

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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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(16)(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 ...

FINDINGS OF FACT

1 1. Respondent is the holder of License No. LAC-13823 for the practice of
2 counseling in Arizona.

3 2. In 12/13, Respondent's minor client disclosed being the victim of sexual abuse.

4 3. Respondent spoke with two minor siblings of the victim and they also disclosed
5 they were victims of sexual abuse.

6 4. Respondent failed to immediately make a report to the Department of Child
7 Safety or a peace officer as required pursuant to A.R.S. § 13-3620.

8 5. In 01/14, another incident of child abuse/neglect occurred with the same family
9 and it was discovered by Respondent's employer ("Agency") that she had still not reported the
10 12/13 sexual abuse incidents.

11 6. On 03/18/14, Respondent was terminated from Agency for failing to report
12 serious allegations of child abuse in a timely manner.

13 7. On her 08/24/14 online employment application for her current employer,
14 Respondent answered "No" to the question, "Have you ever been discharged, or asked to
15 resign from employment?", indicating her reason for leaving Agency as "New position".
16

CONCLUSIONS OF LAW

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

20 2. The conduct and circumstances described in the Findings of Fact constitute a
21 violation of A.R.S. § 32-3251(15)(I), any conduct, practice or condition that impairs the ability of
22 the licensee to safely and competently practice the licensee's profession.
23

24 ...

25 ...

1 3. The conduct and circumstances described in the Findings of Fact constitute a
2 violation of A.R.S. § 32-3251(15)(ii), violating any federal or state law or rule applicable to the
3 practice of behavioral health as it relates to:

4 A.R.S. § 13-3620, Duty to Report

5 4. The conduct and circumstances described in the Findings of Fact constitute a
6 violation of A.R.S. § 32-3251(15)(b), use of fraud or deceit in connection with rendering services
7 as a licensee or establishing qualifications pursuant to this chapter.

8 **ORDER**

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

11 1. Respondent's license, LAC-13823, will be placed on probation effective from the
12 date of entry as signed below.

13 2. Respondent shall not practice under her license, LAC-13823, unless she is fully
14 compliant with all terms and conditions in this Consent Agreement. If, for any reason,
15 Respondent is unable to comply with the terms and conditions of this Consent Agreement, she
16 shall immediately notify the Board in writing and shall not practice under her license until she
17 submits a written request to the Board to re-commence compliance with this Consent
18 Agreement. All such requests shall be pre-approved by the Board Chair or designee.

19 3. In the event that Respondent is unable to comply with the terms and conditions
20 of this Consent Agreement, all remaining time frames shall be tolled and remain tolled until
21 such time as she is granted approval to re-commence compliance with the Consent
22 Agreement.

23 **Continuing Education**

24 4. In addition to the continuing education requirements of A.R.S. § 32-3273, within
25 12 months of the effective date of this Consent Agreement, Respondent shall complete 6 clock

1 hours in mandated reporter training. All required continuing education shall be pre-approved by
2 the Board Chair or designee. Upon completion, Respondent shall submit a certificate of
3 completion of the required continuing education.

4 5. In addition to the continuing education requirements of A.R.S. § 32-3273, within
5 12 months of the effective date of this Consent Agreement, Respondent shall complete 6 clock
6 hours of the NASW Staying Out of Trouble continuing education course or an equivalent course.
7 All required continuing education shall be pre-approved by the Board Chair or designee. Upon
8 completion, Respondent shall submit a certificate of completion of the required continuing
9 education.

10 6. In addition to the continuing education requirements of A.R.S. § 32-3273, within
11 12 months of the effective date of this Consent Agreement, Respondent shall take and pass a
12 three semester graduate level behavioral health ethics course from an accredited college or
13 university. The course shall be taken in person and pre-approved by the Board Chair or
14 designee. Upon completion, Respondent shall submit to the Board an official transcript
15 establishing completion of the required course.

16 Clinical Supervision

17 7. While on probation, Respondent shall submit to clinical supervision for 24 months
18 by a masters or higher level behavioral health professional licensed at the independent level.
19 Within 30 days of the date of this Consent Agreement, Respondent shall submit the name of a
20 clinical supervisor for pre-approval by the Board Chair or designee. Also within 30 days of the
21 date of this Consent Agreement, the clinical supervisor shall submit a letter disclosing his/her
22 prior relationship to Respondent. In that letter, the clinical supervisor must address why he/she
23 should be approved, acknowledge that he/she has reviewed the Consent Agreement and
24 include the results of an initial assessment and a supervision plan regarding the proposed
25 supervision of Respondent. The letter from the supervisor shall be submitted to the Board.

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

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

8 15. If Respondent currently sees clients in their own private practice, and obtains any
9 other type of behavioral health position, either as an employee or independent contractor, where
10 she provides behavioral health services to clients of another individual or agency, she shall
11 comply with requirements set forth in Paragraphs 16 through 17 below.

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

20 17. If Respondent is not employed as of the effective date of this Order, within 10
21 days of accepting employment in a position where Respondent provides any type of behavioral
22 health related services or in a setting where any type of behavioral health, health care, or social
23 services are provided, Respondent shall provide the Board Chair or designee with a written
24 statement providing the contact information of her new employer and a signed statement from
25 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(16)(n) and the Board will provide Respondent's
4 employer(s) with a copy of the Consent Agreement.

5 18. 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(16)(n) and the Board will provide Respondent's
18 employer(s) with a copy of the Consent Agreement.

19 19. 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 20. 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.

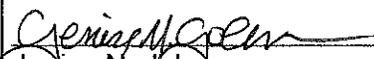
8 21. Respondent shall bear all costs relating to probation terms required in this
9 Consent Agreement.

10 22. 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 23. This Consent Agreement shall be effective on the date of entry below.

13 24. 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.

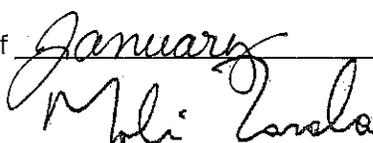
16 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

17
18 
19 Jenise N. Johnson

12/29/2015
Date

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

21 Dated this 5th day of January, 2015¹⁶

22 By: 
23 TOBÍ ZAVALA, Executive Director
24 Arizona Board of Behavioral Health Examiners
25

1 ORIGINAL of the foregoing filed

This 5th day of January, 201¹⁶~~5~~ with:

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

4 COPY of the foregoing mailed via Interagency Mail

This 5th day of January, 201¹⁶~~5~~, to:

5
6 Marc Harris
7 Assistant Attorney General
1275 West Washington
Phoenix, Arizona 85007

8 COPY of the foregoing mailed via

Certified mail no. 7014287000189073446

9 This 5th day of January, 201¹⁶~~5~~, to:

10 Jenise N. Johnson
11 Address of Record
Respondent

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