



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

TOBI ZAVALA
Interim Executive Director

April 3, 2014

Ms. Lisa Bozik
[REDACTED]

Dear Ms. Bozik:

At its meeting on April 3, 2014, the Arizona State Board of Behavioral Health Examiners ("Board") reviewed the Substance Abuse Credentialing Committee's recommendation to deny your application for licensure as a professional counselor. Based upon its review, the Board found that you are not eligible for licensure pursuant to A.R.S. § 32-3275(6) based on the following findings of unprofessional practice:

1. A violation of A.R.S. § 32-3251(12)(b), use of fraud or deceit in connection with . . . establishing qualifications pursuant to Title 32, Chapter 33.
2. A violation of A.R.S. § 32-3251(12)(c)(i), any oral or written misrepresentation of fact by an applicant or licensee to secure or attempt to secure the issuance or renewal of a license.
3. A violation of A.R.S. § 32-3251(12)(II), being the subject of a disciplinary sanction of a professional license in another jurisdiction.

These violations were based on the following findings:

1. You were charged in 2011 with the following in Montana:
 - a. DUI, a misdemeanor
 - b. Endangering the Welfare of a Child, a misdemeanor.
2. In 07/11, you were found guilty of "Driving with Excessive Alcohol Content" and "Endangering the Welfare of a Child".
3. In 11/11, the charge of Endangering the Welfare of a Child was dismissed and records of the conviction were ordered sealed and expunged.

4. In 01/12, you submitted applications to renew your LMFT and LCPC licenses in Montana.
5. In those applications, you were required to disclose "any legal or disciplinary actions instituted against you or any of your professional licenses" taken against you since your last renewal.
6. You submitted your applications without responding to the question regarding legal or disciplinary actions.
7. On 01/09/12, staff for the Montana Board of Social Work Examiners, Professional Counselors & Marriage and Family Therapists ("Montana Board") sent an email to you asking that you provide a response to this question.
8. On 01/10/12, you sent an email response indicating that your answer was "No" to the question regarding legal or disciplinary actions. This answer was not accurate as it failed to account for your 07/11 DUI and child endangerment convictions.
9. You explained that your interpretation of the question was that the actions you had to report were those related to your professional practice. However, you now acknowledge that your interpretation was mistaken and that you should have reported the DUI and child endangerment convictions, even though the DUI charge was downgraded and the child endangerment charge was later dismissed and expunged. You have entered into a consent decree with the Montana Board and have accepted a public reprimand from the Board. You remain licensed in Montana.
10. In August of 2011 on an Applicant Testimony form you completed for your current employer:
 - a. You answered "No" to the question, "Have you ever resigned rather than face disciplinary action and/or non-renewal by an employer?"
 - b. This answer misrepresented your employment history.
 - c. You answered "No" to the question: "Have you ever been dismissed (fired) from any job, or resigned at the request of your employer, or while charges against you or an investigation of your behavior was pending? You must answer Yes even if the matter was later resolved with any form of settlement or severance agreement, regardless of its terms".
 - d. This answer again misrepresented your employment history.
 - e. You have explained that you had decided you were leaving the Montana company at the end of the 2010-2011 school year and when the notice of charges was presented, you agreed to resign in order to receive more money. Because you had already decided you were leaving and that it was not the recommendation for termination that affected your decision, you did not at the time consider it to be a resignation rather than face disciplinary action or at the request of the employer, for it was your

request in order to obtain money and finality. However, you now understand and assert that your interpretation was mistaken and that you should have reported the settlement after the recommendation of termination had been presented. You have sought and are working with a psychological professional to review your past actions and to focus on the appropriate reporting in the future.

11. On your 07/01/11 R-LPC application in Arizona, you:

- a. Failed to disclose the 04/11 charge of Endangering the Welfare of a Child, as required.

You admit that you did not disclose the charge of Endangering the Welfare of a Child, as required. It arose out of the DUI charge and was later dismissed and expunged. However, you now acknowledge that the Board's explanation in the application regarding what should be listed regardless of later dismissal or expungement was something you should have focused on. You have sought and are working with a psychological professional to review your past actions and to focus on the appropriate reporting in the future.

- b. Failed to disclose a resignation in lieu of termination, as required.

You had decided you were leaving the Montana company at the end of the 2010-2011 school year and when the notice of charges was presented, you agreed to resign in order to receive more money. Because you had already decided you were leaving and that it was not the recommendation for termination that affected your decision, you did not at the time consider it to be a resignation rather than face disciplinary action or at the request of the employer, for it was your request in order to obtain money and finality. However, you now understand and assert that your interpretation was mistaken and that you should have reported the settlement after the recommendation of termination had been presented. You have sought and are working with a psychological professional to review your past actions and to focus on the appropriate reporting in the future.

PLEASE BE ADVISED that, if you desire licensure at a later date, you must submit a new application and fee.

Please be further advised that pursuant to state statute, as of July 1, 2004, only persons holding licenses to practice professional counseling may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,



Ms. Lisa Bozik
April 3, 2014
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Tobi Zavala,
Interim Executive Director