



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](http://www.az.gov)  
Website: [www.azbbhe.us](http://www.azbbhe.us)  
E-mail address: [information@azbbhe.us](mailto:information@azbbhe.us)

JANICE K. BREWER  
Governor

DEBRA RINAUDO  
Executive Director

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BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
June 6, 2013

Members Present: Gloria Gabler, Steve Lankton, Mary Coonrod, Kevin Cummings  
Member by phone: Kirk Bowden  
Members absent: Jayne McElfresh  
Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Michelle Clinkenbeard, Deputy Director, Jill Dowling, Board Investigator, Mary Wilson

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on June 6, 2013, at 9:04 a.m. with Dr. Gabler presiding.

**2. Roll Call**

See above.

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

Mr. Lankton moved, seconded by Dr. Bowden, to approve the general meeting minutes from the May 2, 2013, meeting as submitted. The motion passed unanimously. Mr. Cummings abstained from the vote.

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

*A. 2007-0017 and 2009-0054, Dianne Andrick, LPC-1689 and LISAC-0372*

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

*B. 2013-0060, Becky Goudy, LAC-13378 and LASAC-13105*

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

The client appeared telephonically and addressed the Board.

The professional and her supervisor appeared telephonically.

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

Dr. Gabler suggested that the Board may want to consider changing the proposed consent agreement or dismissing the complaint with a letter of concern.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Lankton, to accept the proposed signed consent agreement as presented. The motion carried with Dr. Gabler opposed. See attached roll call vote.

*C. 2012-0038, Melissa King-Marvin, LPC-10746*

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

*D. 2012-0007, Julio Landero, LISAC-1697*

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

*E. 2012-0006, Kimberly Landero, LISAC-10263*

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

*F. 2011-0156, Frieda Ling, LMFT-10199*

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

*G. 2013-0087, Edward Ottesen, LAC 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. Lankton moved, seconded by Dr. Bowden, to dismiss the complaint with a letter of concern. The motion passed unanimously.

*H. 2012-0137, Vicktoria Patzer, LAMFT-10328*

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

*I. 2012-0020, Debra Raybon, LMFT-10371*

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

*J. 2013-0039, David Robinson, LPC-2450*

Tabled

*K. 2012-0102, Jeffrey Schill, LAC-13468 suspended*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to release the professional from the interim consent agreement under the proposed signed consent agreement.

*L. 2012-0079, Celeste Spane, LPC-0716*

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

Following review and discussion by members, Mr. Lankton moved, seconded by Dr. Bowden, to accept the consent agenda items A, C – F, I, and K – L. The motion passed unanimously. See attached roll call vote.

## **5. Administrative Hearings 9:30 AM**

*A. 2012-0103, Lisa Bozik, RLPC applicant*

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

Ms. Rinaudo distributed a pleading received by the Board on June 5, 2013.

Mr. Harris, A.A.G., appeared on behalf of the State and made an opening statement.

The professional's attorney, Tom Rogers, made a motion in limine, request for statutory interpretation regarding scope of hearing and request for settlement conference on reciprocal license denial.

Mr. Harris, A.A.G., indicated that requests to exclude information and interpretations of statutes are premature. This is a license denial and the applicant has the responsibility to establish that she meets requirements.

Ms. Coonrod moved, seconded by Dr. Bowden, to deny the motion in limine and to grant a continuance for the parties to work toward settlement and have an update at the Board's July meeting. The motion passed unanimously.

*B. John Hope, LPC applicant*

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

Mr. Harris, A.A.G., appeared on behalf of the State and made an opening statement.

Dr. Hope appeared and made an opening statement, was sworn and testified on his own behalf.

Michelle Clinkenbeard, Deputy Director, was sworn in and testified.

Dr. Gabler admitted State's Exhibits 1 through 7 into evidence.

Dr. Hope and Mr. Harris, A.A.G., made closing statements.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Lankton, to affirm the Counseling Credentialing Committee's decision and deny the application based on failure to meet minimum requirements. The motion passed unanimously. See attached roll call vote.

*C. 2011-0054, Herbert Warner, RLPC-15047 suspended*

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

Mr. Warner was properly noticed, but did not appear.

The complainant appeared telephonically and addressed the Board.

Mr. Harris, A.A.G., appeared on behalf of the State and made an opening statement.

Jill Dowling, Board Investigator, was sworn in and testified.

Dr. Gabler admitted State's Exhibits 1 and 2 into evidence.

Mr. Harris, A.A.G., made a closing statement.

Following review and discussion, Ms. Coonrod moved, seconded by Mr. Cummings, to adopt the factual allegations from the notice of hearing as findings of fact. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Cummings, to adopt the charges from the notice of hearing as conclusions of law. The motion passed unanimously.

Following further discussion, Mr. Lankton moved, seconded by Ms. Coonrod, to issue an order revoking the professional's license. The motion passed unanimously. See attached roll call vote.

**6. Formal Interviews**

None

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

*A. 2011-0062, Joanna Parris, LISAC- 10846*

Tabled

*B. 2012-0041, William Wolf, LCSW-1332*

Mr. Cummings disclosed that he has an indirect business relationship with the professional but there is nothing in that relationship to prevent him from making an unbiased decision in this matter.

Ms. Rinaudo summarized the proposed signed consent agreement.

The professional's attorney, Faren Akins, addressed the Board.

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

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

None

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

*Social Work*

Mr. Lankton moved, seconded by Ms. Coonrod, to approve 7 applicants as Licensed Clinical Social Workers and 17 applicants as Licensed Master Social Workers. The motion passed unanimously.

Mr. Lankton moved, seconded by Ms. Coonrod, to deny 4 applications based on failure to take and/or pass the required exam. The motion passed unanimously.

*Counseling*

Dr. Gabler moved, seconded by Dr. Bowden, to approve 37 applicants as Licensed Associate Counselors, 20 applicants as Licensed Professional Counselors and one applicant as a Reciprocal Licensed Professional Counselor. The motion passed unanimously.

Dr. Gabler moved, seconded by Ms. Coonrod, to deny 8 applications based on not meeting minimum requirements and one applicant based on a finding of unprofessional conduct. The motion passed unanimously.

*Substance Abuse*

Dr. Gabler moved, seconded by Mr. Lankton, to approve 3 applicants as Licensed Associate Substance Abuse Counselors and one applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

Dr. Gabler moved, seconded by Mr. Lankton, to deny one application based on failure to meet minimum requirements. The motion passed unanimously.

*Marriage and Family Therapy*

Dr. Gabler moved, seconded by Mr. Lankton, to approve one applicant as a Licensed Marriage and Family Therapist. The motion passed unanimously.

Dr. Gabler moved, seconded by Mr. Lankton, to deny 3 applications based on failure to meet minimum requirements. The motion passed unanimously.

*Nancy Bailey*

Mr. Lankton moved, seconded by Dr. Bowden, to rescind this Board's May 2, 2013, motion to deny the professional a license based on failure to meet minimum requirements. The motion passed unanimously. Mr. Cummings recused from the vote.

**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 Mr. Lankton, 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. Update regarding SB1374*

No report.

*C. Discussion regarding paperless system for meeting materials*

No report

*D. Annual election of Chair and Secretary/Treasurer*

Dr. Bowden declined running for Chair as his second appointment ended in January. Mr. Lankton and Dr. Gabler expressed interest in being Chair. Both gave a short description of their work and qualifications.

Dr. Bowden moved, seconded by Ms. Coonrod, to nominate Mr. Lankton to serve as Chair. The motion passed unanimously.

Dr. Bowden nominated Dr. Gabler to serve as Chair. Dr. Gabler declined the nomination.

Mr. Lankton moved, seconded by Dr. Bowden, to nominate Ms. Coonrod to serve as Secretary/Treasurer. The motion passed unanimously.

**13. Committee reports**

No report

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

None

**15. Future agenda items**

None

**16. Call for public comment**

No one responded to the call for public comment.

**17. Establishment of future meeting dates**

The next meeting is scheduled for Thursday, July 11, 2013, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**18. Adjournment**

Mr. Lankton moved, seconded by Ms. Coonrod, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:45 a.m.

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Mary Coonrod  
Secretary/Treasurer

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Date