



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
June 3, 2016

Members Present: Jerri Shields, Chip Coffey, Cedric Davis, Patricia Dobratz, Heidi Quinlan, Mary Coonrod, Sally Jones, Brad Barnett(out at 11:40), Nikole Hintz-Lyon (in at 1:14, out at 1:30)

Members Absent: Habib Khan, Ivan Pemberton, Gerald Szymanski

Staff Present: Tobi Zavala, Executive Director; Donna Dalton, Deputy Director; Marc Harris, A.A.G.; Anne Froedge, Solicitor Genreal's Office; Joey Ordonez, Assistant Director; 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 June 3, 2016, at 9:00 a.m. with Ms. Shields presiding.

2. **Roll Call**

See above.

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

Dr. Davis moved, seconded by Mr. Coffey, to approve the general meeting minutes from the May 6, 2016, meeting as submitted. The motion passed unanimously. Mr. Barnett abstained from the vote.

4. **Notification of Deficiencies**

Mr. Pittman and Ms. Aslam from the list of 9 addressed the Board.

5. **Consent Agenda: review, consideration and action**

A. Cases recommended for dismissal

- a. 2016-0090, Marilyn Daniel, LAC-14319 (active restricted)
- b. 2014-0052, Frieda Ling, LMFT-10199

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

B. Cases recommended for dismissal with a letter of concern

N/A

C. Cases recommended for release from consent agreements.

- a. 2015-0106, Anita Comstock, LPC-13748 (active restricted)

Following discussion, Ms. Coonrod moved, seconded by Mr. Coffey, to approve the consent agenda Item 5(C). The motion passed unanimously.

D. Cases recommended for acceptance of a proposed signed interim consent agreement.

- a. John Clarizio, LMSW-13594

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	
NAY												
Absent						X		X	X			X

E. Cases recommended for opening a complaint and acceptance of a proposed signed consent agreement.

a. *Caitlin Yost, LMSW-13958*

Following discussion, Ms. Jones moved, seconded by Mr. Coffey, to approve the consent agenda Item 5(E). 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		X	X			X

The Board took a break at 10:00 a.m., reconvening its public meeting at 10:15 a.m.

6. Administrative Hearings

A. *2013-0013, Heath Kilgore, LPC-10562 (suspended)*

Mr. Harris, A.A.G., presented the consent agreement that has been negotiated.

The professional’s attorney, Sandra Creta, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Coffey, to accept the signed consent agreement as presented. The motion passed unanimously.

B. *2016-0098, Mary Coy, LMSW applicant*

Ms. Froedge, Solicitor General’s Office, appeared to provide independent legal advice to the Board.

Gary Strickland appeared on behalf of the applicant and requested a continuance as he was recently retained. Additionally, Mr. Strickland requested that the applicant be allowed to have and present an independent evaluation pursuant to A.R.S. 32-3281.

Marc Harris, A.A.G., appeared on behalf of the Board.

Following review and discussion, Ms. Quinlan moved, seconded by Ms. Jones, to grant a continuance. The motion passed unanimously.

Ms. Shields moved, seconded by Ms. Quinlan, to order the applicant to have an independent evaluation by an addictionologist within 60 days. 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		X	X			X

7. Formal Interviews

None

The Board took a break at 10:40 a.m., reconvening its public meeting at 10:45 a.m.

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

A. 2016-0044, Sharli Berry, LAC-14336 and LPC applicant

Ms. Zavala summarized information regarding the results of 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, Dr. Davis moved, seconded by Mr. Coffey, to find the following violation:

- 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 motion passed unanimously.

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

- The licensee shall be placed on 12 months probation
- The licensee shall complete 6 clock hours of pre-approved education in social media and ethics
- Early release available upon completion of education

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.

B. Mary Louise Derrick, LMSW applicant

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

The applicant appeared and addressed the Board.

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

C. Aaron Foster, LAC applicant

Ms. Zavala reported that the applicant has requested a second 60 days to complete the evaluation.

Following review and discussion by members, Ms. Dobratz moved, seconded by Mr. Coffey, to grant the extension. The motion passed unanimously.

D. 2014-0010, Alexis Grae, LPC-2097 and LISAC-1552

Mr. Ordóñez summarized information regarding the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional and her attorney, Paul Giancola, appeared and addressed the Board.

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

- A.R.S. §32-32-3251(12)(ee), giving or receiving a payment, kickback, rebate, bonus or other remuneration for a referral
- A.R.S. §32-32-3251(12)(t), disclosing a professional confidence or privileged communication except as may otherwise be required by law or permitted by a valid written release

- A.R.S. §32-32-3251(12)(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

The motion passed unanimously.

E. 2015-0113, Alexis Grae, LPC-2097 and LISAC-1552

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

The professional and her attorney, Paul Giancola, appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Dr. Davis, to find the following violation:

- A.R.S. §32-32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - 2005 ACA Code of Ethics F.1.a. Client Welfare
 - 2005 ACA Code of Ethics H.2.f. Unwarranted Complaints

The motion passed unanimously.

Following review and discussion by members, Ms. Dobratz moved, seconded by Dr. Davis, to consolidate the 2 complaints. The motion passed unanimously.

Following further discussion, Ms. Dobratz 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 6-clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The licensee shall have an audit of her practice and submit an audit plan for approval
- 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. The frequency for second year will be at the recommendation of the practice monitor
- The licensee shall receive therapy twice monthly for six months. The frequency for the remaining time will be at the recommendation of the therapist
- Therapy shall focus on self-care such as roles and responsibilities
- Early release is not available

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	
NAY												
Absent	X					X		X	X			X

F. 2016-0081, Salina Hancock Abdul-Bari, LMSW-13868

Ms. Zavala informed members that additional information has been received since the previous consideration of this complaint. Ms. Zavala requested that the Board rescind the previous motion to dismiss.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Jones, to rescind the previous motion to dismiss. The motion passed unanimously. Mr. Coffey recused from the vote.

G. Melissa Kinworthy, LASAC-13241

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

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Shields moved, seconded by Dr. Davis, to open a complaint. The motion passed unanimously.

H. 2016-0102, Michael Latino, LASAC-15133

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

The complainant was properly noticed, but did not appear.

The professional and his attorney, Jessica Miller, appeared and addressed the Board.

Following review and discussion by members, Ms. Quinlan moved, seconded by Dr. Davis, to order the professional to obtain an evaluation within 60 days from an addictionologist. 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	
NAY												
Absent	X					X		X	X			X

I. Tacey Schatz, LCSW-2665

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

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Quinlan moved, seconded by Dr. Cedric, to open a complaint and find the following violations:

- A.R.S. §32-32-3251(16)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-32-3251(16)(c)(i) any oral or written misrepresentation of a fact by an applicant or licensee in an attempt to secure the issuance or renewal of a license

Following review and discussion, Ms. Quinlan moved, seconded by Mr. Coffey, to offer an interim consent agreement not to practice, if not signed, to accept a consent agreement for the voluntary surrender of the professional’s license and, if not signed, 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	
NAY												
Absent	X					X		X	X			X

J. 2016-0003, Genett Tomko, LCSW-12770

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

The complainant addressed the Board telephonically.

The professional and her attorney, Larry Cohen, appeared and addressed the Board.

Following review and discussion by members, Ms. Shields moved, seconded by Dr. Davis, to dismiss the complaint. The motion passed unanimously.

K. 2015-0032, Ellen Vimmerstedt, LPC-1266

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

The complainant appeared and addressed the Board

The professional and her attorney, Michael Wolver, appeared and addressed the Board.

Following review and discussion by members, Ms. Jones moved, seconded by Dr. Davis, to find the following violation:

- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - 2005 ACA Code of Ethics A.7. Multiple Clients
- A.R.S. §32-32-3251(15)(l) any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(15)(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. R4-4-6-1103, Client Record

Following further discussion, Ms. Jones 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 a pre-approved 3-semester credit hour graduate level course in ethics and family law
- The licensee shall receive clinical supervision from a pre-approved clinical supervisor once a month for 12 months with quarterly reports submitted to the Board
- Clinical supervision shall focus on family law, boundaries, ethics 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	
NAY												
Absent	X					X		X	X			X

L. 2014-0033, Thomas Walter, LAC-14414 and LISAC-10457

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

The complainant was properly noticed, but did not appear.

The professional and his attorney, Larry Cohen, appeared and addressed the Board.

Following review and discussion by members, Mr. Coffey, moved, seconded by Dr. Davis, to dismiss with a letter of concern regarding the due diligence to follow through when a patient is at risk of self-harm, whether suicidal or self-injurious behavior . The motion passed with Ms. Shields opposed.

The Board took a break for lunch at 11:41 a.m., reconvening its public meeting at 12:40 p.m.

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

A. Training: Practical Tips for Board Members

Tabled

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

Social Work

Ms. Jones moved, seconded by Mr. Coffey, to approve 4 applicants as Licensed Clinical Social Workers, 5 applicants as Licensed Clinical Social Workers by endorsement, 37 applicants as Licensed Master Social Workers, and 3 applicants as Licensed Bachelor Social Workers. The motion passed unanimously.

Ms. Jones moved, seconded by Mr. Coffey, to deny 3 applications based on failure to take the required exam and 1 application based on failure to meet minimum requirements. The motion passed unanimously.

Counseling

Mr. Coffey moved, seconded by Ms. Dobratz, to approve 19 applicants as Licensed Associate Counselors and 4 applicants as Licensed Professional Counselors. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Coonrod, to deny 5 applications based on failure to meet minimum requirements. The motion passed unanimously.

Substance Abuse

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

Marriage and Family Therapy

Mr. Barnett moved, seconded by Mr. Coffey, to approve 7 applicants as Licensed Associate Marriage and Family Therapists and 3 applicants as Licensed Marriage and Family Therapists, and 1 university master program. The motion passed unanimously. Ms. Dobratz recused from the vote.

11. 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

No report.

D. Discussion regarding FY16 Board goals

No report.

E. Personnel Evaluation: Discussion, consideration and possible action pertaining to the performance and salary review of the Executive Director

Mr. Coffey moved, seconded by Ms. Dobratz, to go into executive session to discuss Ms. Zavala's performance pursuant to A.R.S. §43-431.03(A)(1). The motion passed unanimously and the Board went into executive session at 9:36 a.m., reconvening its public meeting at 10:05 a.m.

Dr. Davis moved, seconded by Mr. Coffey, to accept the performance evaluation as discussed in executive session. The motion passed unanimously.

Ms. Shields reported that the Personnel Subcommittee will modify the process for next year.

F. Annual Election of Board Officers

Ms. Shields moved, seconded by Ms. Coonrod, to nominate Ms. Dobratz as Chair. The motion passed unanimously.

Ms. Dobratz accepted the nomination.

The Secretary/Treasurer position will be addressed at the next meeting when all members are present.

12. Report from the Treasurer

A. Monthly Financial Reports

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

The Board took a break at 2:26 p.m., reconvening its public meeting at 2:35 p.m.

13. Report from the Executive Director and/or staff

A. General Agency Operations

Ms. Shields reviewed the attendance policy and requested the topic be added to a future agenda.

B. Update regarding Maricopa County Attorney's Office inquiry regarding an open meeting law complaint

Ms. Zavala advised members that the County Attorney's Office has notified the Board that it has closed the open meeting law inquiry that was filed against the Board.

C. Review, consideration, and possible action regarding promulgating rules (SB1212/Laws 2015, Chapter 154).

Ms. Dalton advised members regarding the process to make changes to the rules during the time of exemption from formal rule making.

Ms. Jones moved, seconded by Ms. Quinlan, to direct staff to request a waiver from the rules moratorium from the Governor's Office to allow it to proceed with promulgating rules directly related to recent legislative changes. The motion passed unanimously.

D. Review, consideration, and possible action regarding database.

Ms. Dalton reported that the agency is continuing to work toward a new database.

E. Discussion regarding office renovations

Ms. Zavala reported that, as a result of negotiating the lease agreement, the office is getting new paint, carpet and some renovations with no cost to the agency.

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

N/A

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

A. Review, consideration, and possible action regarding members attending ASWB Board member training.

Ms. Zavala reported regarding the value of the training she attended. ASWB will pay for two Board members regardless of the discipline.

Following discussion, Ms. Shields moved, seconded by Mr. Barnett, to approve Ms. Dobratz and Mr. Coffey to attend next ASWB training. The motion passed unanimously.

B. Discussion regarding NBCC Annual Conference.

Ms. Zavala and Ms. Shields reported their attendance and the importance of the conference.

16. Future agenda items

Board member attendance policy

17. Call for public comment

No one was present to respond to the call for public comment.

18. Establishment of future meeting dates

The next meeting is scheduled for Friday, July 8, 2016, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

Dr. Davis moved, seconded by Ms. Coonrod, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:22 p.m.

Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
June 2016 – License Approvals

Licensed Associate Counselor -- 19 --

Carrie Lynn Appleby Kittle	Angela Bonner	Catherine Campbell	Kawena Carpio
Caitlin Cox	Craig Darragh	Heather Devilliers	Lauren Dixon
Alicia Donovan	Jason Henslin	Michelle Johnson	Kelsey Jones
Harvinder Kang	Leatanya Koppa	Javier Ley Tablada	Lourdes Lopez-Escobar
Dawn McMillan-Austin	Laura Oliver	Ava Zabihi	

Licensed Professional Counselor - 4 -

Jamie Dana	Arbita Ferozepurwalla	Lesley Krickler	Kristopher Schlepp
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Licensed Clinical Social Worker – 4 --

Lisa Fortino	John Gossett	Matthew Gordon	Michael Radonski
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Licensed Clinical Social Worker by endorsement -- 5 --

William Anderson, Jr.	Reetu Deleon	Sue Vetere
Douglas Bates	Gloria Robbins	

Licensed Master Social Worker – 37 --

Cynthia Alvarez	Christy Dill	Adrian Kirkpatrick	Chelsea Sathoff
Beverly Aylward	Kathleen Draves	Paul Knapp	JoAnn Schneider
Stacy Bishop	Rebecca Encinas	Theresa Kunnappilly	Regina Sharp
Dana Bowerbank	Joseph Fagan	Vanessa Lattin	Elizabeth Sopjes
Tamara Caplice	Quandraco Flippen-Thomas	Graciela Macia	Sheena Susan Thomas
Kelly Cloninger	Melanie Friedman	James Palazzolo	June Trimble
Marielysse Cortes	Oliva Gonzalez	Heidi Ponce	Randi Wyatt
David D'Auteuil	Sarah Gutierrez	Kaitlin Porter	Morgan Young
Diana Delgadillo	Michele Hall	Farrah Sanchez	Stacy Zerby Orona
			Andrea Zunigha

Licensed Bachelor Social Worker – 3 --

Bridgette Lindemann	Adria Powles	Rhanda Pretzer
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Licensed Associate Substance Abuse Counselor -- 1 --

Gabrielle Loomis

Licensed Substance Abuse Technician -- 2 -

Jennifer Sobel	Megan MacKay
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Licensed Marriage and Family Therapist -- 3 --

Danielle Corrales	Karen Gerdes	Angela Phillips
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Licensed Associate Marriage and Family Therapist -- 7 --

Desiree Barnett	Haley Edris	Jasmine Maya	Cynthia Shembab
Darcy Easley	Stephanie Hennick	James Kip Moyer	

The Academic Review Committee for Marriage & Family Therapy licensure recommends the approval of the following educational program:

Grand Canyon University Master of Science in Christian Counseling

Counseling -- failure to meet minimum requirements (5)

Ezzard Brown
Mary Dallman-Schaper

Ernest Ketelhut
Debra Shipley

Sydney Peterson Carlburg

Social Work -- failure to take the required exam (3)

Samuel Jean-Baptiste

Lilith Movsesyan

Sandra Ortiz

Social Work -- failure to meet minimum requirements (1)

Nancy Jo Sutton-McLeod