



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

DEBRA RINAUDO  
Executive Director

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BOARD OF BEHAVIORAL HEALTH EXAMINERS  
**NOTICE & AGENDA FOR REGULAR SESSION MEETING**  
Scheduled for December 6, 2012, at 9:00 AM  
3443 N Central Avenue, Room 908, Phoenix, Arizona

**4th amended (12/5/12)**

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 9<sup>th</sup> 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. November 1, 2012, general meeting 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. 2009-0108, Francine Akins-Arbuckle, LPC-11723*

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

*B. 2011-0006, Eric Cuestas-Thompson, LCSW-12502 and LISAC-10713*

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

*C. 2012-0117, Brent Case, LPC-12277*

Review, consideration and action regarding Social Work Credentialing Committee's recommendation to accept the proposed signed 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. 2011-0086, Susan Sargent, LISAC-0433 (suspended)*

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.

*B. Katy Scoblink, LISAC applicant*  
Board 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).

**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. 2012-0032, Janet Carpentier, LISAC-10475 (suspended)*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to deny the professional's request for release from the interim consent agreement.

*B. 2013-0032, Yvonne Culp, LMSW-11341*

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

*C. 2012-0124, Carmen Howard, LAC-11693*

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

*D. 2013-0047, Wendy Kutz, LCSW-2236*

Review, consideration and action regarding accepting proposed interim consent agreement or possible summary suspension of license.

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

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

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

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

*G. 2013-0043, Diane Whisler, LCSW-10963*

Review, consideration and action regarding accepting the proposed interim consent agreement or possible summary suspension of license.

**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 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.

**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 report*

**12. Report from the Executive Director and/or staff**

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. *General Agency Operations*

B. *Review, consideration and possible action regarding development of a Board policy addressing discipline to be imposed where complaint allegations are not substantiated, but clinical records are deficient.*

C. *Discussion regarding the Board's Sunset Hearing*

D. *Review, discussion, and possible action regarding the choice of a type of medical practitioner for consent agreement stipulations.*

**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, January 3, 2013, at 9:00 a.m., at 3443 North Central Avenue, Room 908.*

**18. Adjournment**

December 5, 2012

Debra Rinaudo  
Executive Director