24 days prior to the date she would like to have this matter appear before the Board. Respondent
25 may appear before the Board, either in person or telephonically. Respondent must provide

1 evidence that she has successfully satisfied all terms and conditions in this Consent Agreement.
2 The Board has the sole discretion to determine whether all terms and conditions of this Consent
3 Agreement have been met and whether Respondent has adequately demonstrated that she has
4 addressed the issues contained in this Consent Agreement. In the event that the Board
5 determines that any or all terms and conditions of this Consent Agreement have not been met,
6 the Board may conduct such further proceedings as it determines are appropriate to address
7 those matters.

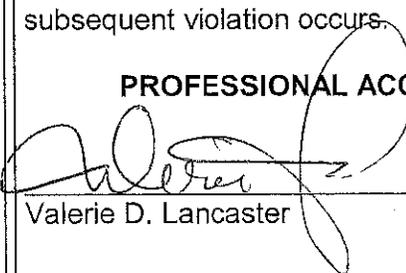
8 24. Respondent shall bear all costs relating to probation terms required in this
9 Consent Agreement.

10 25. Respondent shall be responsible for ensuring that all documentation required in
11 this Consent Agreement is provided to the Board in a timely manner.

12 26. This Consent Agreement shall be effective on the date of entry below.

13 27. This Consent Agreement is conclusive evidence of the matters described herein
14 and may be considered by the Board in determining appropriate sanctions in the event a
15 subsequent violation occurs.

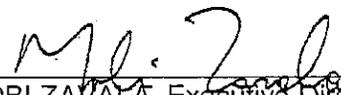
16 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

17 
18 Valerie D. Lancaster

17 6-3-15
18 Date

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

20 Dated this 11th day of June, 2015.

21 By: 
22 TOBIN ZAVALA, Executive Director
23 Arizona Board of Behavioral Health Examiners

24 **ORIGINAL** of the foregoing filed
25 This 11th day of June, 2015 with:

1 Arizona Board of Behavioral Health Examiners
2 3443 N. Central Ave., Suite 1700
3 Phoenix, AZ 85012

4 **COPY** of the foregoing mailed via Interagency Mail
5 This 11th day of June, 2015, to:

6 Marc Harris
7 Assistant Attorney General
8 1275 West Washington
9 Phoenix, Arizona 85007

10 **COPY** of the foregoing mailed via
11 Certified mail no. 7014 2870 0001 8957 0551,
12 This 11th day of June, 2015, to:

13 Valerie D. Lancaster
14 Address of Record
15 Respondent

16 **COPY** of the foregoing mailed via Mail
17 This 11th day of June, 2015 to:

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