



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
March 5, 2015

Members Present: Jerri Shields, Mary Coonrod, Patricia Dobratz, Gloria Gabler, Sally Jones, Chip Coffey, Gerald Szymanski, Ernest Calderon (out at 3:14 p.m.)

Members Absent: Kirk Bowden

Staff Present: Tobi Zavala, Executive Director; Donna Dalton, Deputy Director; Marc Harris, A.A.G.; Mary Wilson, Elma Brambila

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on March 5, 2015, 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 February 5, 2015, meeting as amended. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Jones, to approve the 1:00 p.m., executive session minutes from the February 5, 2015, meeting as submitted. The motion passed unanimously.

Mr. Coffey moved, seconded by Ms. Jones, to approve the 1:27 p.m., executive session minutes from the February 5, 2015, meeting as submitted. The motion passed unanimously.

Dr. Gabler moved, seconded by Ms. Coonrod, to approve the general meeting minutes from the February 6, 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 two.

5. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

a. 2015-0014, Lisa Cole-Powell, LPC-10756

b. 2012-0122, Patricia Herrewig, LPC-13842

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

The complainant addressed the Board telephonically.

Ms. Anne Fulton-Cavett, attorney for the professional, appeared telephonically.

Following review and discussion by members, Dr. Gabler moved, seconded by Ms. Dobratz, 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.

- c. 2012-0128, Jennifer Lewis, LCSW-10603 suspended

Dr. Gabler moved, seconded by Ms. Jones, to accept the consent agenda items a and c. The motion passed unanimously.

B. Cases recommended for release from consent agreements

- a. 2015-0043, Beatrice Alexander, LPC-11726 and LISAC-10520
- b. 2015-0026, Marnie Arnett, LMSW-12705
- c. 2013-0047, Wendy Kutz, LCSW-2236
- d. 2010-0094, Anne Williams, LPC-11752

Ms. Jones moved, seconded by Mr. Calderon, to accept the consent agenda as presented. The motion passed unanimously.

6. Administrative Hearings 10:00 AM

A. *Michelle Easson, LAC applicant*

The applicant was properly noticed, but did not appear.

Ms. Zavala provided information regarding the applicant's request for a continuance.

Mr. Harris, A.A.G., addressed the Board on behalf of the state.

Following review and discussion by members, Mr. Calderon moved, seconded by Mr. Coffey, to deny the request for a continuance of the formal hearing. The motion passed unanimously.

7. Formal Interviews

None

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

A. *Sandra Anderson, LPC-0552*

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

The professional appeared in person and addressed the Board.

Following review and discussion, Ms. Coonrod moved, seconded by Mr. Calderon, to open a complaint and find a violation of

- A.R.S. §32-3251(15)(c)(i), any oral or written misrepresentation of a fact by a licensee to secure the renewal of a license

The motion passed unanimously.

Following further review and discussion, Ms. Coonrod moved, seconded by Dr. Gabler, to accept a consent agreement that stipulates the following:

- Stayed suspension
- License will be placed on probation for 12 months
- Licensee will complete a pre-approved 3-semester credit hour course in behavioral health ethics
- Licensee will complete a pre-approved 6-clock hour continuing education in NASW Staying Out of Trouble or its equivalent
- Assess a civil penalty of \$100 to be paid within 12 months

The motion passed unanimously.

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

B. 2014-0065, Amy Davidson, LMSW-12812

Mr. Coffey recused from the matter.

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Natalya Ter-Grigoryan, appeared and addressed the Board.

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

C. Amy Davidson, LMSW-12812

Mr. Coffey recused from the matter.

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

Mr. Harris, A.A.G., provided information regarding the Board’s options.

The professional and her attorney, Natalya Ter-Grigoryan, appeared and addressed the Board.

Following review and discussion, Ms. Jones moved, seconded by Mr. Calderon, to open a complaint for further investigation. The motion passed unanimously.

D. Barbara Davis, LAC-1619

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

The professional appeared in person and addressed the Board.

Following review and discussion, Dr. Gabler moved, seconded by Mr. Calderon, to open a complaint and dismiss the complaint with a letter of concern addressing the importance of being proactive with CEUs and maintaining the documentation required by the Board. The motion carried with Ms. Shields opposed.

The Board took a break at 10:02 a.m., reconvening its public meeting at 10:12 a.m.

E. Michelle Easson, LAC applicant

Ms. Zavala summarized new information received by the Board.

The applicant was properly noticed, but did not appear.

Mr. Szymanski moved, seconded by Ms. Jones, to incorporate the new information for future consideration, including a finding that the applicant did not timely report her arrest and find violations of the following:

- A.R.S. §32-3251(15)(i), any conduct, practice, or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(15)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health

The motion passed unanimously.

*F. 2015-0068, Ramie Hansen, LASAC-13056 suspended
Tabled*

G. 2013-0082, Loraine Kern, LPC-13954

Mr. Calderon recused from this matter.

Ms. Zavala summarized information regarding the investigation.

The complainant was properly noticed, but did not appear.

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

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

H. 2012-0131, Teri Krull, LCSW-0130

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

The complainant appeared and addressed the Board.

The professional and her attorney, Faren Akins, appeared and addressed the Board.

Following review and discussion, Mr. Calderon moved, seconded by Ms. Dobratz, to dismiss the complaint with a letter of concern addressing being cognizant of her duty of mandated reporting. The motion carried with Mr. Szymanski and Ms. Jones opposed.

I. Jana-Lee Leineweber, LMSW applicant

Ms. Jones recused from the matter.

Ms. Dalton summarized information regarding the background investigation.

The applicant and her attorney, Terry Woods, appeared and addressed the Board.

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

If any of the three remaining CPS employees who were terminated in this matter apply, the Board has agreed that staff can sign-off on the background if there are no other issues.

J. 2013-0054, Jon Longoria, LSAT-12057

Ms. Zavala summarized information regarding the professional’s request for release from the interim consent agreement.

The professional and his prior supervisor, Kim Mitchell, appeared and addressed the Board.

Following review and discussion, Dr. Gabler moved, seconded by Ms. Jones, to release the professional from the interim consent agreement contingent upon the execution of a consent agreement. The motion passed unanimously.

Following review and discussion, Mr. Szymanski moved, seconded by Ms. Jones, to find a violation of 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 licensee’s profession. The motion passed unanimously.

Mr. Szymanski moved, seconded by Ms. Dobratz, to accept a consent agreement that stipulates the following:

- Stayed suspension
- The license will be placed on probation for 24 months
- The licensee will complete a 3-semester credit hour graduate level course in substance abuse within 12 months
- The license will attend a recovery program at least twice a week, sign-in and have a mentor, leader or sponsor
- The licensee will attend 12 MADD meetings monthly for 12 months
- Clinical supervision twice a month focusing on substance abuse issues, relapse and addiction

The motion carried with Mr. Coffey opposed.

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

K. Dina Milum, LPC-11859

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

The professional and her husband, Cord Milum, appeared and addressed the Board.

Following review and discussion, Mr. Calderon moved, seconded by Mr. Coffey, to open a complaint and 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 the licensee’s profession
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by a licensee in an attempt to secure the renewal of a license
- A.R.S. §32-3251(15)(f), active habitual intemperance in the use of alcohol or active substance abuse

The motion passed unanimously.

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

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

L. 2012-0074, Tina Rees, LPC-12937

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Faren Akins, appeared and addressed the Board.

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

The Board took a break at 11:45 a.m., reconvening its public meeting at 12:00 noon

M. 2011-0120, Maria Sorensen, LPC-13664

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

The complainant was properly noticed, but did not appear

The professional and her attorney, Teresa Sanzio, appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Dr. Gabler, to offer a non-disciplinary letter of concern regarding the importance of the therapist’s responsibility to check for releases of information regardless of mitigating circumstances. The motion passed unanimously.

N. Shaweta Vasudeva, LSAT applicant

Dr. Gabler moved, seconded by Ms. Dobratz, to go into executive session pursuant to A.R.S. §43-431.03(A)(2), to review medical records exempt from public inspection. The motion passed unanimously and the Board went into executive session at 10:27 a.m., reconvening its public meeting at 10:52 a.m.

Ms. Zavala summarized the additional information requested by Board members at their 02/05/15 meeting.

The professional appeared in person and addressed the Board.

Dr. Stage and Karen Mavrikos appeared on behalf of the professional.

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

The Board broke for lunch at 12:42 p.m., reconvening its public meeting at 1:00 p.m.

O. 2015-0058, Joalene Whitmer, LPC-11851

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

The complainant appeared telephonically.

The professional appeared and addressed the Board.

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

- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics of the behavioral health profession, as it relates to
 - The 2005 ACA Code of Ethics, A.5.c. Nonprofessional Interactions or Relationships
- A.R.S. §32-3251(12)(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(12)(s), terminating behavioral health services without making an appropriate referral

The motion passed unanimously.

Following further review and discussion, Ms. Dobratz moved, seconded by Ms. Jones, to offer a consent agreement that stipulates the following:

- License will be placed on probation for 24 months
- The licensee will complete a pre-approved 3-semester credit hour course in behavioral health ethics within 12 months
- The licensee will complete a pre-approved 3-semester credit hour course in assessment, diagnosis and treatment within 12 months
- The licensee will complete a pre-approved 6-clock hour continuing education in NASW Staying Out of Trouble or its equivalent within 12 months
- The licensee will receive clinical supervision twice a month focusing on boundaries, documentation and transitioning clients
- The clinical supervisor will be LCSW, LPC or LMFT

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.

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

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

A. *Update regarding Gary Tupper appeal.*

Tabled

10. Renewal applications: review, consideration and action

A. *Ramie Hansen, LAC-13056*

Tabled

B. *Rigel Garibay, LPC-12112*

Tabled

The Board took a break at 2:54 p.m., reconvening its public meeting at 3:10 p.m.

11. Applications for licensure: review, consideration and action

Social Work

Ms. Jones moved, seconded by Mr. Coffey, to approve five applicants as Licensed Clinical Social Workers, five applicants as Licensed Clinical Social Workers by endorsement, and 26 applicants as Licensed Master Social Workers. The motion passed unanimously.

Ms. Jones moved, seconded by Mr. Coffey, to deny four applications based on failure to pass the required exam. The motion passed unanimously.

Counseling

Mr. Coffey moved, seconded by Ms. Coonrod, to approve 3 applicants as Licensed Associate Counselors, three applicants as Licensed Professional Counselors and two applicants as Licensed Professional Counselors by endorsement. The motion passed unanimously.

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

Substance Abuse

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

Marriage and Family Therapy

Ms. Dobratz moved, seconded by Mr. Coffey, to approve one applicant as a Licensed Associate Marriage and Family Therapist. The motion passed unanimously.

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

12. Report from Chair

A. *Summary of current events*

Tabled

B. Update and review of staffs' implementation of Board's directives and operational objectives.

Tabled

13. Report from the Treasurer

A. Monthly Financial Reports

Members reviewed the monthly financial reports.

Following review, Ms. Jones moved, seconded by Ms. Dobratz, to accept the 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. Review, consideration, and possible action regarding SB1374 update

No report.

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

No report.

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 the Board's definition of 'contemporaneous'

Tabled

G. Review, consideration, and action regarding the Board's credit card service fee.

Tabled

H. Development of process for initial appointment of ARC members

Tabled

I. Discussion regarding SB1212

Tabled

J. Change in process regarding mailings

Tabled

K. Discussion regarding 30 month follow-up report to the Auditor General

Tabled

L. Discussion regarding dissemination of member documents

Tabled

M. Process for review of applicant background information

Tabled

15. Committee reports

A. Personnel Subcommittee update

No report.

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B. Rules Subcommittee update

No report.

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

None

17. Future agenda items

Board's civility policy.

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 Thursday, April 2, 2015, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

20. Adjournment

Mr. Szymanski moved, seconded by Ms. Jones, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:35 p.m.

Patricia Dobratz
Secretary/Treasurer

Date