



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 MEETING MINUTES  
July 10, 2009

Members Present: Laura de Blank, Jose Herrera, Kirk Bowden, Gloria Gabler, Doug Mitchell, Diane Brassea

Members absent: Ruth Lee, Kahryn Nix

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Kami Thur, Mary Wilson, Elma Brambila

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on July 10, 2009, at 9:05 a.m. with Ms. de Blank presiding.

**2. Roll Call**

See above.

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

Mr. Herrera moved, seconded by Ms. Brassea, to approve the general meeting minutes from June 5, 2009, as submitted. The motion passed unanimously. Mr. Bowden abstained from the vote.

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

*A. 2008-0037, Clinton Bartlett, LPC-10644*

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

*B. 2008-0098, Peter Berger, LPC-0206 and LISAC-0107*

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaint.

*C. 2008-0043, David Bromberg, LCSW-12481*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

*D. 2008-0116, Benjamin Hedberg, LPC-1992*

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaint.

*E. 2008-0104, Donna Hodax, LCSW-2013*

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

*F. 2005-0036, Patricia Krumwiede, LPC-0105*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

*G. 2009-0025, Shari Loren, LCSW-3659*

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

*H. 2009-0130, Selethia Mitchell, LMSW applicant*

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

*I. 2008-0118, Rose Marie Nunez, LPC-10952*

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

*J. 2009-0117, Valerie Piacitelli, LMSW-11401 and LCSW applicant*

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

*K. 2009-0036, Laura Schulz, LAC-12154*

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

*L. 2009-0018, Marlene Shiple, LPC-0908*

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

*M. 2007-0123, Trudy Sloane-Farrell, LCSW-2164*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to release the professional from the consent agreement.

*N. 2008-0051, Jeffrey Wheatley, LCSW-1328*

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

*O. 2007-0158, Joalene Whitmer, LPC-11851*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

Mr. Mitchell moved, seconded by Mr. Bowden, to approve the consent agenda as presented. The motion passed unanimously. See attached roll call.

**5. Administrative Hearings 11:00 AM**

None

**6. Formal Interviews**

None

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

*A. 2007-0119, Jennifer Balistreri, LMSW-12207*

Ms. Rinaudo summarized the facts of the case and indicated that the Social Work Credentialing Committee recommended a modified consent agreement allowing the professional an additional 6 months to complete the required ethics course.

The professional has not yet returned the signed modified consent agreement.

Following review and discussion by members, Mr. Bowden moved, seconded by Mr. Herrera, to offer the professional a revised consent agreement that includes a violation for failing to comply with a Board order and a decree of censure and allows 6 months to complete the required course with no further extensions available 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.

*B. 2009-0097, Antoinetta Estrada, LISAC-10527*

Ms. Rinaudo indicated that the professional has retained a new attorney, who requested an extension of the Board's review of the Social Work Credentialing Committee's proposed consent agreement. The professional is not currently working and agreed to sign an interim consent agreement not to practice pending Board review of the proposed consent agreement.

Laura Hale, attorney for the complainant, requested that the Board schedule its review of the proposed consent agreement as soon as possible.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Herrera, to accept the interim consent agreement. The motion passed unanimously. See attached roll call vote.

*C. 2009-0137, Veronica Jeffus, LASAC applicant*

Ms. Rinaudo summarized the matter and indicated that the professional has requested a modification to the proposed consent agreement.

The professional appeared in person and addressed the Board.

Following review and discussion by members, Mr. Mitchell moved, seconded by Dr. Gabler, to accept a modified consent agreement that stipulates that the clinical supervisor will be a behavioral health professional licensed at the independent level with substance abuse experience and that the supervisor must be pre-approved by the Substance Abuse Credentialing Committee. The motion passed unanimously. See attached roll call vote.

*D. 2009-0118, Cheryl Meloche, LCSW-10945 and LISAC-1451*

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

The professional was properly noticed, but did not appear.

Following review and discussion by members, Mr. Bowden moved, seconded by Mr. Herrera, to dismiss the complaint with a letter of concern and issue a non-disciplinary order that stipulates completion of a 3-credit hour graduate level ethics course. The motion passed unanimously. See attached roll call vote.

*E. 2009-0029, Elissa Thompson, LCSW-10384*

Ms. Rinaudo summarized the Board's investigation.

The complainant appeared in person and addressed the Board.

The professional and her attorney, Farin Akins, appeared in person and addressed the Board.

Ms. de Blank moved, seconded by Mr. Bowden, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously. The Board went into executive session at 9:55 a.m., reconvening its public meeting at 10:15 a.m.

Ms. Rinaudo reviewed cases where the Board allowed a professional to stay in private practice with the use of a practice monitor.

Following review and discussion by members, Ms. Brassea moved, seconded by Mr. Herrera, to accept the proposed consent agreement. The motion passed unanimously. See attached roll call vote.

Following further discussion by members, Ms. de Blank moved, seconded by Mr. Mitchell, that if the consent agreement is 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.

*F. Benjamin Tyau, LAC-12294*

Ms. Thur reviewed the professional's disciplinary history which includes two prior consent agreements. Ms. Thur stated that the professional is currently incarcerated based on an indictment for multiple criminal charges, including burglary, criminal trespass, attempted sexual assault and kidnapping.

The professional was properly noticed, but did not appear or otherwise participate.

Following review and discussion by members, Ms. Brassea moved, seconded by Mr. Herrera, to open a complaint and summarily suspend the professional's license based on a finding that the public health, safety and welfare imperatively requires emergency action pursuant to A.R.S. §32-3281(C). The motion passed unanimously. See attached roll call vote.

G. NJ09-0021, Amy Gillespie

Ms. Rinaudo reviewed the information received indicating the professional is providing services as a therapeutic visitation supervisor.

The professional was properly noticed, but did not appear.

Following review and discussion, Ms. de Blank moved, seconded by Mr. Bowden, to direct staff to gather further information regarding the responsibilities of a therapeutic visitation supervisor. The motion passed unanimously.

**8. Applications for licensure: review, consideration and action**

*Social Work*

Mr. Mitchell moved, seconded by Mr. Herrera, to approve 1 applicant as a Licensed Clinical Social Worker, 3 applicants as Reciprocal Licensed Clinical Social Workers, 16 applicants as Licensed Master Social Workers and 1 applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

Mr. Mitchell moved, seconded by Mr. Herrera, to deny 4 applicants based on failure to pass the required exam. The motion passed unanimously.

*Counseling*

Ms. de Blank moved, seconded by Mr. Mitchell, to approve 10 applicants as Licensed Associate Counselors, 13 applicants as Licensed Professional Counselors and 2 applicants as Reciprocal Licensed Professional Counselors. The motion passed unanimously.

Ms. de Blank moved, seconded by Mr. Mitchell, to deny 8 applicants based on failure to meet minimum requirements in supervised work experience and/or education. The motion passed unanimously.

Ms. de Blank moved, seconded by Mr. Mitchell, to deny 1 applicant based on a finding of unprofessional conduct and the applicant's failure to meet minimum requirements in supervised work experience. The motion passed unanimously.

*Substance Abuse*

Mr. Bowden moved, seconded by Ms. de Blank, to approve 2 applicants as Licensed Independent Substance Abuse Counselors, 1 applicant as a Reciprocal Licensed Independent Substance Abuse Counselor and 3 applicants as Licensed Associate Substance Abuse Counselors. The motion passed unanimously.

Mr. Bowden moved, seconded by Dr. Gabler, to deny 1 applicant based on failure to pass the required exam and failure to establish legal residency. The motion passed unanimously.

Mr. Bowden moved, seconded by Dr. Gabler, to deny 1 applicant based on failure to pass the required exam. The motion passed unanimously.

*Marriage and Family Therapy*

Dr. Gabler moved, seconded by Ms. de Blank, to approve 1 applicant as a Licensed Marriage and Family Therapist. The motion passed unanimously.

**9. Report from Chair.**

*A. Chair report*

No report.

*B. Member reports*

None

*C. Consent agreement language*

Ms. Rinaudo reported that this matter is on the agenda at members' request to discuss whether the word "minimum" should be used in consent agreements.

Following discussion, members agreed to remove the word "minimum" as standard language in consent agreements.

**10. Report from the Treasurer**

*A. Monthly Financial Report*

Ms. Rinaudo reviewed the monthly financial report.

Dr. Gabler moved, seconded by Mr. Mitchell, to approve the monthly financial report. The motion passed unanimously.

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

*A. General Agency Operations*

*B. Justice Services position*

Ms. Rinaudo reviewed the responsibilities of the screener position at Justice Services.

Following review and discussion by members, Mr. Herrera moved, seconded by Dr. Gabler, to find that the screener position at Justice Services does not qualify as psychotherapy and will not be accepted to qualify for independent licensure. The motion passed unanimously.

**12. Committee Reports**

None

**13. National and regional news regarding the profession(s)**

None

**14. Future agenda items**

None

**15. Call for public comment**

None

**16. Establishment of future meeting dates**

The next regular meeting is scheduled for August 7, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**17. Adjournment**

Mr. Herrera moved, seconded by Mr. Bowden, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:20 p.m.

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Gloria Gabler  
Secretary/Treasurer

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Date