



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 July 14, 2017 at 9:00 AM
3443 N Central Avenue, Room 1705, Phoenix, Arizona

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.

The Board, upon a majority vote of a quorum of the members, may hold an Executive Session on any of the listed agenda items to discuss or consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state and federal law, or to obtain legal advice. A.R.S. § 38-431.03(A)(2) and (3). 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 Charlene Garcia at 602-542-1893 or the TDD number at 800-367-8939.

Board Members

Patricia Dobratz, LMFT, Chairperson
Gerald Szymanski, LISAC, LPC, Secretary/Treasurer
Bradley Barnett, LMFT
Justin M. Bayless, Public Member
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
Jerri Shields, LPC
Vacant, Public Member

If you need to speak to a member of the Board staff regarding an agenda item, please contact Charlene Garcia at 602-542-1893 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. § 38-431.03(A)(2), any discussion of the executive session minutes will take place in executive session.

- A. *April 7, 2017, general meeting minutes*
- B. *May 5, 2017, general meeting minutes*
- C. *May 5, 2017, executive session minutes/agenda item A*
- D. *May 5, 2017, executive session minutes/agenda item C*
- E. *June 9, 2017, general meeting minutes*
- F. *June 9, 2017, executive session minutes/agenda item F*
- G. *June 9, 2017, executive session minutes/agenda item H*
- H. *June 9, 2017, executive session minutes/agenda item J*

4. Notification of Deficiencies

Cyrus Behrana *Oswaldo Gotay-Ruiz* *Breejia McNeal* *Kathy Pillow*
Cherilin Diefenbacher-Phariss *KerriLynn Latta* *Christine Pellegrino*

5. 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 case(s):

N/A

B. Cases recommended for dismissal with a letter of concern. The Board will review, discuss, and may vote to take action on the following case(s):

N/A

C. Cases recommended for release from consent agreements. The Board will review, discuss, and may vote to take action on the following case(s):

- a. *2015-0091, Kathleen Baker, LISAC-10663 (active-restricted)*
- b. *2017-0064, Teresa Ingram, LCSW-10096*
- c. *2016-0045, Elena Izzo, LPC-0434*
- d. *2016-0080, Karina Patton, LPC-12891*
- e. *2017-0004, Shaffer, Alyssa, LAC-16196*
- f. *2015-0058, Joalene Whitmer, LPC-11851 (active-restricted)*

D. Cases recommended for opening a complaint, possible disciplinary action and acceptance of a proposed signed consent agreement. The Board will review, discuss, and may vote to take action on the following case(s):

N/A

E. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement. The Board will review, discuss, and may vote to take action on the following case(s):

N/A

6. Administrative Hearings 10:00 AM

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

7. 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

8. 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. 2017-0095, Dina Aragona, LPC-13172

Initial review, consideration, and possible action regarding complaint.

B. 2017-0015, Alan Brozik, LPC-11740

Initial review, consideration, and possible action regarding accepting proposed signed consent agreement.

C. 2017-0122, Roxanne DalPos, LPC-13318

Initial review, consideration, and possible action regarding complaint.

D. Kathleen Exelby, LPC-0513

Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on self-report.

E. 2017-0109, Gail Griemsmann, LPC-10520

Initial review, consideration, and possible action regarding complaint.

F. 2017-0114, Alex Heath, LPC-1716

Initial review, consideration, and possible action regarding complaint.

G. 2016-0066, Jay Lambert, LCSW-12295 (Interim Suspension)

Initial review, consideration, and possible action regarding complaint.

H. 2011-0133, Jodi Livermon, LPC-12135 and LISAC-1101

Review, consideration, and possible action regarding accepting proposed signed consent agreement.

I. 2017-0113, Nathan Mitchell, LPC Applicant

Initial review, consideration, and possible action regarding complaint.

J. 2017-0071, Kristina Murphy, LCSW-11626
Initial review, consideration, and possible action regarding complaint.

K. 2017-0085, Kristina Murphy, LCSW-11626
Initial review, consideration, and possible action regarding complaint.

L. 2017-0112, Daniel Parke, LCSW-12074
Initial review, consideration, and possible action regarding complaint.

M. 2017-0123, Kristopher Schlepp, LPC-16113
Initial review, consideration, and possible action regarding complaint.

N. 2017-0102, David Switalski, LASAC-13067 & LAC-12467
Initial review, consideration, and possible action regarding complaint.

O. Ruth Zum Mallen, LPC-10819
Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on background information.

9. 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).

A. *Update regarding Leanna Smith v. Arizona Board of Behavioral Health Examiners.*

10. Temporary licenses: review, consideration and action

N/A

11. Applications for licensure and educational programs: 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. *Review, consideration, and possible action regarding applications for educational programs*

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.

C. *Joseph Delagrave: Review, consideration, and possible action regarding rescinding the motion to deny applicant's LAC application for failure to take the required examination.*

12. 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. Review, consideration, and possible action regarding the performance and salary review of the Executive Director

13. Report from the Treasurer

- A. May financial report*
- B. June financial report*

14. 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. Discussion regarding Executive Order 2017-02 issued by Governor Ducey*
- C. Discussion regarding Executive Order 2017-03 issued by Governor Ducey*
- D. Discussion regarding Executive Order 2017-04 issued by Governor Ducey*
- E. Discussion regarding Arizona Department of Health Services Health Regulatory Board Analysis*
- F. Discussion regarding relocation of the Board's office*
- G. Update regarding Board and academic review committee Governor appointments*
- H. Discussion regarding end of the year numbers*
- I. Discussion regarding review of applications as it relates to supervised work experience and clinical supervision*
- J. Review, consideration, and possible action regarding tutorials*

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

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. Gloria Biddle, LMFT-10005 (inactive)*

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

N/A

17. Future agenda items

18. 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.

19. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, August 04, 2017, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

July 05, 2017

Tobi Zavala
Executive Director