

KATIE HOBBS
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
MEETING MINUTES
September 6, 2024

Members Present: Adalesa Meek, Diane Palacios, Robert Charles, Kristina Groves, Leanette Henagan, Crystal Krueger, Jose Luis Madera, Mark Shen

Members Absent: Antwan Trotter, Dominic Miller

Staff Present: Tobi Zavala, Executive Director; Mona Baskin, A.A.G.; Allison Taylor, Operations Manager; Jarett Carver, Investigations Manager; Chrystal Mackesy, Operations Project Specialist

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on September 6, 2024 at 9:01 a.m. at 1740 West Adams Street, Boardroom C, Phoenix, Arizona 85007 with Ms. Meek presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. May 10, 2024, general meeting minutes

Tabled due to lack of quorum of members to vote.

B. May 10, 2024, executive session minutes/ Agenda item 7 F

Tabled due to lack of quorum of members to vote.

C. June 14, 2024, general meeting minutes

Tabled due to lack of quorum of members to vote.

D. August 9, 2024, general meeting minutes

E. August 9, 2024, executive session minutes/ Agenda item 12 A

Ms. Palacios moved, seconded by Mr. Shen, to approve items 3D and 3E, the August 9, 2024 general meeting minutes and August 9, 2024 executive session meeting minutes as submitted. The motion passed unanimously. Ms. Henagan abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2024-0281, Leacy Brown, LMSW-15736

2. 2024-0264, Shawna Chesley-Kroh, LPC-17968

3. 2024-0254, Jessica Hedgepeth, LAC-17196 (Revoked)

4. 2024-0262, Kae Rehma, LPC-16469

5. 2024-0321, Valerie Le-Grande Stewart, LMSW-17753 (Closed-passed away)

6. 2024-0317, Marie Tueller, LPC-16651

Following discussion, Ms. Palacios moved, seconded by Ms. Krueger, to approve the consent agenda items 4(A)(1,2,4,6). The motion passed unanimously.

Following discussion, Ms. Henagan moved, seconded by Ms. Groves, to approve the consent agenda items 4(A)(3,5). The motion passed unanimously. Ms. Palacios recused.

B. Cases recommended for dismissal with a letter of concern.

1. *2024-0131, Angela Bassett, LISAC-15212*
2. *2024-0192, Halina Brooke, LPC-22655*
3. *2024-0222, Vermell Brown, LAC-19562*
4. *2024-0253, Morgan Devlin, LMSW-18623*
5. *2024-0225, 2024-0338, Megan O'Neal, LMSW-18320*

Following discussion, Mr. Shen moved, seconded by Mr. Madera, to approve the consent agenda item 4(B)(2). The motion passed unanimously. Ms. Palacios recused.

Following discussion, Ms. Palacios moved, seconded by Ms. Henagan, to approve the consent agenda items 4(B)(1,3,4). The motion passed unanimously.

5. *2024-0225, 2024-0338, Megan O'Neal, LMSW-18320*
- Ms. Zavala summarized the Board's investigation.

The complainant appeared and addressed the Board.

The professional and her attorney, Anne McClellan, appeared and addressed the Board.

Following discussion, Ms. Meek moved, seconded by Mr. Charles, to dismiss the complaint with a letter of concern. The motion passed unanimously.

C. Cases recommended for opening a complaint and dismissing with a letter of concern
N/A

D. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

1. *2024-0136, Leacy Brown, LMSW-15736*
2. *2024-0243, Mikayla Landon, LMSW-19642*
3. *2024-0050, Timothy Mullins, LPC-18173*
4. *2024-0308, 2024-0280, Marie Tueller, LPC-16651*

Following discussion, Ms. Palacios moved, seconded by Ms. Krueger, to approve the consent agenda item 4(D). The motion passed unanimously.

E. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.
N/A

F. Cases recommended for acceptance of a proposed signed disciplinary consent agreement.

1. *2024-0242, Milissa Baugh, LASAC-15244*
2. *2024-0305, Elizabeth Fedrick, LPC-17899*
3. *2024-0304, 2024-0334, Michael Klinkner, LCSW-10820*

Following discussion, Ms. Henagan moved, seconded by Mr. Shen, to accept the proposed signed disciplinary consent agreements. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

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

1. *WenDeja Moore, LMSW Applicant*

Following discussion, Ms. Palacios moved, seconded by Mr. Madera, to open a complaint and accept the proposed signed disciplinary consent agreement. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

H. Cases recommended for opening a complaint and denying for unprofessional conduct.

N/A

I. Cases recommended for release from consent agreements.

1. 2023-0139, Keli Dersch-Baldonado, LPC-17337
2. 2024-0051, Lucas Howarth, LPC-21799
3. 2023-0083, Jennifer Rivera, LPC-12617 (active-restricted)
4. 2023-0111, Cally Skalko, LPC-20914 (active-restricted)
5. 2024-0044, William Tafaro, LPC-17949
6. 2024-0112, David Waselkow, LPC-17492 (active-restricted)

Following discussion, Ms. Palacios moved, seconded by Mr. Madera, to approve the consent agenda item 4(I)(1-6). The motion passed unanimously.

5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues 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

6. Formal Interviews

N/A

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

A. *2024-0117, Esther Cynthia, LPC-18750*

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Jason Pritchett, appeared and addressed the Board.

Following further discussion Ms. Groves moved, seconded by Ms. Krueger, to find the following violation:

- A.R.S. § 32-3251(16)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to:
 - A.R.S. § 13-3620. Duty to Report Abuse

The motion passed unanimously.

Following further review, Ms. Groves moved, seconded by Ms. Palacios, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The professional shall complete pre-approved continuing education in:
 - 3 clock hours in duty to report
 - 3 clock hours in behavioral health ethics and law
 - 3 clock hours in substance use, to include 42 CFR
 - 3 clock hours in working with high risk youth

and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

B. 2024-0314, Jessica Reid, LPC-20722

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

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

Following further discussion, Ms. Krueger moved, seconded by Ms. Palacios, to offer the professional a 12-month non-disciplinary consent agreement for completion of 3 clock hours in HIPAA, 3 clock hours in managing crisis, 3 clock hours in remote therapy best practices, and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

C. 2025-0042 Erik Rostamian, LCSW-22192

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Charles moved, seconded by Ms. Henagan, to accept the signed consent agreement for the voluntary surrender of the professional’s license. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

D. 2025-0040, Monica Scarpati, LPC-12454
 Ms. Zavala summarized the Board's investigation.

The complainant was present and was available if the Board had any questions.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Charles moved, seconded by Ms. Krueger, to accept the signed consent agreement for the voluntary surrender of the professional's license. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

E. 2024-0135, Roberta Zatkowsky, LPC-16035
 Mr. Carver summarized the Board's investigation.

The complainant and her interpreter appeared and addressed the Board.

The professional and her attorney, Kimberly Kent, appeared and addressed the Board.

Mr. Shen disclosed he worked with the professional in the past, and stated it has been several years and this will not cloud or bias his judgement on the matter.

Following further discussion Mr. Madera moved, seconded by Ms. Palacios, to find the following violation:

- A.R.S. § 32-3251(16)(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. R4-6-1103. Client Record
 - A.A.C. R4-6-1105. Confidentiality
 - A.A.C. R4-6-1106. Tele practice
- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience.

The motion passed unanimously.

Following further review, Mr. Madera moved, seconded by Ms. Henagan, to offer a consent agreement that stipulates the following:

- The licensee shall be placed on probation for 12 months
- The professional shall complete pre-approved continuing education in:
 - 3 clock hours in Arizona documentation
 - 3 clock hours in working with high conflict families
 - 3 clock hours in behavioral health ethics to include scope of competency

and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X	X	X	X		X	X	
NAY										
Absent							X			X

The Board took a break at 10:38 a.m., reconvening its public meeting at 10:49 a.m.

8. Assistant Attorney General’s Report: Mona Baskin, A.A.G.

N/A

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

A. Review, consideration, and possible action regarding applications for licensure

Counseling

Mr. Shen moved, seconded by Ms. Palacios, to deny 1 application based on a failure to pass the required examination, 1 application based on a failure to meet minimum requirements, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

Marriage and Family Therapy (none listed on denials sheet)

N/A

Social Work

Ms. Henagan moved, seconded by Ms. Palacios, to deny 11 applications based on a failure to pass the required examination, and 1 application based on failure to take the required exam. The motion passed unanimously.

Substance Abuse Counseling

Ms. Palacios moved, seconded by Ms. Krueger, to deny 2 applications based on a failure to pass the required exam, and 1 application based on a failure to take the required examination.

B. Review, consideration, and possible action regarding applications for educational programs

N/A

10. Report from Chair

A. Summary of current events

No report.

11. Report from the Treasurer

A. Review, consideration, and possible action regarding July financial report

Tabled

B. Review, consideration, and possible action regarding August financial report

Tabled

12. Report from the Executive Director and/or staff

A. Update on the FY2026 Budget

Ms. Zavala shared with the members that the FY2026 budget has been submitted and is located on the Board’s website. She asked the members to review and if they had any question to reach out to her.

B. Discussion regarding Auditor General’s Performance Audit

Ms. Zavala shared that the audit would be public the following week.

C. Discussion regarding staff’s involvement at the Southwestern School for Behavioral Health Studies

Ms. Zavala shared that staff’s participation at the conference is imperative as it shows support to our licensees.

D. Update on staff changes

Ms. Zavala shared that 4 new staff would be starting on September 16th.

E. Update on new logo

Ms. Zavala shared the entire state has a new logo as well as our Board and that would require lots of changes in the future to letterhead, signatures, etc.

F. Discussion regarding Ms. Zavala's involvement with the Industry Advisory Council

Ms. Zavala discussed her recent involvement at the request of University of Phoenix to join the Industry Advisory Council.

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

N/A

14. Future agenda items

N/A

15. Call for public comment

Dr. David Harvey, LPC, stated that this was his first time and a meeting and he commended the Board for their service and for what they do.

Deneatra Gray, NAU student shared with the members how much she learned in the meeting.

16. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, October 11, 2024, at 9:00 a.m., at 1740 W. Adams St., Boardroom C.

17. Adjournment

Ms. Palacios moved, seconded by Ms. Henagan, to adjourn. The motion passed and the meeting was adjourned at 11:17 a.m.

Diane Palacios
Secretary/Treasurer

Date