



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  
May 2, 2013

Members Present: Kirk Bowden, Gloria Gabler, Steve Lankton, Deborah Pettitt, Mary Coonrod, Jayne McElfresh

Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Mary Wilson

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 2, 2013, at 9:06 a.m. with Dr. Bowden presiding.

**2. Roll Call**

See above.

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

Invoking the rule of impossibility, Dr. Gabler moved, seconded by Dr. Bowden, to approve the amended general meeting minutes from the November 3, 2011, meeting as submitted. The motion passed unanimously.

Mr. Lankton moved, seconded by Ms. Coonrod, to approve the general meeting minutes from the April 4, 2013, meeting as submitted. The motion passed unanimously.

Dr. Gabler moved, seconded by Ms. Coonrod, to approve the 8:47 a.m. executive session minutes from the April 4, 2013, meeting as submitted. The motion passed unanimously.

Ms. Coonrod moved, seconded by Mr. Lankton, to approve the 12:50 p.m. executive session minutes from the April 4, 2013, meeting as submitted. The motion passed unanimously.

Mr. Lankton moved, seconded by Dr. Gabler, to approve the 1:20 p.m. executive session minutes from the April 4, 2013, meeting as submitted. The motion passed unanimously.

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

A. 2011-0111, Lisa Davison, LMSW-13002

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

B. 2010-0097, Rosemarie Higgins, LCSW-10497

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

C. 2011-0141, Amy Spriggs, LMSW-13176

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

The complainant appeared in person and addressed the Board.

The professional appeared in person and addressed the Board.

Following review and discussion by members, Mr. Lankton moved, seconded by Ms. Pettitt, to dismiss the complaint. The motion passed unanimously.

*D. 2013-0020, James Westly, LPC-2174*

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

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Pettitt, to accept the consent agenda items A, B and D as presented. The motion passed unanimously. See attached roll call vote.

*The Board took a break at 10:02 a.m., reconvening its public meeting at 10:10 a.m.*

**5. Administrative Hearings**

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

Mr. Harris indicated that he is working with the professional's attorney to come up with an acceptable consent agreement. Mr. Harris requested a continuance to continue working toward resolution.

Dr. Gabler moved, seconded by Mr. Lankton, to grant the continuance as requested. The motion passed unanimously.

*B. 2011-0014, Lyn Christophersen, LISAC-0751*

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

Ms. Christophersen was properly noticed, but did not appear.

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 through 11 into evidence.

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

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

Ms. Pettitt moved, seconded by Ms. McElfresh, to adopt the charges from the notice of hearing as conclusions of law. The motion passed unanimously.

Ms. McElfresh moved, seconded by Mr. Lankton, 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. 2013-0057, Cheryl Bolte, LISAC- 10915 and LPC-10982*

Mr. Harris summarized information regarding the matter.

The professional and her attorney, Larry Cohen, appeared in person and addressed the Board.

Following review and discussion, Ms. McElfresh moved, seconded by Dr. Gabler, to accept the signed Interim Consent Agreement as presented. The motion passed unanimously. See attached roll call vote.

*B. 2012-0101, Margaret Borowiec, LMFT-0084*

Ms. Rinaudo summarized information regarding the complaint.

The professional's attorney, Joel Borowiec, addressed the Board.

Following review and discussion, Ms. Pettitt moved, seconded by Ms. McElfresh, to dismiss the complaint with a letter of concern that details the professional's problems with recordkeeping. The motion passed unanimously. See attached roll call vote.

*C. 2011-0055, Ariel Schulz, LCSW-2622*

Ms. Rinaudo summarized information regarding the complaint.

The professional and her attorney, Charlie Hover, addressed the Board.

Following review and discussion, Mr. Lankton moved, seconded by Ms. Coonrod, to accept the signed non-disciplinary 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 Dr. Gabler, to approve one applicant as a Licensed Clinical Social Worker, one applicant as a Reciprocal Licensed Clinical Social Worker, 18 applicants as Licensed Master Social Workers, and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

Mr. Lankton moved, seconded by Dr. Gabler, to deny one application based on failure to meet minimum requirements and 2 applications based on failure to take and/or pass the required exam. The motion passed unanimously.

*Counseling*

Ms. Pettitt moved, seconded by Dr. Gabler, to approve 6 applicants as Licensed Associate Counselors and 3 applicants as Licensed Professional Counselors. The motion passed unanimously.

Ms. Pettitt moved, seconded by Mr. Lankton, to deny 5 applications based on not meeting minimum requirements. The motion passed unanimously.

*Substance Abuse*

Dr. Bowden moved, seconded by Dr. Gabler, to approve one applicant as a Licensed Independent Substance Abuse Counselor, 9 applicants as Licensed Associate Substance Abuse Counselors and one applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Lankton, to deny 6 applications based on failure to meet minimum requirements. The motion passed unanimously.

*Marriage and Family Therapy*

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

Dr. Gabler moved, seconded by Ms. Coonrod, to deny one application based on failure to take and/or pass the required exam. 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 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*

Mr. Harris reminded members it is important to remember the confidentiality of the meeting materials you receive via email.

*D. Process for developing consent agreement findings of fact*

Following discussion, members agreed that they will direct any questions or concerns they have regarding the findings of fact in a consent agreement to Ms. Rinaudo.

**13. Committee reports**

No report

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

*A. Discussion regarding benefits and risks of online communication by professionals*

Mr. Harris provided information regarding an article from the Arizona Republic regarding risks and benefits with doctors and online communications. The same risks and benefits exist for all professions.

**15. Future agenda items**

Election of Chair and Secretary

**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, June 6, 2013, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**18. Adjournment**

Ms. Pettitt moved, seconded by Mr. Lankton, to adjourn. The motion passed unanimously and the meeting was adjourned at 10:51 a.m.

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Gloria Gabler  
Secretary/Treasurer

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Date