



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

MISSION STATEMENT

To establish and maintain standards of qualifications and performance for licensed behavioral health professionals in the fields of counseling, marriage and family therapy, social work and substance abuse counseling and to regulate the practice of licensed behavioral health professionals for protection of the public.

**BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for August 6, 2015, at 8:00 AM
3443 N Central Avenue, Room 1705, Phoenix, Arizona**

1st amended (8/4/15)

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Behavioral Health Examiners that the Board will hold a regular meeting open to the public on the date and at the time indicated above. (The meeting room is located on the 17th floor of the building.)

The Board reserves the right to change the order of items on the agenda, except for those matters set for a specific time. The formal hearings and formal interviews are scheduled to be heard during specific time blocks. The Board Chairperson, however, reserves the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. Those recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

Pursuant to A.R.S. §38-431.03(A)(3) the Board, upon majority vote of a quorum of the members, may hold an Executive Session on any item on the agenda, where applicable, to obtain legal advice. Executive Sessions are not open to the public.

The Board usually allows 3 – 5 minutes per person for public comment on any agenda item: however, depending on the issue presented, the Board Chairperson has the discretion to expand that time.

Americans with Disabilities Act: Persons with a disability may request a reasonable accommodation, such as a sign language interpreter or a copy of this document in alternative format, by contacting Mary Wilson at 602-542-1832 or the TDD number at 800-367-8939.

Board Members

Jerri Shields, LPC, Chairperson
Patricia Dobratz, LMFT, Secretary/Treasurer
Bradley Barnett, LMFT
Peter (Chip) Coffey, LPC
Mary Coonrod, Public Member
Cedric (Doc) Davis, LCSW
Nikole Hintz-Lyon, Public Member
Cecilia (Sally) Jones, LCSW
Heidi Quinlan, LISAC, LPC
Gerald Szymanski, LISAC, LPC
Vacant Public Member
Vacant Public Member

If you need to speak to a member of the Board staff regarding an agenda item, please contact Mary Wilson at 602-542-1832 or the TDD number at 800-367-8939.

The agenda for the meeting is as follows:

1. Call to order

2. Roll call (staff)

3. Minutes: review, consideration and action.

Pursuant to A.R.S. § 38-431(A)(2), any discussion of the executive session minutes will take place in executive session.

- A. *May 7, 2015, general meeting minutes*
- B. *May 7, 2015, executive session minutes*
- C. *July 9, 2015, general meeting minutes*
- D. *July 9, 2015, 11:16 a.m. executive session minutes*
- E. *July 9, 2015, 1:29 p.m. executive session minutes*
- F. *July 29, 2015, general meeting minutes*

4. Rules

The Board may go into executive session to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

Review, consideration, and possible action regarding the initial draft of proposed rulemaking being promulgated to address the changes in law contained in SB1374 (2013), SB1077 (2014), and SB1212 (2015).

5. Notification of Deficiencies

Helen Lichtman Rachel Holland

6. Consent Agenda:

Consent agenda items may be considered for approval as a single action unless a Board member or interested party wishes to remove an item for discussion.

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).

A. Cases recommended for dismissal. The Board will review, discuss, and may vote to take action on the following cases:

- a. *2014-0062, Patricia Lloyd, LAC-13656*
- b. *2013-0066, Carole Parent, LPC-0669*

B. Cases recommended for release from consent agreements. The Board will review, discuss, and may vote to take action on the following cases:

- a. *2013-0022, Judy Emerson, LCSW-2591 active restricted*
- b. *2013-0044, Marisa Marvin, LMSW-13907 active restricted*
- c. *2011-0062, Joanna Parris, LISAC-10846 active restricted*
- d. *2015-0029, Robert Tencer, LCSW-3586*

C. Cases recommended for opening a complaint and/or acceptance of a proposed signed consent agreement. The Board will review, discuss, and may vote to take action on the following cases:

N/A

7. Administrative Hearings

Pursuant to A.R.S. §§ 32-3253(A)(10) and 41-1092.07, the Board will conduct administrative hearings 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

8. Formal Interviews

Pursuant to A.R.S. § 32-3281, the Board will conduct a Formal Interview in the following matter(s). During a formal interview, 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

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

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).

Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed.

A. Stacie Barkin, LISAC-11684 and LPC-13173

Initial review, consideration, and action regarding opening a complaint and accepting the proposed signed interim consent agreement.

B. 2015-0109, Anita Comstock, LPC-13748

Initial review, consideration, and action regarding complaint.

C. Jeremy Courtney, LISAC-11472

Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on background information.

D. 2012-0105, Luciano De La O, LISAC-0569

Initial review, consideration, and action regarding complaint.

E. Kimberly Farmer, LPC-11313

Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on background information.

F. 2015-0106, Sean Frankie, LAC applicant

Initial review, consideration, and action regarding granting an extension on the Board ordered evaluation.

G. 2015-0103, Sandra Hassel, LAMFT-10285 and LMFT applicant

Initial review, consideration, and action regarding complaint.

H. 2015-0111, Cristina Jimenez-Ponce, LAC-13683 and LPC applicant

Initial review, consideration, and action regarding complaint.

I. 2014-0038, Laura Kessler, LMSW-13736 and LCSW applicant

Initial review, consideration, and action regarding complaint.

J. 2013-0069, Vicki Scott, LISAC-0714 and LPC-2452
Initial review, consideration, and action regarding complaint.

K. James Sims, LPC-10241
Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on background information.

L. 2015-0104, Shelley Tait, LMFT-0386
Initial review, consideration, and action regarding complaint.

M. 2015-0072, Betty Wittels, LPC-0371
Initial review, consideration, and action regarding complaint.

10. Assistant Attorney General's Report: Marc Harris, A.A.G.

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

11. Renewal applications: review, consideration and action

N/A

12. Applications for licensure: review, consideration and action

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).

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

Names are posted for review in the reception area of 3443 N. Central Avenue, Suite 1700, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting.

B. Andrea Thonvold, LAC applicant

Review, consideration, and action to rescind this Board's July 9, 2015, motion to deny the application based on failure to pass the required exam.

13. Report from the Chair

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. §38-431.03(A)(1), 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).

A. Summary of current events

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

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

C. Review, consideration, and possible action regarding developing a Board civility policy.

14. Report from the Treasurer

A. Monthly financial report

15. Report from the Executive Director and/or staff

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. §38-431.03(A)(1), 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).

- A. *General Agency Operations*
- B. *Review, consideration, and possible action regarding SB1374 update.*
- C. *Review, consideration, and possible action regarding results of customer service surveys*
- D. *Update regarding Academic Review Committee appointments*
- E. *Review, consideration, and possible action regarding updating the Board's website.*
- F. *Discussion regarding on-line CEUs.*
- G. *Discussion regarding engagement survey.*
- H. *Review, consideration, and possible action regarding member attendance at the ASWB Annual Conference.*
- I. *Review, consideration, and possible action regarding the fee schedule.*

16. Committee reports

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. § 38-431.03(A)(1), 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).

- A. *Personnel Subcommittee*
Update regarding July 29, 2015, meeting.

17. National and regional trends and news regarding the profession(s)

N/A

18. Future agenda items

19. Call for public comment

Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any given public matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.01(H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further discussion at a later date.

20. Establishment of future meeting date(s)

The next regular meeting is scheduled for Thursday, September 3, 2015, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

21. Adjournment

August 4, 2015

Tobi Zavala
Executive Director