



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANET NAPOLITANO
Governor

CEDRIC DAVIS
Board Chair

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for May 30, 2008, at 9:00 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

2nd amended (5/28/08)

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** (AzBBHE Chair)
2. **Roll call** (staff)
3. **Minutes: review, consideration and action**
 - A. *April 4, 2008, amended general meeting minutes*
 - B. *May 2, 2008, 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. *2006-0076, D. Christine Armstrong, LPC-12005*
Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.
 - B. *2008-0069, Jack Bernstein, LCSW-0009*
Review, consideration and action regarding the Board to accept the proposed signed consent agreement.
 - C. *2008-0062, Kelly Finn, LISAC-10886*
Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed signed consent agreement.

D. 2005-0032, Gail Harper, LPC-0428

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

E. 2007-0117, Shari Healy, LPC-11133

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the Interim Consent Agreement and accept the proposed signed non-disciplinary consent agreement.

F. 2005-0097, 2007-0062 and 2008-0056, Virginia Person, LPC-10841

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

G. 2007-0027, Julie Petersen, LPC-11777 and LISAC-10974

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

H. 2005-0077, Kay Stoddard, LISAC-10726, suspended

Review, consideration and action regarding the Board to accept the proposed signed consent agreement.

I. 2006-0123, Carol Young, LPC-1726

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

J. NJ07-0032, David Edgington

Review, consideration and action to dismiss the complaint as non-jurisdictional.

K. NJ07-0039, Kathleen Smerko

Review, consideration and action to dismiss the complaint as non-jurisdictional.

L. NJ07-0040, Sidney Buckman

Review, consideration and action to dismiss the complaint as non-jurisdictional.

5. Administrative Hearings

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. 2005-0062, Barbara McMiller, LPC-11222

Board to conduct 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 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. 2005-0128, Laura Chase, LAC-11289 and LISAC-11414

Board to conduct formal interview or review, consideration and action regarding proposed consent agreement.

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. 2006-0098, Gabrielle Lawrence, LPC-0709

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

B. ND07-0004, C.Elizabeth Rios, LAC applicant

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

8. 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. Appointment of Personnel Subcommittee

B. Review, consideration and action regarding the Board's attendance policy

C. Review, consideration and action regarding background questions on Board licensure and renewal applications

D. Review, consideration and action regarding development of Board disciplinary guidelines

E. Review, consideration and action regarding changes to licensure rules necessary to implement HB2325

9. Report from the Treasurer

A. Monthly financial report

10. 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

11. Future agenda items

12. 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.

13. Establishment of future meeting date(s)

The next meeting is scheduled for August 1, 2008, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

14. Adjournment

May 28, 2008

Debra Rinaudo
Executive Director