



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
April 1, 2016

Members Present: Jerri Shields, Chip Coffey, Gerald Szymanski, Cedric Davis, Brad Barnett, Patricia Dobratz, Heidi Quinlan, Mary Coonrod, Sally Jones, Ivan Pemberton

Members Absent: Habib Khan, Nikole Hintz-Lyon

Staff Present: Tobi Zavala, Executive Director; Jeanne Galvin, A.A.G.; Joey Ordonez, Enforcement Manager; Mary Wilson and Elma Brambila, meeting recorders

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on April 1, 2016, at 9:00 a.m. with Ms. Shields presiding.

2. **Roll Call**

See above.

3. **Minutes: review, consideration and action**

Mr. Coffey moved, seconded by Dr. Davis, to approve the general meeting minutes from the December 3, 2015, meeting as submitted. The motion passed unanimously. Ms. Dobratz, Ms. Coonrod and Mr. Pemberton abstained from the vote.

Mr. Coffey moved, seconded by Ms. Dobratz, to approve the general meeting minutes from the March 4, 2016, meeting as submitted. The motion passed unanimously. Ms. Jones and Mr. Pemberton abstained from the vote.

Mr. Coffey moved, seconded by Ms. Dobratz, to approve the executive session minutes from the March 4, 2016, meeting as submitted. The motion passed unanimously. Ms. Jones and Mr. Pemberton abstained from the vote.

Approval of the minutes from October 1, 2015, is tabled due to lack of quorum of members to approve.

4. **Notification of Deficiencies**

No one from the list of deficiencies addressed the Board.

5. **Consent Agenda: review, consideration and action**

- A. Cases recommended for dismissal
- a. 2015-0040, Joseph Gieber, LMSW-15163

Board staff could not contact the complainant at the number provided.

- b. 2015-0078, Karen Torry Greene, LCSW-10653
- c. 2016-0081, Salina Hancock Abdul-Bari, LMSW-13868

Following discussion, Dr. Davis moved, seconded by Ms. Jones, to approve the consent agenda Item 5(A). The motion passed unanimously. Mr. Coffey recused from the vote.

B. Cases recommended for dismissal with a letter of concern

N/A

C. Cases recommended for release from consent agreements.

- a. 2013-0057, Cheryl Bolte, LISAC-10915 (active restricted) and LPC-10982 (active restricted)

Following discussion, Mr. Coffey moved, seconded by Dr. Davis, to approve the consent agenda Item 5(C). The motion passed unanimously.

D. Cases recommended for acceptance of a proposed signed consent agreement.

- a. 2015-0004, Bonnie Carr, LAC-15125
- b. 2015-0025, Robert Froehlich, LPC-10600

Following discussion, Dr. Davis moved, seconded by Ms. Quinlan, to approve the consent agenda Item 5(D). The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X		X		X	X	X	X
NAY												
Absent						X		X				

E. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

- a. 2015-0116, Andre Mixon, LMSW-15416

Following discussion, Mr. Coffey moved, seconded by Ms. Dobratz, to approve the consent agenda Item 5(E). The motion passed unanimously.

6. Administrative Hearings 10:00 AM

None

7. Formal Interviews

None

8. Complaints and other disciplinary matters: review, consideration and action

- A. 2015-0090, Amy Davidson, LMSW-12812

Mr. Ordonez summarized information regarding the results of the Board’s investigation.

The professional and her attorney, Maria Brandon, appeared and addressed the Board.

The professional’s attorney, Larry Cohen, addressed the Board telephonically.

Following review and discussion, Mr. Szymanski moved, seconded by Mr. Barnett, to find the following violations:

- A.R.S. §32-3251(15)(l), any conduct, practice or condition that impairs the ability to safely and competently practice (boundaries and coordination of care only)
- A.R.S. §32-3251(15)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - The 2008 NASW Code of Ethics 1.07 Privacy and Confidentiality

- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board as it relates to:
 - A.A.C. R4-6-205 Change of Address

The motion passed unanimously.

Following further discussion, Ms. Coonrod moved, seconded by Ms. Jones, to consolidate complaints 2013-0071 and 2015-0090. The motion passed unanimously.

Mr. Szymanski moved, seconded by Ms. Jones, to accept a consent agreement that stipulates the following:

- Include the conclusions of law, findings of fact, and stipulations from complaint 2013-0071
- The professional shall receive therapy twice a month. The frequency can be changed with the recommendation of the therapist but no less than once a month.
- The focus shall be boundaries and her own relationships
- Modify to restrict a LISAC from providing the clinical supervision

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X		X		X		X		X	X	X	X
NAY												
Absent		recuse		recuse		X		X				

Mr. Szymanski moved, seconded by Mr. Barnett, to report the agency to Department of Health Services regarding the lack of supervision and to open a complaint against the LISAC signing her treatment plans. The motion passed unanimously. Dr. Davis recused from the vote.

B. 2015-0013, Gail Eaton, LCSW-11342

Ms. Zavala summarized information regarding the results of the Board’s investigation.

The complainant appeared and was available for questions.

The professional addressed the Board telephonically.

Following review and discussion by members, Ms. Dobratz moved, seconded by Mr. Coffey, to find the following violations:

- A.R.S. §32-3251(15)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(15)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health as it relates to:
 - A.R.S. §13-3620 Duty to Report
- A.R.S. §32-3251(15)(kk), failing to make client records promptly available to a client, a minor client’s parent, the client’s legal guardian, or the client’s authorized representative, on receipt of proper authorization
- A.R.S. §32-3251(15)(p), failing to conform to minimum practice standards as developed by the Board as it relates to:
 - A.A.C. R4-6-1102 Treatment Plan
- A.R.S. §32-3251(15)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - The 2008 NASW Code of Ethics 1.04 Competence

The motion passed unanimously.

Following further discussion, Ms. Dobratz moved, seconded by Mr. Coffey, to accept a consent agreement for the voluntary surrender of the license and, if not accepted, to remand the matter to formal hearing for revocation. The motion carried with Ms. Jones and Mr. Szymanski opposed.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X				X	X	X	
NAY							X					X
Absent						X		X				

C. Nicholas Eckley, LMSW applicant

Mr. Ordonez summarized information regarding the Board’s investigation.

The applicant appeared and addressed the Board.

Following review and discussion by members, Mr. Barnett moved, seconded by Dr. Davis, to open a complaint and find the following violations:

- A.R.S. §32-3251(15)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(15)(b), use of fraud or deceit in rendering services

The motion passed unanimously.

Mr. Szymanski moved, seconded by Ms. Shields, to rescind the previous motion. The motion passed unanimously.

Mr. Barnett moved, seconded by Ms. Quinlan, to open a complaint and dismiss the complaint with a letter of concern regarding plagiarism and honesty. The motion passed unanimously.

The Board took a break at 10:25 a.m., reconvening its public meeting at 10:39 a.m.

D. 2015-0059, Michael Finecey, LPC-12362 and LISAC-11503

Ms. Zavala summarized information regarding the Board’s investigation.

The complainant was properly noticed, but did not appear.

The professional and his attorney, Terry Hall, appeared and addressed the Board.

Following review and discussion by members, Ms. Jones moved, seconded by Mr. Coffey, to find the following violations:

- A.R.S. §32-3251(15)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(15)(p), failing to conform to minimum practice standards as developed by the Board as it relates to:
 - A.A.C. R4-6-1101, consent to treat
 - A.A.C. R4-6-1102, treatment plan
 - A.A.C. R4-6-1103, client record
 - A.A.C. R4-6-1105, confidentiality

The motion passed unanimously.

Following further discussion, Ms. Jones moved, seconded by Mr. Coffey, to accept a consent agreement that stipulates the following:

- The license shall be placed on probation for 12 months
- The licensee shall complete 6-clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The licensee shall complete 3-clock hours of pre-approved continuing education in suicide risk assessment

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X		X		X	X	X	X
NAY												
Absent						X		X				

E. Aaron Foster, LAC applicant

Ms. Zavala summarized information regarding the Board’s investigation.

The applicant appeared and addressed the Board.

Dr. Davis moved, seconded by Mr. Coffey, to go into executive session pursuant to A.R.S. §43-431.03(A)(2), to review medical records exempt from public inspection. The motion passed unanimously and the Board went into executive session at 2:21 p.m., reconvening its public meeting at 2:37 p.m.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Quinlan, to request that the applicant, pursuant to discussion in executive session, get an evaluation from an addictionologist. The motion passed unanimously.

F. Theresa Kunnappilly, LMSW applicant

Ms. Zavala summarized the results of the Board’s investigation.

The applicant appeared and addressed the Board.

Dr. Davis moved, seconded by Mr. Coffey, to go into executive session pursuant to A.R.S. §43-431.03(A)(2), to review medical records exempt from public inspection. The motion passed unanimously and the Board went into executive session at 2:06 p.m., reconvening its public meeting at 2:18 p.m.

Following review and discussion, members agreed no further action is necessary.

G. Matthew Miller, LAC applicant

Ms. Zavala summarized the results of the Board’s investigation.

The applicant appeared and addressed the Board.

Following review and discussion, members agreed no further action is necessary.

H. 2015-0077, Linda Poure, LCSW-2979

Ms. Zavala summarized the results of the Board’s investigation.

The complainant appeared and addressed the Board.

The professional and her attorney, DeeDee Holden, appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Mr. Coffey, to find a violation of A.R.S. §32-3251(15)(t), disclosing a professional confidence or privileged communication except as permitted by law or permitted by valid release. The motion failed with Mr. Barnett, Mr. Coffey, Ms. Coonrod, Dr. Davis and Ms. Dobratz in favor.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X							
NAY							X		X	X		X
Absent						X		X				

Mr. Szymanski moved, seconded by Ms. Shields, to find a violation of A.R.S. §32-3251(15)(p), failing to conform to minimum practice standards as developed by the Board. The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Coffey, to offer a consent agreement that stipulates the following:

- The license shall be placed on probation for 12 months
- The professional shall complete 6-clock hours of NASW Staying Out of Trouble or its pre-approved equivalent
- The licensee shall complete a 3-semester credit hour graduate level course in ethics and family law
- The licensee shall have clinical supervision for 6 sessions in no less than 6 months

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X		X		X	X	X	X
NAY												
Absent						X		X				

I. 2016-0056, Catherine Stacey, LAC-13694 and LPC applicant

Mr. Ordonez summarized the results of the Board's investigation.

The complainant addressed the Board telephonically.

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Dr. Davis, to find the following violations:

- A.R.S. §32-3251(16)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee in an attempt to secure the issuance or renewal of a license
- A.R.S. §32-3251(16)(c)(ii), any oral or written misrepresentation of a fact by an applicant or licensee in statements provided during an investigation or disciplinary proceeding

The motion passed unanimously.

Mr. Szymanski moved, seconded by Dr. Davis, to accept a consent agreement with the following stipulations:

- The license shall be placed on probation for 12 months
- Stayed revocation

- The professional shall complete 6-clock hours of NASW Staying Out of Trouble or its pre-approved equivalent
- The professional shall complete a pre-approved 3-semester graduate level course in ethics

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X		X		X	X	X	X
NAY												
Absent						X		X				

Following further discussion, Mr. Szymanski moved, seconded by Ms. Dobratz, to open a complaint against the Clinical Director. The motion passed unanimously.

J. 2015-0033, Melanie Wall Brumble, LISAC-1483

Mr. Ordonez summarized information regarding the Board’s investigation.

The complainant could not be reached at the number provided.

The professional and her attorney, Teresa Sanzio, appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Mr. Coffey, to find the following violations:

- A.R.S. §32-3251(15)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(16)(x), exploiting a client, former client or supervisee

The motion passed unanimously.

Following further discussion, Ms. Dobratz moved, seconded by Dr. Davis, to accept a consent agreement that stipulates the following:

- License shall be placed on 24 months of probation
- The licensee shall complete a 3-semester credit hour pre-approved graduate level course in ethics
- The licensee shall receive clinical supervision from a pre-approved clinical supervisor twice monthly
- Clinical supervision shall focus on boundaries, ethics, transference and documentation
- Early release at 12 months with the recommendation of the clinical supervisor

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Patricia Dobratz	Nikole Hintz-Lyon	Sally Jones	Habib Kahn	Ivan Pemberton	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X		X		X	X	X	X
NAY												
Absent						X		X				

The Board took a break for lunch at 12:00 p.m., reconvening its public meeting at 12:30 p.m.

9. Assistant Attorney General’s Report: Marc Harris, A.A.G.

N/A

10. Applications for licensure and educational programs: review, consideration and action

Social Work

Dr. Davis moved, seconded by Mr. Coffey, to approve 5 applicants as Licensed Clinical Social Workers, 3 applicants as Licensed Clinical Social Workers by endorsement, 25 applicants as Licensed Master Social Workers and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Coffey, to deny 1 application based on failure to pass the required exam. The motion passed unanimously. Ms. Jones recused from the vote.

Counseling

Ms. Shields moved, seconded by Ms. Jones, to approve 31 applicants as Licensed Associate Counselors, 9 applicants as Licensed Professional Counselors, and 7 applicants as Licensed Professional Counselors by endorsement. The motion passed unanimously. Mr. Coffey recused from the vote.

Mr. Szymanski moved, seconded by Ms. Dobratz, to deny 2 applications based on failure to meet minimum requirements, 1 application based on failure to pass the required exam, and 1 application based on failure to meet minimum requirements by endorsement. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Coonrod, to deny 4 applications based on failure to meet minimum requirements and 1 application based on failure to take the required exam. The motion passed unanimously.

Marriage and Family Therapy

Mr. Coffey moved, seconded by Dr. Davis, to approve 2 applicants as Licensed Associate Marriage and Family Therapists. The motion passed unanimously. Mr. Barnett and Ms. Dobratz recused from the vote.

Mr. Coffey moved, seconded by Dr. Davis, to deny 1 application based on failure to take the required exam. The motion passed unanimously.

11. Report from Chair

A. Summary of current events

No report.

B. Update and review of staffs' implementation of Board's directives and operational objectives.

No report.

C. Review, consideration, and action regarding updating the Board's website

Ms. Shields informed members she will be meeting with Ms. Zavala and Ms. Alspaw at the end of the month regarding progression of the website.

D. Discussion regarding FY16 Board goals

The members reviewed the FY16 goals.

Following review and discussion, Dr. Davis moved, seconded by Mr. Barnett, to accept the goals as presented. The motion passed unanimously.

E. Update regarding Executive Director personnel review and survey

Ms. Shields reported that the annual review was sent to staff and members today and the information will be summarized by the Department of Administration.

12. Report from the Treasurer

A. Monthly Financial Reports

Following review, Ms. Dobratz moved, seconded by Mr. Coffey, to accept the February monthly financial report as presented. The motion passed unanimously.

The Board took a break at 3:41 p.m., reconvening its public meeting at 3:50 p.m.

13. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Discussion with Board lobbyist regarding HB2501.

Stuart Goodman, Board lobbyist for the Board, provided information regarding HB2501.

C. Discussion regarding complaint status.

Ms. Zavala provided graphs regarding the processing of complaints and current status.

D. Update regarding Ombudsman's office inquiry regarding complaint #2014-0030.

Ms. Zavala reported that the Ombudsman's office found the complaint to be unsubstantiated and closed the complaint.

E. Adoption of a policy for treating DUI related issues

Ms. Zavala provided a policy regarding how DUI issues will be processed.

F. Discussion regarding possible legislation regarding behavior analysts.

Ms. Zavala informed members that she has been approached regarding the possibility of the behavior analysts' credentialing being moved to the jurisdiction of this Board.

14. Request for extension of inactive status: review, consideration and action

A. Kirsten Windolf Morales, LMSW-13618

Members reviewed the request for an extension of inactive status.

Following review and discussion, Dr. Davis moved, seconded by Ms. Dobratz, to deny the request based on failure to show good cause pursuant to A.A.C. R4-6-305(G). The motion passed unanimously.

B. Eric Gassin, LAC-12903

Tabled

15. National and regional news regarding the profession(s)

N/A

16. Future agenda items

- Electronic medical records
- Surrender status
- Process timeline

18. Call for public comment

No one was present to respond to the call for public comment.

19. Establishment of future meeting dates

The next meeting is scheduled for Friday, May 6, 2016, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

Dr. Davis moved, seconded by Ms. Dobratz, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:25 p.m.

Patricia Dobratz
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
April 2016 – License Approvals

Licensed Associate Counselor -- 31--

Misty Andersen-Pitcher	Ashley Gaede	Robert Kincanon	David Sahady
Sylvia Banks	Jessica Garza	Robert King	Sara Shuster
Mary Brownie	Regan Gallegos	Michael Koenig	JoAnn Storms
Geoffrey Carr	Christa Griffin	Meghan Lee	Carlos Velazquez
Brandon Chatfield	Andres Jaramillo	Nicole McLaughlin	Carly Welch
Brett Dier	Jennifer Jones	Vince Mikkola	Elizabeth Williams
Michael Drane	Carly Kerr	Engelbert Mittermayr	Nicole Zahri
Jennifer Foote	Tara Kiener	Melissa Moran	

Licensed Professional Counselor -- 9 -

Angelika Babcock	Lesley Isaak	Jacquelyn Leger	Allison Spitz
Alexandra House	Matthew King	Yevgeniy Slutskiy	Roberta Zatkowsky
Kimberly Hunter			

Licensed Professional Counselor by endorsement -- 7 -

Scott Davis	Lou Gallagher	Michael Gurr	Carrie Tremble
Sherri Felton	Susan Gillis	Dwan Montgomery	

Licensed Master Social Worker – 25 --

Kristen Bieber	Jennifer Keiser	Kelly O'Donnell	Valerie Shand
Amy Devine	Joyce Lanouette	Georgia Pattison	Joshua Steinmetz
Natalie Donald	Christine Levenda	Gwendolyn Peacock	Ning Tang
Michelle Frias	Nicole McCollum	Angelica Pina	Kelsey Wattel
Sabin Gershweir	Lillian Mees	Beth Revell	Robyn Yost
Denise Jauregui	Diana Munoz-Galvan	Cassandra Rustvold	Melissa Zimmerman
Amanda Johnson			

Licensed Clinical Social Worker by endorsement – 3 --

Dorothy Bowring	Renee Cannon	Karen Gordon
-----------------	--------------	--------------

Licensed Clinical Social Worker – 5 --

Ashley Blaine	Julia Matthies	Anna Steele
Samantha Lee	Leslie Perez-Whitehead	

Licensed Bachelor Social Worker – 1 --

Kaycie Taylor

Licensed Associate Marriage and Family Therapist -- 2 --

Katina Walker	Cameron Lee
---------------	-------------

Arizona Board of Behavioral Health Examiners
April 2016 - License Denials

Counseling -- failure to meet minimum requirements (2)

Kimberly Hamlin (Tavares) Cindy Montgomery

Counseling -- failure to pass the required exam (1)

Jessica Hedgepeth

Counseling -- failure to meet minimum requirements by endorsement (1)

Susana McLellan

Social Work -- failure to pass the required exam (1)

Gildardo Vergars Calderon

Marriage & Family Therapy -- failure to take the required exam (1)

Janis Shankle-Sevougian

Substance Abuse -- failure to meet minimum requirements (4)

Tonya Reed Nancy Bailey
Tahonna Surrell Tiffany Green

Substance Abuse -- failure to take the required exam (1)

Brian Prince