

Governor

STATE OF ARIZONA BOARD OF BEHAVIORAL HEALTH EXAMINERS 1740 WEST ADAMS STREET, SUITE 3600 PHOENIX, AZ 85007 PHONE: 602.542.1882 FAX: 602.364.0890 Board Website: <u>www.azbbhe.us</u> Email Address: <u>information@azbbhe.us</u>

> TOBI ZAVALA Executive Director

# BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES April 14, 2023

- Members Present:Robert Charles, Mary Coonrod, Patricia Dobratz, Leanette Henagan, Meaghan Kramer, Adalesa<br/>Meek, Diane Palacios, Mark Shen (out at 2:41 p.m.), Antwan TrotterMembers Absent:Kimberly Bailey, Cedric Davis, Polly Knape
- Staff Present: Tobi Zavala, Executive Director; Mona Baskin, A.A.G., Erin Yabu, Deputy Director; Jarett Carver, Investigations Manager

## 1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on April 14, 2023 at 9:01 a.m. with Ms. Dobratz presiding.

2. <u>Roll Call</u>

See above.

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

*A. February 8, 2023, teleconference meeting minutes* Tabled due to lack of quorum.

*B. March 10, 2023, general meeting minutes* Tabled due to lack of quorum.

## 4. Consent Agenda: review, consideration and action

- A. Cases recommended for dismissal
  - 1. 2023-0025, Frank Bejarano, LPC-11949
  - 2. 2023-0124, Shawna Chandler, LCSW-17730
  - 3. 2023-0153, Patricia Crockett, LMSW-21131
  - 4. 2023-0069, Chandra Dorsett, LAC-20499
  - 5. 2023-0123, Chandra Dorsett, LAC-20499
  - 6. 2023-0031, 2023-0032, Sharna Horn, LPC-20897

Following discussion, Ms. Kramer moved, seconded by Ms. Palacios, to approve the consent agenda items 4(A)(1-5). The motion passed unanimously.

6. 2023-0031, 2023-0032, Sharna Horn, LPC-20897

Ms. Zavala summarized the Board's investigation.

The complainants were properly noticed, but failed to appear.

The professional was properly noticed, but failed to appear.

Following discussion, Ms. Kramer moved, seconded by Ms. Henagan, to dismiss the complaint. The motion passed

unanimously.

- B. Cases recommended for dismissal with a letter of concern.
  - 1. 2023-0036, Frances Bernfeld, LMFT-0107

Following discussion, Ms. Palacios moved, seconded by Ms. Meek, to approve the consent agenda item 4(B). The motion passed unanimously.

- C. Cases recommended for opening a complaint and dismissing with a letter of concern  $N\!/\!A$
- D. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.  $N\!/\!A$
- E. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.
  - 1. Amanda McCarron, LPC-17309
  - 2. Anne Tantillo, LMSW-16554
  - 3. Jennifer Taylor, LAC-19438

Following discussion, Ms. Kramer moved, seconded by Ms. Palacios, to approve the consent agenda item 4(E). The motion passed unanimously.

- F. Cases recommended for acceptance of a proposed signed disciplinary consent agreement.
  - 1. 2023-0042, Deborah DeYoung, LPC-15140
  - 2. 2022-0079, 2023-0037, 2023-0144, Stephanie Rupe, LAC-18104 (active restricted)

Following discussion, Ms. Kramer moved, seconded by Ms. Henagan, to approve the consent agenda item 4(F)(1). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

Following discussion, Ms. Kramer moved, seconded by Mr. Trotter, to approve the consent agenda item 4(F)(2). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

G. Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement. N/A

- H. Cases recommended for opening a complaint and denying for unprofessional conduct.  $N\!/\!A$
- I. Cases recommended for release from consent agreements.
  - 1. 2022-0008, Colin Bennett, LAC-17779 (active restricted)
  - 2. 2022-0055, Mariana Clark, LAC-19072 (active restricted)
  - 3. 2021-0160, Marian Eberly, LCSW-4127

- 4. 2022-0062, Michele Edmiston, LMSW-13468 (active restricted)
- 5. 2018-0096, Erin Urias, LMSW-18988 (active restricted)

Following discussion, Mr. Trotter moved, seconded by Ms. Palacios, to approve the consent agenda item 4(I). The motion passed unanimously.

### 5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues in the following matter(s). During the administrative hearing, the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3). N/A

# 6. Formal Interviews

N/A

## 7. Complaints and other disciplinary matters: review, consideration and action

*A. 2022-0168, Daniel Bahlen, LAC-17964 (inactive)* Ms. Zavala summarized the background information.

The complainant was properly noticed, but failed to appear.

The professional was not available at the number provided.

Following discussion by members, Ms. Meek moved, seconded by Mr. Trotter, to accept the signed proposed consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

The Board took a break at 11:12 a.m., reconvening its public meeting at 11:22 a.m.

#### B. 2023-0122, Erik Bracht, LPC Applicant

Ms. Zavala summarized the background information.

Following discussion by members, Ms. Kramer moved, seconded by Ms. Palacios, to amend the denial of application to include a finding of unprofessional conduct pursuant to A.R.S. 32-3275(A)(5) and A.R.S. 32-3275(A)(6) based on the following violation:

• A.R.S. § 32-3251(16)(v), engaging in any sexual conduct between a licensee and a client or former client

The motion passed unanimously.

	Kimberly	Robert	Mary	Cedric	Patricia	Leanette	Polly	Meaghan	Adalesa	Diane	Mark	Antwan
	Bailey	Charles	Coonrod	Davis	Dobratz	Henagan	Knape	Kramer	Meek	Palacios	Shen	Trotter
AYE		Х	Х		Х	X		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

#### C. 2023-0008, Anne Brown, LPC-13540

Ms. Zavala summarized the Board's investigation.

The complainant's attorney, Isaac Hernandez, appeared and addressed the Board.

The professional and her attorney, Claudia Stedman, appeared and addressed the Board. Following discussion by members, Mr. Shen moved, seconded by Ms. Meek, to find the following violation:

- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
  - o A.A.C. R4-6-1101, Consent for Treatment
  - A.A.C. R4-6-1102, Treatment Plan
  - o A.A.C. R4-6-1103, Client Record
  - A.A.C. R4-6-1104, Financial and Billing Records
  - A.A.C. R4-6-1106, Telepractice

The motion passed unanimously.

Following further review, Mr. Shen moved, seconded by Ms. Palacios, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The professional shall receive clinical supervision once monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on Board statutes and rules, boundaries, behavioral health ethics, Arizona documentation, and professionalism

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

	Kimberly	Robert	Mary	Cedric	Patricia	Leanette	Polly	Meaghan	Adalesa	Diane	Mark	Antwan
	Bailey	Charles	Coonrod	Davis	Dobratz	Henagan	Knape	Kramer	Meek	Palacios	Shen	Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

The Board took a break at 11:56 a.m., reconvening its public meeting at 12:32 p.m.

# D. 2023-0119, Katherine Casanova, LMSW-18924

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Sara Stark, appeared and addressed the Board.

Following discussion by members, Ms. Palacios moved, seconded by Ms. Kramer, to find the following violation:

• A.R.S. § 32-3251(16)(1), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession

The motion passed unanimously.

Following further review, Ms. Palacios moved, seconded by Ms. Meek, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- Stayed suspension
- The professional shall receive therapy twice monthly for six months with a pre-approved behavioral health professional. The frequency for the remaining time will be at the recommendation of the therapist, but no less than once monthly
- Therapy shall focus on the concerns outlined in the report, a relapse prevention plan, and possible identification of a recovery group
- The professional shall submit to random biological fluid testing once weekly

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

	Kimberly	Robert	Mary	Cedric	Patricia	Leanette	Polly	Meaghan	Adalesa	Diane	Mark	Antwan
	Bailey	Charles	Coonrod	Davis	Dobratz	Henagan	Knape	Kramer	Meek	Palacios	Shen	Trotter
AYE		Х	Х		Х	X		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

## E. 2023-0167, Emily Farabaugh, LPC-19355

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional's attorney, Sara Stark, appeared and addressed the Board.

Following further discussion by members, Ms. Kramer moved, seconded by Mr. Trotter, to accept the proposed signed consent agreement for the voluntary surrender of the professional's license. The motion passed unanimously.

	Kimberly	Robert	Mary	Cedric	Patricia	Leanette	Polly	Meaghan	Adalesa	Diane	Mark	Antwan
	Bailey	Charles	Coonrod	Davis	Dobratz	Henagan	Knape	Kramer	Meek	Palacios	Shen	Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

## *F.* 2023-0116, *Tara Harvell*, *LPC*-21918

Mr. Carver summarized the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Meek moved, seconded by Ms. Kramer, to dismiss the complaint with a letter of concern addressing mindfulness of regulations and responsibilities. The motion passed unanimously. Mr. Shen recused.

Following further review, Mr. Trotter moved, seconded by Ms. Palacios, to refer the agency to the Arizona Department of Health Services and for staff to follow-up with the agency regarding concerns. The motion passed unanimously. Mr. Shen recused.

## G. 2022-0159, Ryan Helton, LPC-16578

Ms. Zavala summarized the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and his attorney, Jeffery Hunter, appeared and addressed the Board.

Following discussion by members, Ms. Henagan moved, seconded by Ms. Kramer, to find the following violations:

- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
  - A.A.C. R4-6-1101, Consent for Treatment
  - A.A.C. R4-6-1102, Treatment Plan
  - A.A.C. R4-6-1104, Financial and Billing Records

The motion passed unanimously.

Following further review, Ms. Henagan moved, seconded by Ms. Meek, to offer a consent agreement that stipulates the following:

• The licensee shall be placed on probation for 12 months

- The licensee shall complete pre-approved continuing education in:
  - 3 clock hours in behavioral health ethics
  - o 3 clock hours in Arizona documentation
  - 3 clock hours in self-care and trauma
  - o 6 clock hours in high-conflict cases with families

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

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

The Board took a break at 1:43 p.m., reconvening its public meeting at 1:48 p.m.

# H. 2023-0102, Kimberly Jones, LCSW-11999

Ms. Zavala summarized the Board's investigation.

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Henagan, to dismiss the complaint with a letter of concern addressing the responsibilities of supervision and scope practice for supervisees. The motion carried with Ms. Meek opposed.

Following further review, Mr. Trotter moved, seconded by Ms. Meek, to refer the case to the Arizona Department of Health Services and for staff to follow-up with the agency regarding concerns. The motion passed unanimously.

## I. Myrio Jones, LMSW Applicant

Ms. Zavala summarized the background information.

The applicant was notified, but failed to appear.

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Palacios, to request to submit a hair follicle 10-panel drug test from a preapproved laboratory within 10 days and, if not submitted, to deny the application based on a finding of unprofessional conduct. The motion passed unanimously.

# *J.* 2023-0018, Karri Macri, LCSW-17640

Mr. Carver summarized the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Sara Stark, appeared and addressed the Board.

Following discussion by members, Ms. Palacios moved, seconded by Ms. Henagan, to find the following violations:

- A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client as it relates to the following section of the NASW Code of Ethics:
  - 1.06 (d) Conflicts of Interest
- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
  - o A.A.C. R4-6-1101, Consent for Treatment
  - o A.A.C. R4-6-1102, Treatment Plan

The motion passed unanimously. Page 6 of 12 Following further review, Ms. Palacios moved, seconded by Mr. Shen, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The licensee shall complete pre-approved continuing education in:
  - 3 clock hours in family dynamics/high conflict cases
  - 3 clock hours in behavioral health ethics and boundaries
  - 3 clock hours in Arizona documentation
- Continuing education can be considered since the complaint was filed

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

	Kimberly	Robert	Mary	Cedric	Patricia	Leanette	Polly	Meaghan	Adalesa	Diane	Mark	Antwan
	Bailey	Charles	Coonrod	Davis	Dobratz	Henagan	Knape	Kramer	Meek	Palacios	Shen	Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

# K. 2023-0028, Kariece Marchelli, LMSW-16402

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional was properly noticed, but failed to appear.

Following discussion by members, Ms. Palacios moved, seconded by Mr. Trotter, to find the following violation:

- A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client as it relates to the following section of the NASW Code of Ethics:
  - 1.07 (l) Privacy and Confidentiality
  - 1.07 (m) Privacy and Confidentiality

The motion passed unanimously. Ms. Dobratz recused.

Following further review, Ms. Palacios moved, seconded by Ms. Kramer, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The licensee shall complete pre-approved continuing education in:
  - 3 clock hours in professionalism
  - 3 clock hours in confidentiality
  - o 3 clock hours in privacy and security with use of electronics

and if not signed, to offer the professional a consent agreement not to renew their license, and if either not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously. Ms. Dobratz recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х			X	•	Х	Х	Х	Х	Х
NAY												
Absent	Х			Х	Recused		Х					

L. Shannon Martin, LMSW-18902

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Kramer, to open a complaint. The motion passed unanimously.

Following further review, Ms. Henagan moved, seconded by Ms. Meek, to order the professional to get a substance use evaluation within 60 days. The motion passed unanimously.

# M. 2022-0103, Carly Moss, LPC-19094

Ms. Zavala summarized the Board's investigation.

The complainant appeared and addressed the Board.

The professional and her attorney, Anne McClellan, appeared and addressed the Board.

Following discussion by members, Ms. Palacios moved, seconded by Ms. Kramer, to find the following violations:

- A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client as it relates to the following section of the ACA Code of Ethics:
  - A.6.b. Extending Counseling Boundaries
  - A.6.c. Documenting Boundary Extensions
  - A.6.d. Role Changes in the Professional Relationship
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
  - A.A.C. R4-6-1101, Consent for Treatment
  - A.A.C. R4-6-1102, Treatment Plan

The motion passed unanimously.

Following further review, Ms. Palacios moved, seconded by Mr. Shen, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional for 6 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but not less than once monthly
- Clinical supervision shall focus on documentation, boundaries, and scope of practice

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

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	X		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

The Board took a break at 2:38 p.m., reconvening its public meeting at 2:41 p.m.

# N. 2023-0044, Maia Pellegrini, LCSW-19430

Mr. Carver summarized the Board's investigation.

The complainant was available telephonically; however, a decision was made not to make contact due to his representation of being impaired.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Meek moved, seconded by Ms. Palacios, to find the following violations: Page 8 of 12

- A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client as it relates to the following section of the NASW Code of Ethics:
  - 1.06 (a) Conflicts of Interest
- A.R.S. § 32-3251(16)(1), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
  - A.A.C. R4-6-1101, Consent for Treatment
  - A.A.C. R4-6-1102, Treatment Plan
  - A.A.C. R4-6-1103, Client Record
  - A.A.C. R4-6-1104, Financial and Billing Records
  - o A.A.C. R4-6-1105, Confidentiality
  - A.A.C. R4-6-1106, Telepractice
- A.R.S. § 32-3251(16)(r), providing behavioral health services that are clinically unjustified or unsafe or otherwise engaging in activities as a licensee that are unprofessional by current standards of practice
- A.R.S. § 32-3251(16)(x), exploiting a client, former client or supervisee. For the purposes of this subdivision, "exploiting" means taking advantage of a professional relationship with a client, former client or supervisee for the benefit or profit of the licensee
- A.R.S. § 32-3251(16)(kk), failing to make client records in the licensee's possession promptly available to the client, a minor client's parent, the client's legal guardian or the client's authorized representative on receipt of proper authorization to do so from the client, a minor client's parent, the client's legal guardian or the client's legal guardian or the client's authorized representative

The motion passed unanimously.

Ms. Kramer moved, seconded by Ms. Palacios to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice. The motion passed unanimously and the Board went into executive session at 3:24 p.m., reconvening its public meeting at 3:39 p.m.

## The Board took a break at 3:40 p.m., reconvening its public meeting at 3:49 p.m.

Ms. Dobratz moved, seconded by Ms. Henagan to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice. The motion passed unanimously and the Board went into executive session at 3:49 p.m., reconvening its public meeting at 3:55 p.m.

Following further discussion by members, Ms. Dobratz moved, seconded by Ms. Coonrod, to offer the professional a consent agreement for the voluntary surrender of the professional's license, and if not accepted to remand the matter to a formal hearing. The motion carried with Mr. Trotter opposed.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х		
NAY												Х
Absent	Х			Х			Х				Х	

O. Gary Tupper, LMFT-15134 (revoked)

Ms. Zavala summarized the background information.

Following review of the request to reinstate license and cancel the Cease and Desist Order, members discussed and stated that the Board does not have authority or jurisdiction for this request. No action taken.

## *P.* 2022-0148, Joalene Whitmer, LPC-11851

Mr. Carver summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Jenna Bailey, appeared and addressed the Board. Page 9 of 12 Following discussion by members, Ms. Meek moved, seconded by Ms. Coonrod, to find the following violations:

- A.R.S. § 32-3251(16)(1), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession
- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(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
  - o A.A.C. R4-6-1103, Client Record
  - A.A.C. R4-6-1105, Confidentiality

The motion passed unanimously.

Following further review, Ms. Meek moved, seconded by Ms. Palacios, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 24 months
- Stayed suspension
- The licensee shall complete pre-approved continuing education in:
  - 3 clock hours in Arizona documentation
  - o 3 clock hours in behavioral health ethical practices
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional.
- Clinical supervision shall focus on scope of practice, documentation, professional and ethical practices, appropriate referrals, appropriate caseload, and self-care
- The licensee shall obtain a practice monitor to carry out the audit plan with quarterly reports submitted to the Board
- Practice monitor to go in once a month for the first year and early release available at the recommendation of the practice monitor

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

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х	Х	Х
NAY												
Absent	Х			Х			Х					

## Q. 2023-0150, Danielle Zia, LAC-21152

Ms. Zavala summarized the background information.

The complainant was properly noticed, but failed to appear.

The professional's attorney was not available at the number provided.

Following discussion by members, Ms. Kramer moved, seconded by Ms. Henagan, to accept the signed proposed interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		Х	Х		Х	Х		Х	Х	Х		Х
NAY												
Absent	Х			Х			Х				Х	

# 8. Assistant Attorney General's Report: Mona Baskin, A.A.G.

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

A. Review, consideration, and possible action regarding applications for licensure

#### Counseling

Ms. Palacios moved, seconded by Ms. Meek, to deny 2 applications based on a failure to pass the required examination and 2 applications based on a failure to take the required examination. The motion passed unanimously.

#### Marriage and Family Therapy

Ms. Dobratz moved, seconded by Ms. Palacios, to deny 4 applications based on a failure to pass the required examination, 2 applications based on a failure to take the required examination, and 1 application based on a failure to meet the minimum requirements. The motion passed unanimously.

#### Social Work

Ms. Henagan moved, seconded by Ms. Palacios, to deny 6 applications based on a failure to pass the required examination, 5 applications based on a failure to take the required examination, and 1 application based on a failure to meet the minimum requirements. The motion passed unanimously.

#### Substance Abuse Counseling

Ms. Meek moved, seconded by Ms. Palacios, to deny 5 applications based on a failure to pass the required examination. The motion passed unanimously.

B. Review, consideration, and possible action regarding applications for educational programs

1. Arizona Christian University Master of Science in Marriage and Family Therapy Ms. Dobratz moved, seconded by Ms. Palacios, to approve the Arizona Christian University Master of Science in Marriage and Family Therapy educational program. The motion passed unanimously.

#### 10. <u>Report from Chair</u>

*A.* Summary of current events No report.

#### 11. <u>Report from the Treasurer</u>

*A. Review, consideration, and possible action regarding February financial report* Following review and discussion by members, Ms. Meek moved, seconded by Ms. Kramer, to accept the February financial report as presented. The motion passed unanimously.

B. Review, consideration, and possible action regarding March financial report

Following review and discussion by members, Ms. Meek moved, seconded by Ms. Henagan, to accept the March financial report as presented. The motion passed unanimously.

#### 12. <u>Report from the Executive Director and/or staff</u>

*A. Review, consideration, and possible action regarding a nomination of a member to the personnel subcommittee* Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Henagan, to approve Ms. Palacios's nomination to the personnel subcommittee. The motion passed unanimously.

B. Discussion regarding the public's expectations of behavioral services

Ms. Zavala provided an update regarding the discussion of the public's expectations of behavioral services and a link has been added to the website for review. Discussion will continue in subsequent meetings.

C. Discussion regarding minute entry denying Gary Tupper's Request to Reconsider the Stay

Ms. Zavala provided an update regarding the minute entry denying Gary Tupper's Request to Reconsider the Stay.

#### *D. Discussion regarding the role of Board Chair and Secretary/Treasurer*

Ms. Zavala provided a reminder that elections for the Board Chair and Secretary/Treasurer will take place in June.

#### E. Discussion regarding the consent agenda

Ms. Zavala provided an update that the more egregious cases will remain on the agenda as items for discipline and not the consent agenda.

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

A. Thomas Creen, LMFT-15152 (inactive)

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Palacios, to approve the request for inactive extension. The motion passed unanimously.

## 14. Future agenda items

- The public's expectations of behavioral health services
- R4-6-212(C)

## 15. Call for public comment

Brandie Reiner, Executive Director of the Arizona Chapter of the National Association of Social Workers, appeared and addressed the Board and thanked Board staff for being available and is looking forward to working on the social work compact.

Aimee Ahumada, LMSW, appeared and addressed the Board in regards to interpretation of R4-6-212(C).

## 16. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, May 5, 2023, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

## 17. Adjournment

Mr. Trotter moved, seconded by Ms. Meek, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:14 p.m.

Adalesa Meek Adalesa Meek (May 8, 2023 13:33 PDT)

5/8/2023

Date

Adalesa Meek Acting Secretary/Treasurer