



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

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 March 4, 2016, at 9:00 AM
3443 N Central Avenue, Room 1705, Phoenix, Arizona

1st amended (March 2, 2016)

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
Habib Khan, Public Member
Ivan Pemberton, Public Member
Heidi Quinlan, LISAC, LPC
Gerald Szymanski, LISAC, LPC

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. *October 1, 2015, general meeting minutes*
- B. *October 1, 2015, executive session minutes*
- C. *November 5, 2015, general meeting minutes*
- D. *November 5, 2015, 12:08 p.m. executive session minutes*
- E. *November 5, 2015, 2:15 p.m. executive session minutes*
- F. *December 3, 2015, general meeting minutes*
- G. *February 4, 2016, general meeting minutes*
- H. *February 4, 2016, executive session minutes*

4. Notification of Deficiencies

<i>Robbin Rivers</i>	<i>Colleen Austin</i>	<i>Haley Nunn</i>	<i>Christopher Bonner-Holland</i>
<i>Mary Jensen</i>	<i>Lauren Golombek</i>	<i>Robert Kincanon</i>	<i>Benjamin Bleck-Owens</i>

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 cases:

- a. *2015-0094, Donella Arrow, LISAC-10840*
- b. *2015-0099, Margie Tirado, LISAC-0452*

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

- a. *2016-0065, Lori Olsen, LPC-12825*

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

- a. *2012-0105, Luciano De La O, LISAC-0569 (active restricted)*
- b. *2011-0009, Arline Lemeschewsky, LCSW-3634 (active restricted)*
- c. *2015-0016, Kathleen McGuire, LPC-10650 (active restricted)*
- d. *2014-0022, Brittany Poole, LMSW-13718*
- e. *2016-0026, James Sims, LPC-10241 (active restricted)*
- f. *2011-0079, Jennifer Slothower, LPC-1899 (active restricted)*

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

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. Daniel Altman, LISAC-0606

Review, consideration, and action, regarding the Substance Abuse Credentialing Committee's June 20, 2013, motion to open a complaint.

B. Melishea Balthazor, LBSW applicant

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

C. 2014-0049, Maria Clark, LPC-13317 and LISAC-10628

Initial review, consideration, and action, regarding complaint.

D. Mary Coy, LMSW applicant

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

E. Rebecca Howard, LPC-12959

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

F. 2016-0066, Jay Lambert, LCSW-12295

Review, consideration, and possible action, regarding the complaint, including but not limited to, summary suspension of the license based on imminent danger to the health and safety of the public.

G. 2016-0051, Jean Penczar, LPC-13592

Review, consideration, and action, to accept the proposed signed consent agreement.

H. 2016-0013 and 2016-0073, Mary Reiss, LAC-15664

Initial review, consideration, and action, regarding complaint.

I. 2014-0068, Scott Rivera, LMSW-12756

Review, consideration, and action, to accept the proposed signed interim consent agreement.

J. Ashley Robertson-Roth, LAC applicant

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

K. 2013-0069, Vicki Scott, LPC-2452 and LISAC-0714

Review, consideration, and action, to accept the proposed signed consent agreement.

L. 2015-0114, Melvin Taylor, LMSW-15670 and LISAC-1229

Initial review, consideration, and action, regarding complaint

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).

N/A

10. 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.

11. 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 updating the Board's website.

D. Discussion regarding FY16 Board goals.

12. Report from the Treasurer

A. January monthly financial report

13. 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 with Board lobbyist, Stuart Goodman, regarding HB2501.

C. Review, consideration, and possible action, regarding appointing additional members to the Personnel Subcommittee and discussion of the process.

D. Discussion regarding executive staff's visit to St. Luke's Behavioral Health facility.

E. Discussion regarding outreach to the behavioral health community.

F. Discussion regarding Maricopa County Attorney's Office inquiry regarding an open meeting law complaint.

G. Discussion regarding Ombudsman's office inquiring regarding complaint #2014-0030 and recent communication sent by Robert Selby to Board members.

H. Review, consideration, and possible action, regarding adoption of a Substantive Policy Statement related to A.A.C. R4-6-704.

I. Discussion regarding A.A.C. R4-6-212.01(1)(a)(i).

J. Review, consideration, and possible action, regarding adopting a policy for treating DUI related issues.

14. 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).

N/A

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

N/A

16. Future agenda items

17. 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.

18. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, April 1, 2016, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

19. Adjournment

March 2, 2016

Tobi Zavala
Executive Director