



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

Tobi Zavala  
Interim Executive Director

April 25, 2014

Ms. Kara Murray  
[REDACTED]

Dear Ms. Murray:

On April 3, 2014, the Board found that you are not eligible for licensure pursuant to § 32-3275(6) based on the following violations:

1. 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.R.S. § 32-3251(12)(f), active habitual intemperance in the use of alcohol or active habitual substance abuse.
3. 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.

These violations were based on the following findings:

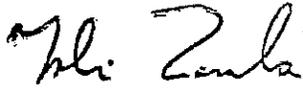
1. In 07/00, you pled guilty to your first DUI.
2. On 11/01/03, you pled guilty to your second DUI.
3. Your BAC was .154 % one hour after your second DUI arrest.
4. In approximately 2007, you were diagnosed with a serious behavioral health disorder.
5. Following this diagnosis, you attended a number of therapy programs to address ongoing behavioral health issues.
6. In 06/12, you were arrested and pled guilty to your third DUI.
7. Your BAC was .151% 50 minutes after your arrest.
8. On 08/08/12, you began 54 hours of court ordered education and substance abuse treatment.
9. You failed to disclose your mental health treatment on the questionnaire you completed during that treatment.
10. On 09/09/12, you were admitted to an inpatient program to address acute behavioral health issues.
11. On 02/11/13, you were admitted to another inpatient program to address similar issues.
12. On 04/26/13, you submitted your Licensed Associate Counselor ("LAC") application to the Board and disclosed your criminal history.
13. Background Question 12 on the Board's application required you to disclose whether during the past 5 years you had been addicted to any chemical substance, including alcohol.
14. You answered "No" to this question even though your behavioral health records reflect you have experienced long-term ongoing problems related to your continuing alcohol abuse/dependency issues.
15. Background Question 13 on the Board application required you to disclose whether in the past 5 years you had been treated for any drug or alcohol addiction or participated in a rehabilitation program.
16. You answered "No" to this question even though you completed 54 hours of alcohol and substance abuse treatment in 01/13.

17. Background Question 14 on the Board's application required you to disclose whether in the past 5 years you had any disease or medical condition that would in any way "impair or limit your ability to competently and safely perform the essential functions of your profession. "Medical condition" includes physiological, mental or psychological conditions or disorders such as, but not limited to, physical impairments, emotional or mental diseases or conditions, or alcohol or substance abuse. If yes, include a letter from your physician indicating your diagnosis and if you are compliant with treatment and currently able to practice safely and competently."
18. Background Question 15 on the Board's required you to disclose whether within the last 5 years you had been "diagnosed, treated or admitted to a hospital or other facility for the treatment of bipolar disorder, schizophrenia, paranoia, or any psychotic disorder? If yes, include a letter from your physician indicating if you are compliant with treatment and currently able to practice safely and competently."
19. Based on information contained in your treatment records, you were required to answer "Yes" to Background Questions 14 and 15.
20. Your explanations regarding the bases for your failure to answer "Yes" to these questions are not credible.
21. Although you received treatment from multiple providers since 2007, it is not clear that you have made significant progress in addressing your behavioral health issues.
22. Although you do not acknowledge that you have ongoing substance abuse/dependency, your treatment records clearly reflect significant and ongoing substance abuse/dependency issues.
23. You also demonstrate significant challenges in maintaining appropriate boundaries, as indicated by the following:
  - a. While interning during your master's program in 11/11, you were reprimanded for inappropriate self-disclosure and failure to maintain boundaries.
  - b. During your Board interview, you acknowledged the following:
    - You struggled during your internship.
    - Although there was no official disciplinary action against you, there was "social awkwardness" with your supervisor because you may have shared too much regarding your struggle with your divorce.
    - You may have had issues regarding boundaries and self-disclosure with patients.
24. Given your ongoing behavioral health issues, and as you have acknowledged, you have not established that you can practice safely and competently as a licensee at this time.

**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 May 30, 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 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) 542-1864.

Sincerely,

A handwritten signature in black ink, appearing to read "Tobi Zavala". The signature is written in a cursive style with a large initial "T" and a long, sweeping underline.

Tobi Zavala  
Interim Executive Director