



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for September 5, 2013, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

1st amended (9/3/13)

Pursuant to A.R.S. Sec. 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 9th 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. 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 majority vote of a quorum of the members, may hold an Executive Session on any item on the agenda, where applicable, for purposes of reviewing and considering confidential records, to obtain legal advice and/or to consider its position and instruct its attorneys pursuant to A.R.S. § 38-431.03(A)(2), (3) and (4). Executive Sessions are not open to the public.

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.

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. *June 6, 2013, general meeting minutes*

B. *July 12, 2013, teleconference minutes*

C. *August 13, 2013, teleconference minutes*

4. Consent Agenda: review, consideration and action

The Board may go into executive session to discuss confidential medical 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. *2014-0009, William Baird, LASAC-13328*

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

B. *2013-0094, Susan Barrette-Mozes, LAC-11663*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

C. *2011-0144, Kelly Brutsch, LAC-13551 (suspended)*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

D. *2012-0059, Robin Byrne, LCSW-11820*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

E. 2012-0019, Len Camp, LISAC-10985

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

F. 2011-0046, Elizabeth Darland, LMFT-0463

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to accept the proposed signed consent agreement.

G. Kathleen Driscoll, LPC-1563

Review, consideration and action regarding opening a complaint and accepting the proposed signed interim consent agreement.

H. 2011-0143, Alyssa Fagan-Clark, LMSW-12382

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

I. 2011-0129, Zoe Folts, LCSW-0613

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

J. 2013-0091, Jamie Hestrup, LMSW-12217

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed signed consent agreement.

K. 2012-0002, Nannette Hicks, LISAC-11455

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

L. 2011-0126, Beverly Levesque, LISAC-11399

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

M. 2012-0003, Jesus Mata, LISAC-10010

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed signed consent agreement.

N. 2013-0039, David Robinson, LPC-2450

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed signed consent agreement.

O. 2011-0096, Henry D. Turberville, LISAC-10777

Review, consideration and action regarding the professional's request for release from the consent agreement.

5. 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 medical 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. 2010-0128, Ben Gallaway, LISAC-0759

Consideration of Recommendation from Office of Administrative Hearings. The Board will discuss and take action on a recommended decision from the Office of Administrative Hearings in accordance with A.R.S. §41-1092.08.

B. 2013-0035, Esther Williamson, LMSW applicant

Board to consider accepting proposed consent agreement signed by the applicant. If the matter is not consensually resolved, the Board reserves the right to conduct a formal administrative hearing.

6. 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 medical 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. 2013-0032, *Yvonne Culp, LMSW-11341*

Board to conduct formal interview.

B. 2011-0009, *Arline Lemeshewsky, LCSW-3634*

Board to consider accepting proposed consent agreement signed by the professional. If the matter is not consensually resolved, the Board reserves the right to conduct a formal administrative hearing.

C. 2012-0044, *Trisha McMahon, LPC-12450*

Board to consider accepting proposed consent agreement signed by the professional. If the matter is not consensually resolved, the Board reserves the right to conduct a formal administrative hearing.

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

The Board may go into executive session to discuss confidential medical 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. 2012-0022, *Alexis Alexander, LPC-12923*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed consent agreement.

B. 2012-0140, *Jean Collins-Stuckert, LISAC-10022*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.

C. 2013-0071, *Amy Davidson, LMSW-12812*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.

D. 2011-0158, *Nicole Heim, LPC-13503*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint and accept the proposed signed non-disciplinary consent agreement.

E. 2012-0060, 2012-0035 and 2011-0091, *Dwayne Kruse, LMFT-10273*

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to accept the proposed signed consent agreement.

F. 2012-0151, *Calvin Nez, LISAC-11030*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed consent agreement.

G. 2013-0075, *Deborah Schuler, LCSW-10288*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed consent agreement.

H. 2011-0142, *Suzanne Schunk, LCSW-10194*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the proposed consent agreement.

I. 2011-0133, *Jodi Wilton, LPC-12135 and LISAC-1101*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed consent agreement.

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

- 9. Applications for licensure: review, consideration and action**
The Board may go into executive session to discuss confidential medical 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. March 3, 2011, Board meeting motion*
Review, consideration and possible action to rescind this Board's March 3, 2011, motion to deny 5 applications based on failure to take and/or pass the required exam.
- 10. Report from the Chair**
The Board may go into executive session to discuss confidential medical 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. Chair report*
- 11. Report from the Treasurer**
- A. Monthly financial reports (May 31st, June 30th and July 31st)*
- 12. 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. Review, consideration and possible action regarding changes to Board processes needed as a result of SB1374
C. Appointment of representatives to the Task Force on Patient Consent and Documentation Best Practices
D. Review, consideration and possible action regarding rule changes to allow MFT applicants to supplement curriculum with continuing education hours
E. Review, consideration and possible action regarding the Arizona Republic article
F. Discussion regarding the Board's FY2015 budget
- 13. Committee reports**
The Board may go into executive session to discuss confidential medical 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).
- 14. National and regional trends and news regarding the profession(s)**
- 15. Future agenda items**
- 16. 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.
- 17. Establishment of future meeting date(s)**
The next meeting is scheduled for Thursday, October 3, 2013, at 9:00 a.m., at 3443 North Central Avenue, Room 908.
- 18. Adjournment**

September 3, 2013

Debra Rinaudo
Executive Director