



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

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING

Scheduled for May 7, 2010, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

1st amended (5/5/10)

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 9th 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 discussing 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. April 2, 2010, general meeting minutes

4. Consent Agenda: review, consideration and action

The Board may go into executive session to discuss records exempt from public inspection 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. 2010-0003, Stacy Adler, LCSW-3628

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

B. 2009-0024, Dennis Andrew, LMFT-0083

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

C. 2010-0007, Viola Bruning, LISAC-11812

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

D. 2008-0040, Susan Forno, LPC-1233

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

E. 2007-0060, Rosemarie Ludwig, LPC-0399

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

F. 2009-0102, Daniela Roher, LPC-1777

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

G. 2005-0082, Jenne Rust-Lester, LPC-1997

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

5. Administrative Hearings 11:00 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 records exempt from public inspection 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. 2010-0065 and 2008-0044, Bridget Naughton, LISAC-1538

Board to conduct formal administrative hearing.

B. 2010-0036, Rayne Norton, LMSW-11723

Board to conduct formal administrative hearing.

C. 2009-0082, William Jefferson, LMFT-0065 and LPC-0229

Review, consideration and action regarding the professional's request for a review or rehearing.

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 records exempt from public inspection 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. 2010-0026, Linda Bennardo, LPC-12144

Board to conduct formal interview.

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

The Board may go into executive session to discuss records exempt from public inspection 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. 2010-0033, Russell Bentley, LAC-12855

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

B. 2010-0054, James Gorton, LPC-1295

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

C. 2010-0018, Mary Ann Turner, LCSW-10951

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

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

A. Status of judicial review actions and other Superior Court litigation: Information only unless otherwise indicated.

1. Jane Fendelman, NJ07-0019 and NJ10-0010

2. Rayne Norton, LC2008-000859; 1CA-CD-10-0049

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

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 Chair

The Board may go into executive session to discuss records exempt from public inspection 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*
- B. *Review, consideration and action regarding enforcement of attendance policy when member misses non-regularly scheduled meetings*
- C. *Schedule meeting of Personnel Subcommittee and appoint member(s)*

11. Report from the Treasurer

- A. *Monthly financial report*

12. Report from Executive Director and/or staff

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. §38-431.03(A)(1), to discuss records exempt from public inspection 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. *Schedule additional Board meeting(s) to conduct formal hearings*
- C. *Report regarding increase in non-compliance cases*
- D. *Update regarding HB2545*
- E. *Review, consideration and possible action regarding Board application of A.R.S. §32-3206*
- F. *Board expression of appreciation for outgoing member*

13. Committee Reports

The Board may go into executive session to discuss personnel records pursuant to §A.R.S. §38-431.03(A)(1), to discuss records exempt from public inspection 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. § 38-431.02(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 June 4, 2010, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

May 5, 2010

Debra Rinaudo
Executive Director