



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
February 4, 2016

Members Present: Jerri Shields, Sally Jones, Chip Coffey, Gerald Szymanski, Cedric Davis, Brad Barnett, Nikole Hintz-Lyon (in at 9:12), Patricia Dobratz, Ivan Pemberton

Members Absent: Heidi Quinlan, Mary Coonrod, Habib Khan

Staff Present: Tobi Zavala, Executive Director; Marc Harris, A.A.G.; Donna Dalton, Deputy Director; 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 February 4, 2016, at 9:05 a.m. with Ms. Shields presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

Mr. Coffey moved, seconded by Ms. Jones, to approve the general meeting minutes from the September 3, 2015, meeting as submitted. The motion passed unanimously. Mr. Pemberton abstained from the vote.

Mr. Coffey moved, seconded by Ms. Jones, to approve the general meeting minutes from the January 14, 2016, meeting as submitted. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Jones, to approve the executive session minutes from the January 14, 2016, meeting as submitted. The motion passed unanimously. Mr. Szymanski abstained from the vote.

Minutes from October 1, 2015, November 5, 2015, and December 3, 2015, are 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. 2016-0052, Lisa Dodd, LPC-10205
 - b. 2015-0041, Linda Wilkinson, LPC-14377

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

- B. Cases recommended for dismissal with a letter of concern
- a. 2015-0093, Joyce Morgan, LCSW-2820 and LISAC-11586

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

- C. Cases recommended for release from consent agreements.
 - a. 2015-0047, Karen Bruch, LCSW-10617 (active restricted)
 - b. 2015-0075, Jeffrey Krehl, LMFT-10149

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

- D. Cases recommended for opening a complaint and/or acceptance of a proposed signed consent agreement.
 - a. 2016-0019, Lisa Plascencia, LMSW-15292

Following discussion, Mr. Coffey moved, seconded by Ms. Dobratz, 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
NAY												
Absent			X					X		X		

The Board took a break at 9:58 a.m., reconvening its public meeting at 10:11 a.m.

6. Administrative Hearings 10:00 AM

None

7. Formal Interviews

None

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

A. 2015-0004, Bonnie Carr, LAC-15125

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

The complainant appeared and addressed the Board.

The professional was properly noticed, but did not appear.

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

- 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. R4-6-1103 Client Record
- A.R.S. §32-3251(15)(k), any conduct or practice that is contrary to recognized standards of ethics, as it relates to the following:
 - 2014 ACA Code of Ethics, Section A.12 Abandonment of Client Neglect
- 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. R4-6-205 Change of address

The motion passed unanimously.

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

- Stayed suspension
- License shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional shall complete 6 preapproved clock hours of Staying Out of Trouble or its equivalent
- The professional shall receive clinical supervision once a week focusing on, ethics, client care, case management, time management and documentation

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
NAY												
Absent			X					X		X		

B. 2014-0069, Julie Cheetham, LBSW-13156

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Denis Fitzgibbons, addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Dobratz, to dismiss the complaint. The motion passed unanimously.

C. Tracey Corbett, LMSW-14056

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

The professional appeared without her attorney and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Dr. Davis, to open a complaint and dismiss the complaint with a letter of concern. 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
NAY												
Absent			X					X		X		

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

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

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

The Board took a break for lunch at 11:53 a.m., reconvening its public meeting at 12:25 p.m.

Mr. Szymanski moved, seconded by Ms. Shields, to request further investigation regarding the clinical record. The motion passed unanimously. Dr. Davis and Mr. Coffey recused.

E. 2015-0061, Jay Dexter, LCSW-13699

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

The complainant was properly noticed, but did not appear.

The professional addressed the Board telephonically.

Following review and discussion by members, Mr. Barnett moved, seconded by Dr. Davis, 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)(o), failing to furnish information within a specified time to the Board or its investigators or representatives if legally requested by the Board
- 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. R4-6-212(F)(4) Clinical Supervision Requirements
 - A.A.C. R4-6-205 Change of address

The motion passed unanimously.

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

- The license shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional shall complete a 3-semester credit hour graduate level course in healthy relationships
- The professional shall complete 6 preapproved clock hours of Staying Out of Trouble or its equivalent
- The professional shall receive weekly clinical supervision by an LCSW focusing on documentation and ethics
- The professional shall attend therapy twice monthly from a pre-approved masters level LPC, LCSW or LMFT
- The therapy shall focus on self-care, stress management and transference
- The professional shall attend a minimum of six sessions and then frequency at the recommendation of the therapist
- The professional shall submit written verification from the Idaho Board that they are aware of the complaint and findings of fact

and, if not signed, to invite the professional to participate in a formal interview or to accept a consent agreement for the voluntary surrender of the license 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			X				recuse	X		X		

F. 2016-0059, Lisa Dodd, LPC-10205

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

The complainant appeared and addressed the Board.

The professional’s attorney, Susan McLellan, addressed the Board.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Coffey, to find that the complaint is without merit pursuant to A.R.S. §32-3281(D)(1), and to dismiss the complaint and remove it from the licensee’s complaint history. The motion passed unanimously.

G. Jennifer Keiser, LMSW applicant

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

The applicant appeared and addressed the Board.

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

- A.R.S. §32-3251(12)(l), any conduct, practice, or condition that impairs the ability of the licensee to safely and competently practice

The motion passed unanimously.

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

- Stayed suspension
- The license shall be placed on probation for 12 months
- The applicant shall complete 20 Hours of Level I treatment
- The applicant shall complete a pre-approved 3-semester credit hour graduate level course in ethics

and if not signed, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). 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
NAY												
Absent			X					X		X		

Following further discussion by members, Mr. Szymanski moved, seconded by Mr. Coffey, to direct Board staff to report to DHS regarding SAGE not following State Statutes. The motion passed unanimously.

H. Adrian Kirkpatrick, LMSW applicant

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

The applicant and his attorney, Anne Fulton-Cavett, addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Dr. Davis, to open a complaint, dismiss the complaint with a letter of concern addressing the importance of professionalism. The motion passed unanimously.

I. Helene Lichtman, LPC applicant

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

The applicant’s attorney, Faren Akins, addressed the Board.

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

- A.R.S. §32-3251(15)(ii), violating any federal or state law, or regulation applicable to the practice of behavioral health as it relates to
 - A.R.S. §32-3286, Unlawful practice, unlawful use of title; violation; classification; civil penalty; exception

The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Coffey, to go into executive session to obtain legal advice pursuant to A.R.S. §43-431.03(A)(3). The motion passed unanimously and the Board went into executive session at 1:38 p.m., reconvening its public meeting at 1:44 p.m.

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

- The license shall be placed on probation for 12 months
- The professional shall complete 6 preapproved clock hours of Staying Out of Trouble or its equivalent
- The professional shall read the Board’s rules and statutes and provide a written statement to the Board within 60 days after receiving her license addressing what she learned from the review

and if not signed, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). 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
NAY												
Absent			X					X		X		

J. 2015-0102, Kristine Mill, LPC-10315

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

The complainant was available for questions.

The professional and her attorney, Susan McLellan, addressed the Board.

Following review and discussion by members, Ms. Jones moved, seconded by Dr. Davis, to dismiss the complaint with a letter of concern addressing the professional’s responsibility to be respectful to all parties at all times. The motion passed unanimously.

K. 2016-0036, Joseph Ponce, LPC-0252

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

The complainant was properly noticed, but did not appear.

The professional appeared and addressed the Board.

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

- A.R.S. §32-3251(16)(l), 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)(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(16)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates :
 - ACA 2014 Code of Ethics Section A.1.b Records and Documentation
 - ACA 2014 Code of Ethics Section D.1.g Employer Policies
- 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. R4-6-205 Change of address

The motion passed unanimously.

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

- The license shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in Marriage and Family Therapy
- The professional shall complete 6 preapproved clock hours of Staying Out of Trouble or its equivalent
- The professional shall complete 6 preapproved clock hours of mandated reporting
- The professional shall receive weekly clinical supervision by a pre-approved masters level LPC, LMFT or LCSW therapist focusing on ethics and protecting children and clients
- Practice restriction to work only in an agency setting

and, if not signed, to invite the professional to participate in a formal interview or to accept a consent agreement for the voluntary surrender of the license 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
NAY												
Absent			X					X		X		

L. 2015-0011, Cynthia Potter, LASAC-13184 (suspension under review)
 Ms. Zavala summarized information regarding the Board’s investigation.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Jones moved, seconded by Dr. Davis, to deny the request to lift the stayed suspension. The motion passed unanimously.

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

10. Applications for licensure: review, consideration and action

Social Work

Ms. Jones moved, seconded by Mr. Coffey, to approve 7 applicants as Licensed Clinical Social Workers, one applicant as a Licensed Clinical Social Worker by endorsement, 18 applicants as Licensed Master Social Workers, and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

Ms. Jones moved, seconded by Mr. Coffey, to deny 4 applications based on failure to pass the required exam and one application based on a finding of unprofessional conduct. The motion passed unanimously.

Counseling

Mr. Coffey moved, seconded by Ms. Dobratz, to approve 12 applicants as Licensed Associate Counselors, 8 applicants as Licensed Professional Counselors, and 1 applicant as a Licensed Professional Counselor by endorsement. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Jones, to deny one application based on a finding of unprofessional conduct. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Mr. Coffey, to approve 2 applicants as Licensed Associate Substance Abuse Counselors and one applicant as a Licensed Associate Substance Abuse Counselor by endorsement. The motion passed unanimously.

Mr. Szymanski moved, seconded by Mr. Coffey, to deny one application based on not meeting minimum requirements. The motion passed unanimously.

Marriage and Family Therapy

Mr. Coffey moved, seconded by Ms. Jones, to approve 2 applicants as Licensed Associate Marriage and Family Therapists and 4 applicants as Licensed Marriage and Family Therapists. The motion passed unanimously. Ms. Dobratz and Mr. Barnett abstained from the vote.

Mr. Coffey moved, seconded by Ms. Jones, to deny one application based on failure to meet minimum requirements by endorsement. The motion passed unanimously.

11. Applications for educational programs: review, consideration and action

A. University of Arizona Master of Arts in Counseling with Specialty in School Counseling

Ms. Shields moved, seconded by Mr. Coffey, to approve the University of Arizona Master of Arts in Counseling with a Specialty in School Counseling. The motion passed unanimously. Mr. Szymanski recused from the vote.

12. 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 that Board staff is meeting with the IT department regarding the website and she will provide additional information next month.

D. Discussion regarding FY16 Board goals

Ms. Shields requested that members email Ms. Zavala regarding any goals they have for the next year.

Members discussed various goals and will forward their requests to the Executive Director.

13. Report from the Treasurer

A. Monthly Financial Reports

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

14. 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. Role precedent plays in determining disposition of complaints

Board members discussed the role that precedent plays in determining the disposition of cases. While the members acknowledged that no two cases are exactly the same they also discussed the importance of consistency. Board members discussed that when a case warrants a disposition that is different from like cases, it is important for the Board members to state the reasons why and the facts that support the motion.

D. Materials submitted the day of a meeting

Ms. Zavala informed members that additional information regarding complaints often comes in after the initial report has been uploaded to the member portal. Beginning next month staff will upload all additional information to the member portal 36 hours before the Board meeting rather than distributing the information at the meeting.

E. Consent agreement stipulations for coursework

Board members discussed requiring a course in assessment, diagnosis, and treatment planning and they agreed the course needs to cover all three areas.

F. Database

Ms. Dalton informed members that the Board's IT support is now through ADOA. This has created problems as the database is an Access database and the ADOA-ASET does not support Access.

Ms. Dalton advised members that staff is researching alternative databases due to ongoing limitations and a lack of technical support for the current outdated database.

15. Committee reports

N/A

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

A. Report from ASWB Annual Delegate Conference

Dr. Davis provided information regarding the conference.

B. Report from AASCB Annual Conference

Ms. Shields and Ms. Zavala provided information regarding the conference.

17. Future agenda items

- Training for Board members approving CA stipulations
- Adding legislation information to the Board's website

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, March 4, 2016, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

Ms. Hintz-Lyon moved, seconded by Mr. Barnett, to adjourn. The motion passed unanimously and the meeting was adjourned at 5:13 p.m.

Patricia Dobratz
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
February 2016 -- License Approvals

Licensed Associate Counselor -- 12 --

Christina Aguilar	Hanna Causey	Mary Clifford	Richard Crow
Michelle Flores	Brock Ham	Margaret Jones	Kori Newland
Christina Piastrini	Angela Scott	Janette Tory	Brenda Young

Licensed Professional Counselor -- 8 --

Crystal Contreras	Shari Gootter	Kristina Meyers	Jennifer Noto
Samantha Prince	Rosa Ruales	Jennifer Salas	Russell Silverberg

Licensed Professional Counselor by endorsement -- 1 --

Karen McCleskey

Licensed Bachelor Social Worker -- 1 --

Patti Ritchie

Licensed Master Social Worker -- 18 --

Sophia Blaylock	Rachelle Friedman	Maureen Milazzo	Elijah Palles
Josue Bustos	Kimberly Kolstad	Amy Moore	Michael Tokunaga
Barbara Carling	Allegra Leonard	Susie Munsey	Emily Viola
Katie DeGrand	Julie McClellan	Jordan Nejaime	Christina Weatherbee
Karen DiFrancesco	Amy Martinez		

Licensed Clinical Social Worker by endorsement -- 1 --

Loren Howard Fish

Licensed Clinical Social Worker -- 7 --

Carrie Holmes	Durene Monz	Tara Smith	Keely Wright
Rebecca Lehn	Alanna Petersen	Kammy Willems	

Licensed Associate Substance Abuse Counselor -- 2 --

Douglas Winter	Mary Walker
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Licensed Associate Substance Abuse Counselor by endorsement -- 1 --

Suzanne Franz

Licensed Associate Marriage and Family Therapist -- 2 --

Jessica Coplan	Abigail Ashton
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Licensed Marriage and Family Therapist -- 4 --

Edward Calligos	Sharon Morley	Maureen Fennell	Ashlea Taylor
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Counseling -- finding of unprofessional conduct: 1

Sean Frankie

Substance Abuse -- did not meet minimum requirements: 1

Robert Potter

Marriage & Family Therapy -- did not meet minimum requirements by endorsement: 1

Donald Froyd

Social Work -- failure to pass the required exam: 4

Julia James

Fredrick Moore

Kari Brown

Maria Harris

Social Work -- finding of unprofessional conduct: 1

Bridget Gaertner