



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
Website: www.az.gov
Website: www.azbbhe.us
E-mail address: information@azbbhe.us

JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
December 1, 2011

Members Present: Laura de Blank, Gloria Gabler, Kirk Bowden, Douglas Mitchell, Bruce Murchison

Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Christopher Munns, Solicitor General's Office, Mary Wilson, Elma Brambila

1. **Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on December 1, 2011, at 9:07 a.m. with Ms. de Blank presiding.

2. **Roll Call**

See above.

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

Mr. Mitchell moved, seconded by Dr. Bowden, to approve the general meeting minutes from the November 3, 2011, meeting as submitted. The motion passed unanimously.

Mr. Mitchell moved, seconded by Dr. Bowden, to approve the executive session minutes from the November 3, 2011, meeting as submitted. The motion passed unanimously.

Dr. Gabler moved, seconded by Dr. Bowden, to approve the general meeting minutes from the November 21, 2011, telephonic meeting as submitted. The motion passed unanimously.

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

A. *2012-0061, Wendy Barry, LASAC applicant*

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

B. *2011-0127, Russell Enright, LPC-12385 (revoked)*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint without prejudice.

C. *2009-0092, Morrise Luckey, LISAC-11072*

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

D. *2010-0106, David Osinga, LISAC-0411*

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

E. *2012-0067, Anthony Sparacino, LAC-13011, LASAC-13132 and LPC applicant*

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

Following review and discussion by members, Mr. Mitchell moved, seconded by Dr. Bowden, to accept the consent agenda as presented. The motion passed unanimously. See attached roll call vote.

The Board took a break at 10:25 a.m., reconvening its public meeting at 10:32 a.m.

5. Administrative Hearings

A. *2011-0099, Laura Lindsay, LISAC-11541 and LMSW-12305 (suspended)*

Christopher Munns, Solicitor General's Office, appeared to provide independent legal advice to the Board.

Ms. Lindsay appeared and requested a continuance of the hearing.

Mr. Harris, A.A.G., appeared on behalf of the State and spoke in opposition to the request for a continuance.

Ms. Lindsay indicated that she would be willing to sign a consent agreement with minor changes.

The Board took a break to allow Ms. Lindsay and Mr. Harris to confer.

Following review and discussion, Dr. Gabler moved, seconded by Dr. Bowden, to accept the modified signed consent agreement. The motion passed unanimously. See attached roll call vote.

6. Formal Interviews

None

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

A. *2012-0045, Tara Boocheck, LPC-12785*

Ms. Rinaudo summarized information regarding the complaint.

The professional and her attorney, Al Ricciardi, appeared and addressed the Board.

Following review and discussion by members, Dr. Gabler moved, seconded by Mr. Murchison, to offer a modified consent agreement as follows:

- The professional is not required obtain clinical supervision as long as she is employed in an OBHL licensed agency
- If she obtains employment in a non-OBHL licensed agency, she must advise the Board in writing within 10 days of beginning such employment.
- While employed in a non-OBHL licensed agency, the professional shall complete clinical supervision as set forth in the original consent agreement.
- The professional shall submit the name of a proposed clinical supervisor for pre-approval within 10 days of beginning work in a non-OBHL licensed agency.
- The professional shall complete 24 months of weekly individual or group substance abuse therapy provided by a pre-approved master's level LISAC
- The professional can seek early release from the terms of probation after 12 months upon the recommendation of her therapist
- The therapist shall provide quarterly reports regarding the professional's attendance and participation in therapy.
- The professional shall complete a pre-approved 3-semester graduate level behavioral health ethics course

and, if not signed, to remand the matter to formal hearing. The motion passed unanimously. See attached roll call vote.

B. *2011-0076, Carol Hirschberg-James, LMSW-12238*

Ms. de Blank indicated that she was acquainted with the professional in a previous employment setting, but there is nothing regarding that relationship to prevent her from making an unbiased decision in this matter.

Mr. Mitchell indicated that was acquainted with the professional through interactions in the past while she was employed at the Arizona State Hospital, but there is nothing regarding that relationship to prevent him from making an unbiased decision in this matter.

Ms. Rinaudo summarized information regarding the complaint.

The professional and her attorney, John Gordon, appeared in person and addressed the Board.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Mitchell, to re-offer the proposed consent agreement and, if not signed, to remand the matter to formal hearing. The motion passed unanimously. See attached roll call vote.

C. 2010-0114, Katherine McGlynn, LPC-1198

Ms. Rinaudo summarized information regarding the complaint.

The professional and her attorney, J. Arthur Eaves, appeared and addressed the Board.

Following review and discussion by members, Ms. de Blank moved, seconded by Dr. Bowden, to offer a modified consent agreement that includes a stayed revocation of the professional's license and, if not signed, to remand the matter to formal hearing. The motion carried with Dr. Gabler and Mr. Murchison opposed. See attached roll call vote.

D. 2012-0031, Kurt Woodburn, LSAT applicant

Ms. Rinaudo summarized information obtained during the complaint investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Gabler moved, seconded by Dr. Bowden, to refer the physicians identified in the investigative report to their respective licensing boards. The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Mr. Murchison, to issue a cease and desist order to Mr. Woodburn requiring him to stop practicing any type of substance abuse counseling. The motion passed unanimously.

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

No report.

9. Applications for licensure: review, consideration and action

A. Mr. Mitchell moved, seconded by Dr. Bowden, to rescind the Board's February 3, 2011, motion to deny Angelica Castano's Licensed Professional Counselor application. The motion passed unanimously.

B. Mr. Mitchell moved, seconded by Ms. de Blank, to rescind the Board's July 1, 2011, motion to deny Kimberly Vercauteren-Griffin's Licensed Professional Counselor application. The motion passed unanimously.

Social Work

Mr. Mitchell moved, seconded by Dr. Bowden, to approve 1 applicant as a Reciprocal Licensed Master Social Worker, 4 applicants as Licensed Clinical Social Workers and 20 applicants as Licensed Master Social Workers. The motion passed unanimously.

Mr. Mitchell moved, seconded by Dr. Gabler, to deny 1 application based on failure to take and/or pass the required exam and 2 applications based on findings of unprofessional conduct. The motion passed unanimously.

Counseling

Ms. de Blank moved, seconded by Mr. Mitchell, to approve 16 applicants as Licensed Associate Counselors, 10 applicants as Licensed Professional Counselors and 1 applicant as a Reciprocal Licensed Professional Counselor. The motion passed unanimously.

Marriage and Family Therapy

Dr. Gabler moved, seconded by Mr. Mitchell, to approve 3 applicants as Licensed Marriage and Family Therapists and 2 applicants as Licensed Associate Marriage and Family Therapists. The motion passed unanimously.

Dr. Gabler moved, seconded by Dr. Bowden, to deny 3 applicants based on failure to take and/or pass the required exam. The motion passed unanimously.

Substance Abuse

Dr. Bowden moved, seconded by Ms. de Blank, to approve 3 applicants as Licensed Associate Substance Abuse Counselors, 1 applicant as a Reciprocal Licensed Associate Substance Abuse Counselor and 1 applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Mitchell, to deny 2 applications based on failure to meet minimum requirements. The motion passed unanimously.

10. Report from Chair

A. Chair report

No report

11. Report from the Treasurer

A. Monthly Financial Report

Members reviewed the monthly financial report.

Following review, Dr. Gabler moved, seconded by Dr. Bowden, to accept the monthly financial report as presented. The motion passed unanimously.

12. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Policy regarding deficient clinical records

Tabled

C. Status report regarding member appointments

Ms. Rinaudo provided information regarding continuing problems with timely member appointments. The Board currently has only five members so all five members must participate to maintain quorum.

D. Review of use if stayed revocation in consent agreements

Ms. Rinaudo reported regarding the use of the stayed revocation as a stipulation in consent agreements.

13. Committee Reports

A. Possible appointment of a subcommittee to review clinical supervisor training

Members discussed appointing a subcommittee to review clinical supervision training submitted by supervisors. Following discussion, members agreed that the Substance Abuse Credentialing Committee (SACC) will continue to review these submissions, with the recognition that a credentialing committee can ask for clarification from the SACC if there is disagreement with a SACC decision and/or seek a review of a disputed decision by the Board.

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

None

15. Future agenda items

None

16. Call for public comment

No one asked to speak in response to the call for public comment.

17. Establishment of future meeting dates

Following discussion, members agreed to the following meeting dates: January 10, 2012, and February 3, 2012. Both meetings will be at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

Dr. Bowden moved, seconded by Mr. Mitchell, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:48 a.m.

Gloria Gabler
Secretary/Treasurer

Date