



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 5, 2015

Members Present: Jerri Shields, Kirk Bowden, Mary Coonrod, Patricia Dobratz, Gloria Gabler, Sally Jones, Chip Coffey, Gerald Szymanski, Ernest Calderon

Members Absent: Rose Laman

Staff Present: Tobi Zavala, Executive Director; Donna Dalton, Deputy Director; Marc Harris, A.A.G.; Christopher Munns, Solicitor General's Office; Mary Wilson, Elma Brambila

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on February 5, 2015, at 9:10 a.m. with Ms. Shields presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

Dr. Bowden moved, seconded by Ms. Jones, to approve the general meeting minutes from the January 15, 2015, meeting as submitted. The motion passed unanimously. Mr. Calderon abstained from the vote.

4. Notification of Deficiencies

No one appeared from the list of one.

5. Consent Agenda: review, consideration and action

N/A

The Board took a break at 9:55 a.m., reconvening its public meeting at 10:05 a.m.

6. Administrative Hearings 10:00 AM

Ms. Shields and Mr. Calderon recused from the matter.

A. Ted Mullen, LPC applicant

Christopher Munns, Solicitor General's Office, appeared to advise the Board.

Ms. Campbell, A.A.G., appeared on behalf of the State.

The professional and his attorney, Kenneth Schutt, appeared and addressed the Board.

Following review and discussion, Mr. Szymanski moved, seconded by Dr. Bowden, to deny the professional’s request for review or rehearing. The motion carried with Ms. Coonrod, Dr. Gabler, and Ms. Jones opposed.

	Kirk Bowden	Ernest Calderon	Chip Coffey	Mary Coonrod	Patricia Dobratz	Gloria Gabler	Sally Jones	Rose Laman	Jerri Shields	Gerald Szymanski	Vacant	Vacant
AYE	X		X		X					X		
NAY				X		X	X					
Absent								X				
Recuse		X							X			

7. Formal Interviews

None

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

A. Yaundi Awosika , LAC applicant

Mr. Calderon indicated that he is counsel for People of Color Network but there is nothing in that relationship that would prevent an unbiased decision in this matter.

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

The professional appeared in person and addressed the Board.

Following review and discussion, Mr. Szymanski moved, seconded by Ms. Sally, to open a complaint. The motion passed unanimously.

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

- A.R.S. §32-3251(12)(l), any conduct, practice, or condition that impairs the ability of licensee to safely and competently practice
- A.R.S. §32-3251(12)(b), use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter

The motion passed unanimously.

	Kirk Bowden	Ernest Calderon	Chip Coffey	Mary Coonrod	Patricia Dobratz	Gloria Gabler	Sally Jones	Rose Laman	Jerri Shields	Gerald Szymanski	Vacant	Vacant
AYE	X	X	X	X	X	X	X		X	X		
NAY												
Absent								X				

Following further review and discussion, Mr. Szymanski moved, seconded by Dr. Bowden, to offer a consent agreement that stipulates the following:

- The license will be placed on probation for 24 months
- Stayed revocation
- Licensee will work at an agency licensed by Department of Health Services
- Licensee will have therapy twice a month from a pre-approved therapist
- Focus of therapy will be boundaries, self-care, emotional regulation and support
- Licensee will receive individual clinical supervision weekly from a pre-approved clinical supervisor

- Focus of clinical supervision will be documentation, ethics and boundaries
- Licensee will complete a pre-approved 3-semester credit hour course in ethics
- Licensee will complete 6-clock hours of NASW Staying Out of Trouble or its pre-approved equivalent

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.

	Kirk Bowden	Ernest Calderon	Chip Coffey	Mary Coonrod	Patricia Dobratz	Gloria Gabler	Sally Jones	Rose Laman	Jerri Shields	Gerald Szymanski	Vacant	Vacant
AYE	X	X	X	X	X	X	X		X	X		
NAY												
Absent								X				

B. 2014-0037, Dorrie Crosby, LISAC-10137

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

The complainant was properly noticed, but did not appear.

The professional appeared telephonically.

Following review and discussion, Ms. Shields moved, seconded by Mr. Calderon, to dismiss the complaint. The motion passed unanimously.

C. 2011-0080, David Franzen, LAC-13023 and LPC applicant

Ms. Zavala summarized information regarding the results of the background investigation.

The professional and his attorney, David Morrison, appeared and addressed the Board.

Following review and discussion, Dr. Gabler moved, seconded by Mr. Szymanski, to dismiss the complaint. The motion passed unanimously.

D. 2014-0042, Felice Goff, LCSW-0749

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

The complainant appeared and addressed the Board.

The professional and her attorney, Charles Hover, appeared and addressed the Board.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Calderon, to find that the complaint is without merit pursuant to A.R.S. §32-3281(D)(1), and remove it from the professional’s complaint history pursuant to A.R.S. §32-3281(E). The motion passed unanimously.

E. Deborah Harper, LMSW applicant

Ms. Jones recused from the matter.

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

The professional and her attorney, Terry Woods, appeared in person and addressed the Board.

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

F. 2013-0007, Billie Holliday, LISAC-10140

Ms. Jones recused from the matter.

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

The complainant appeared telephonically.

The professional appeared and addressed the Board.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Calderon, to dismiss the complaint. The motion passed unanimously.

G. 2015-0006, Leroy Jim, LPC-11841

Ms. Zavala summarized information regarding the investigation.

The complainant was available if the Board had any questions.

The professional appeared and addressed the Board.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Shields, to offer the professional a consent agreement that stipulates the following:

- License is placed on probation for 24 months
- Stayed revocation
- The professional will complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional will complete a pre-approved 3-semester credit hour graduate level course in substance abuse
- The professional will receive counseling every other week from a pre-approved counselor experienced in treating PTSD
- The professional will attend support meetings twice a week, one can be online. If the support group is AA the professional must have a sponsor.

The motion passed unanimously.

	Kirk Bowden	Ernest Calderon	Chip Coffey	Mary Coonrod	Patricia Dobratz	Gloria Gabler	Sally Jones	Rose Laman	Jerri Shields	Gerald Szymanski	Vacant	Vacant
AYE	X	X	X	X	X	X	X		X	X		
NAY												
Absent								X				

Following further review and discussion, Mr. Calderon moved, seconded by Ms. Shields, if not signed, to offer the professional a consent agreement for the voluntary surrender of his license and if not signed, to remand the matter to formal hearing. The motion passed unanimously.

	Kirk Bowden	Ernest Calderon	Chip Coffey	Mary Coonrod	Patricia Dobratz	Gloria Gabler	Sally Jones	Rose Laman	Jerri Shields	Gerald Szymanski	Vacant	Vacant
AYE	X	X	X	X	X	X	X		X	X		
NAY												
Absent								X				

H. Jeffrey Krehl, LMFT-10149

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

The professional and his attorney, Robert Chelley, appeared and addressed the Board.

Following review and discussion, Mr. Szymanski moved, seconded by Dr. Bowden, to open a complaint. The motion passed unanimously.

Following further review and discussion, Mr. Szymanski moved, seconded by Ms. Dobratz, to dismiss the complaint with a non-disciplinary consent agreement.

- To enroll within 6 months in a pre-approved 3-semester credit hour graduate level course in substance abuse to be completed within 12 months.

The motion passed unanimously.

I. Fredrick Moore, LMSW applicant

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

The professional appeared in person and addressed the Board.

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

The Board took a break at 11:27 a.m., reconvening its public meeting at 11:40 a.m.

J. 2013-0018, Norman Mudd, LMFT-0068

Ms. Jones recused from the matter.

Zavala summarized the results of the Board’s investigation.

The complainant appeared telephonically.

The professional appeared and addressed the Board.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Calderon, to dismiss the complaint. The motion passed unanimously.

K. 2014-0035, Patrick Osmonson, LISAC-1619

Ms. Zavala 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, Ms. Shields moved, seconded by Mr. Calderon, to dismiss the complaint. The motion passed unanimously.

L. Shaweta Vasudeva, LSAT applicant

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

The professional appeared in person and addressed the Board.

Dr. Stage and Ms. St. Clair addressed the Board on behalf of the professional.

Dr. Bowden moved, seconded by Mr. Coffey, to go into executive session to review medical records exempt from public inspection pursuant to A.R.S. §43-431.03(A)(2). The motion passed unanimously and the Board went into executive session at 1:00 p.m., reconvening its public meeting at 1:27 p.m.

Dr. Bowden moved, seconded by Ms. Shields, 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 1:27 p.m., reconvening its public meeting at 1:32 p.m.

Following review and discussion by members, Ms. Shields moved, seconded by Dr. Bowden, to direct staff to obtain updated treatment information from Dr. Mahl including:

- Updated treatment plan
- Alternative diagnostic categories

The motion passed unanimously.

The matter will be continued to the March 5, 2015, meeting.

M. 2014-0034, Deborah Williams, LASAC-13278 (suspended)

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

The complainant was properly noticed, but did not appear.

The professional was properly noticed, but did not appear.

Following review and discussion, Ms. Shields moved, seconded by Mr. Calderon, to dismiss the complaint. The motion passed unanimously.

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

A. Discussion regarding Ex Parte/third party communications.

Mr. Harris advised members that if they are individually contacted they should direct the individual to Board staff and that members should not speak on behalf of the Board.

10. Temporary licenses: review, consideration and action

A. Casey Heinsch

Ms. Dobratz recused from the matter.

Ms. Zavala provided information regarding the request for a temporary license.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Jones, to approve the temporary license request pursuant to A.A.C. R4-6-306(H). The motion passed unanimously.

11. Applications for licensure: review, consideration and action

Social Work

Ms. Jones moved, seconded by Dr. Bowden, to approve 3 applicants as Licensed Clinical Social Workers, one applicant as a Licensed Master Social Worker by endorsement, 12 applicants as Licensed Master Social Workers, and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

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

Counseling

Mr. Coffey moved, seconded by Ms. Coonrod, to approve 12 applicants as Licensed Associate Counselors, 2 applicants as Licensed Professional Counselors and one applicant as a Licensed Professional Counselor by endorsement. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Jones, to deny 3 applications based on not meeting minimum requirements, one application based on not meeting requirements by endorsement, and one application based on failure to pass the required exam. The motion passed unanimously.

Substance Abuse

Dr. Bowden moved, seconded by Mr. Coffey, to approve 5 applicants as Licensed Associate Substance Abuse Counselors, one applicant as a Licensed Independent Substance Abuse Counselor and one applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

Marriage and Family Therapy

Dr. Gabler moved, seconded by Ms. Dobratz, to approve one applicant as a Licensed Marriage and Family Therapist by endorsement. The motion passed unanimously.

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.

13. Report from the Treasurer

A. Monthly Financial Reports

No report.

14. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Review, consideration, and possible action regarding SB1374 update

Ms. Zavala reported implementation is proceeding in a timely manner.

C. Review, consideration, and possible action regarding customer service surveys

Ms. Zavala directed members to the survey comments from December and January and indicated that staff has contacted the professionals who requested reprints of their licenses.

Members discussed various ways to track information received from the surveys.

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

No report.

E. Discussion regarding the complaint process.

No report

F. Review, consideration, and action regarding Arizona rules for renewal.

Ms. Zavala reported there has been interest in requiring a rules exam to renew a license.

Members discussed various options.

15. Committee reports

A. Personnel Subcommittee update

No report.

B. Rules Subcommittee update

No report.

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

A. Discussion regarding American Association of State Counseling Boards

Ms. Shields provided information regarding the AASCB conference that she and Ms. Zavala attended. Ms. Shield's reported that AZBBHE is one of the largest composite Board's as well as self-supported.

B. Discussion regarding NBCC transition

Ms. Shields provided information regarding the NBCC transition to only accepting CACREP programs.

C. Discussion regarding FARB

No report.

17. Future agenda items

None

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, February 6, 2015, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

Dr. Bowden moved, seconded by Mr. Coffey, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:40 p.m.

Patricia Dobratz
Secretary/Treasurer

Date