



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

DEBRA RINAUDO  
Executive Director

January 21, 2014

Mr. Albert Ledet  
[REDACTED]

Dear Mr. Ledet:

On December 5, 2013, the Board found that you are not eligible for licensure pursuant to § 32-3275(6) based on the following findings:

1. A violation of A.R.S. § 32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice.
2. A violation of A.R.S. § 32-3251(12)(b), use of fraud or deceit in connection with rendering services as a licensee.
3. A violation of A.R.S. § 32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee to secure or attempt to secure the issuance or renewal of a license.

The violations were based on the following findings:

1. In 12/04, your first Licensed Independent Substance Abuse Counselor (LISAC™) application was approved.
2. In 10/09, the Board found that you engaged in unprofessional conduct and accepted a consent Agreement ("Consent Agreement 1") placing your license on probation.
3. In 08/10, while subject to Consent Agreement 1, you were hired at an agency ("Agency 8").
4. The 08/23/10 Employment Application you completed at Agency 8 required that each question be answered in a complete and accurate manner. The work history portion of the application further required the disclosure of previous employers in consecutive order and an accounting for all periods of time, including military service and periods of unemployment.
5. Despite these clear requirements, you failed to disclose the following:
  - a. Your employment at and involuntary termination from an agency ("Agency 2").
  - b. Your employment at an agency ("Agency 3").
  - c. Your employment at and involuntary termination from an agency ("Agency 5").
  - d. Your employment at and involuntary termination from an agency ("Agency 7").
6. Your failure to provide complete and accurate information on your Agency 8 employment application is particularly problematic where, at the time you completed this application:
  - a. You were subject to Consent Agreement 1, which included multiple findings of fact regarding your failure to provide accurate information to the Board and Agency 5.
  - b. In 04/10, Agency 7 filed a Board complaint against you based on your failure to disclose your 2004 DUI on your employment application and your failure to disclose Consent Agreement 1 to Agency 7.

7. In 04/11, the Board determined that you continued to engage in unprofessional conduct while subject to Consent Agreement 1 and revoked your LISAC.
8. In 02/13, you submitted your second LISAC application.
9. The Board's licensure application requires applicants to:
  - a. Provide a complete and accurate employment history that, at a minimum:
    - i. Identifies all prior behavioral health related employment.
    - ii. Indicates the basis for leaving each such position.
  - b. Sign a notarized affidavit certifying under penalty of perjury that the information provided to the Board, including all supporting documents, is true and correct to the best of their knowledge and belief and with full knowledge that any false statements or misrepresentations may be grounds for denial of the application or other disciplinary action.
10. The application clearly identifies the information and documents that must be submitted with each application.
11. The application also includes a Checklist to help applicants ensure that all required documents are submitted with an application.
12. Your 02/13 LISAC application was deficient as follows:
  - a. You did not submit the required notarized affidavit.
  - b. Applicants are required to respond "Yes" or "No" to a series of background questions and to provide "a complete explanation" for any questions to which the applicant responded "Yes".
  - c. Although you answered "Yes" to background questions 1, 2, 4, 5, 6, and 9, you failed to provide any written explanation related to these questions, as required.
  - d. The Employment History section instructs applicants to:
    - i. Identify all positions held for the previous 10 years and all prior behavioral health positions.
    - ii. Specifically identify whether the applicant left a position voluntarily, was terminated, or resigned in lieu of termination.
  - e. Despite these instructions, on the Employment History form you originally submitted, you only provided information regarding your employment at Agencies 4, 7 and 8.
13. Given your history of discipline related to your failure to ensure the accuracy of your professional representations to the Board and others, it is difficult to understand your decision to seek re-licensure by submitting an application with a significant number of deficiencies and misrepresentations.
14. It is also difficult to understand your decision to submit an application for licensure at the independent level where:
  - a. Applicants for independent licensure must complete a minimum of 24 months of supervised work experience and 100 hours of clinical supervision as prescribed in the Board's rules.
  - b. Your supervisor at Agency 8 ("Supervisor") indicated the following:
    - i. He is aware that, as an LMSW, he does not qualify under Board rules to provide clinical supervision to applicants seeking an independent license.
    - ii. He clearly advised you that you could not use clinical supervision hours completed with him in support of an independent license application.
    - iii. Supervisor completed a Clinical Supervision Verification form based on your representation that the Board had requested this information.
    - iv. You never told Supervisor that you intended to submit this form in support of an independent license application.
15. Under these circumstances, it appears that, after being clearly advised by Supervisor that he was not qualified to complete clinical supervision hours for independent licensure, you then submitted

- an independent level license application based on clinical supervision hours completed with Supervisor.
16. On 02/28/13, the Board notified you that your LISAC application was deficient in a number of areas.
  17. In response to the Board's deficiency notice, in 04/13:
    - a. You submitted a revised employment history form and a notarized affidavit attesting that all the information provided with your application was true and correct.
    - b. You requested that the Board change your LISAC application to a Licensed Associate Substance Abuse Counselor ("LASAC") application.
  18. The revised employment history form you submitted misrepresented that you voluntarily resigned from Agencies 1 and 2.
  19. As clearly noted in Consent Agreement 1, you were involuntarily terminated from both agencies.
  20. When asked about these misrepresentations during a Board interview, you indicated the following:
    - a. Although you acknowledge that you missed multiple days and staffings and were constantly late at Agency 1, you believe that you left Agency 1 due to a mutual agreement.
    - b. Although Consent Agreement 1 clearly reflects that you were involuntarily terminated from Agency 1 for cause and you signed this document, you were not aware of this information because you never read Consent Agreement 1.
    - c. You believe that you voluntarily resigned from Agency 2, but are aware that Agency 2 represented that you were involuntarily terminated.
  21. Your misrepresentations regarding your employment history are particularly problematic where:
    - a. You voluntarily entered into Consent Agreement 1 in 2009.
    - b. Much of Consent Agreement 1 addressed your repeated failure to provide accurate information to the Board and employers.
    - c. In particular, Consent Agreement 1 specifically addressed your failure to accurately represent your involuntary terminations from Agencies 1 and 2.
  22. Your records from Argosy University ("Argosy") reflect the following problems:
    - a. A 06/26/07 Annual Student Review identified concerns about your lack of follow through.
    - b. A 06/30/09 Annual Student Evaluation identified the following concerns:
      - i. You were barely making minimum grades to keep progressing in the program.
      - ii. You were late to class and did not put in a lot of effort.
      - iii. Your writing skills were concerning.
  23. In 02/10, the Argosy Student Conduct Committee placed you on general probationary status for 2 years to correspond with your probation under Consent Agreement 1.
  24. In an attempt to better understand the circumstances surrounding Consent Agreement in 03/10, the Student Conduct Committee met with you to address several concerns.
  25. Argosy records regarding that meeting reflect the following:
    - a. With regard to the sexual harassment allegations identified in Board records, you "did not seem to take the issue seriously as evidenced by [your] smirking when asked about the allegations".
    - b. The Student Conduct Committee asserted that you should "examine accountability for [your] actions" because you did not seem to discuss much about your role in the complaints. You instead noted that your "behavior was misinterpreted".
    - c. The Committee also expressed concern regarding your taking doctoral level courses as a Masters student. "[You were] advised that this was not an appropriate course of action."
    - d. With regard to your failure to disclose 2 prior DUI charges to the Board, "[You feel] that others misinterpret [your] actions, yet [you seem] to demonstrate a lack of awareness and

- concomitant accountability for [your] behavior that leads to [your] experience of misinterpretation”.
26. 05/09/10 and 05/19/10 emails between Argosy staff addressed your continuing attempts to take doctoral level courses when you were clearly advised not to. Argosy staff noted the following:
    - a. You were advised 2 times not to take classes outside the Clinical Program, but you “may be attempting to go around [Argosy staff]”.
    - b. “Please keep this email, as we are trying to have [you] follow directions.”
  27. A 06/30/10 Annual Student Evaluation indicated the following:
    - a. Your performance was “very marginal – barely scraping by”.
    - b. There were strong concerns about ethical issues and your failure to disclose ethical issues to your advisor.
    - c. There were strong concerns about your judgment after you tried to go around your advisor and the department by taking doctoral courses you were previously advised not to take.
  28. A 01/27/12 Performance Review at Agency 8 indicated you needed to improve your performance in the following areas:
    - a. Being timely and efficient in all areas of job responsibilities.
    - b. Continue improving client skill sets.
    - c. Seek supervisory support.
    - d. Improve clinical focus to reduce distraction, improve concentration, and be more detailed in documentation.
    - e. Complete progress notes in a timely manner.
  29. A 01/21/13 Performance Review at Agency 8 indicated you needed to improve your performance in the following areas:
    - a. Prioritize being timely and efficient in all areas of job responsibilities.
    - b. Improve clinical skills.
    - c. Meet weekly supervision requirements.
    - d. Improve work ethic to reduce work related distractions.
  30. Supervisor indicated that, although your performance has improved, you still:
    - a. Struggle to complete timely documentation.
    - b. Move too fast and need to slow down.
  31. Because you are no longer licensed by the Board, you now provide services as a Behavioral Health Technician (“BHT”) at Agency 8.
  32. Given your disciplinary history and education level, your continued pattern of performance problems at the BHT level is particularly problematic.
  33. Supervisor also identified the following concerns:
    - a. Supervisor meets weekly with you for 1 hour of individual supervision.
    - b. Supervisor also meets with you for 1.5 hours per month of team supervision.
    - c. Supervisor strongly encourages all therapists to aggressively seek out supervision as needed in addition to regularly scheduled supervision sessions.
    - d. At first, you never sought additional supervision as needed as Supervisor instructed you.
    - e. As a result, Supervisor had to reiterate to you that seeking additional supervision as needed was not optional.
    - f. Although you have gotten better about participating in supervision, you still do not aggressively seek it out as instructed.
  34. Given your past employment problems and serious disciplinary sanctions, your continued failure to understand and accept the need for supervision as instructed by Supervisor is concerning.

**Per A.R.S. §41.1092.03.B, you may request a Formal Hearing by notifying the agency in writing within thirty-five (35) days from the date of this letter. If you do request a Formal Hearing, you also have the right, pursuant to A.R.S. §41-1092.06, to request a settlement conference. If you do not**

**request a Formal Hearing by the close of business on February 26, 2014 your file will be closed without further recourse to appeal and the licensure denial will be reported to the federal data banks that record this information. If you desire licensure at a later date, you must submit a new application and fee.**

**PLEASE BE FURTHER ADVISED that, pursuant to the Board's new licensure statute, as of July 1, 2004, only persons holding licenses to practice substance abuse 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) 542-1864.

Sincerely,

A handwritten signature in cursive script, appearing to read "Debra Rinaudo".

Debra Rinaudo  
Executive Director