



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 MEETING MINUTES
May 30, 2008

Members Present: Cedric Davis, Jose Herrera, Ruth Lee, Kahryn Nix, Diane Brassea, Julian Pickens
Members Absent: Laura de Blank, Robert Evans
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Christopher Munns, Solicitor General's Office, Patricia Reynolds, Sherry Blatner, Mary Wilson

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 30, 2008, at 9:00 a.m. with Dr. Davis presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

Dr. Pickens moved, seconded by Ms. Lee, to approve the amended general meeting minutes from April 4, 2008, as submitted. The motion passed unanimously. Ms. Brassea abstained from the vote.

Ms. Lee moved, seconded by Ms. Brassea, to approve the general meeting minutes from May 2, 2008, as amended. The motion passed unanimously. Dr. Pickens abstained from the vote.

4. Consent Agenda: review, consideration and action

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. 2008-0069, 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 Peterson, 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.

Dr. Davis moved, seconded by Ms. Brassea, to approve the consent agenda as presented. The motion passed unanimously. See attached roll call.

5. **Administrative Hearings**

A. 2005-0062, Barbara McMiller, LPC-11222

The professional and her attorney, Jonathan Dessauls, appeared in person and addressed the Board.

Mr. Harris, A.A.G., addressed the Board regarding the proposed consent agreement.

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

6. **Formal Interviews**

A. 2005-0128, Laura Chase, LAC-11289 and LISAC-11414

Ms. Reynolds summarized the investigation and consent agreement.

The professional and her attorney, Scott Shuman, appeared in person and addressed the Board.

Mr. Harris, A.A.G., answered questions regarding the proposed consent agreement.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Herrera, to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

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

A. 2006-0098, Gabrielle Lawrence, LPC-0709

Tabled

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

Ms. Blatner summarized the Board's investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Herrera, to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

8. **Report from Chair**

A. *Appointment of Personnel Subcommittee*

Ms. Rinaudo reported that the Personnel Subcommittee has to meet in June and July to work on the strategic plan and the budget. Seven Board members are on the Personnel Subcommittee. All seven members indicated they want to stay on the subcommittee and will be available to participate in meetings by telephone.

B. Board's Attendance Policy

Ms. Rinaudo distributed an e-mail that the Board received regarding the negative impact on the professional's life resulting from quorum problems for the Counseling Credentialing Committee and the Board.

Ms. Rinaudo also reported regarding the high level of Board resources needed to reschedule meetings.

C. Background Questions on Applications

Tabled

The Board took a break at 10:50 a.m., reconvening its public meeting at 10:58 a.m.

D. Development of Board Disciplinary Guidelines

Ms. Reynolds reported regarding suggested changes to the disciplinary guidelines. Ms. Reynolds referred to a reference form she created that lists all the past case involving sexual misconduct with a client or former client and the associated discipline.

Members agreed the form is helpful. Ms. Reynolds will develop other reference forms for other types of misconduct.

E. Rules to Implement HB2325

Ms. Rinaudo reported regarding the proposed rules for processing reciprocal license applications. If adopted, the rules will be filed with the Secretary of State's Office under an exempt rulemaking and become effective on June 6, 2008.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Lee, to adopt the proposed rules as presented. The motion passed unanimously.

9. Report from the Treasurer.

A. Monthly financial report

Ms. Rinaudo reported regarding the monthly financial report.

Dr. Pickens moved, seconded by Mr. Herrera, to accept the monthly financial report as presented. The motion passed unanimously.

10. Applications for licensure: review, consideration and action

Social Work

Dr. Davis moved, seconded by Ms. Brassea, to approve 8 applicants as Licensed Clinical Social Workers and 7 applicants as Licensed Master Social Workers. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Brassea, to deny one applicant for social work licensure based on failure to pass the required exam and one applicant based on failure to establish meeting minimum requirements in supervised work experience and/or education. The motion passed unanimously.

Counseling

Dr. Davis moved, seconded by Ms. Brassea, to approve 18 applicants as Licensed Associate Counselors and 7 applicants as Licensed Professional Counselors. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Brassea, to deny 7 applicants based on failure to establish meeting minimum requirements in supervised work experience and/or education. The motion passed unanimously.

Substance Abuse

Dr. Davis moved, seconded by Ms. Nix, to approve two applicants as Licensed Independent Substance Abuse Counselors, four applicants as Licensed Associate Substance Abuse Counselors and two applicants as Licensed Substance Abuse Technicians. The motion passed unanimously.

Marriage & Family Therapy

Dr. Pickens moved, seconded by Ms. Brassea, to deny two applicants based on failure to establish that they meet minimum requirements in supervised work experience and/or education. The motion passed unanimously.

11. Future Agenda Items

None

12. Call for Public Comment

Julie Dougan addressed the Board regarding the harm she will experience as a result of the cancellation of the Board's June meeting.

13. Establishment of future meeting dates

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

Members agreed to a telephone meeting to approve licenses on Wednesday at June 25, 2008, and a regular Board meeting on Wednesday July 2, 2008.

17. Adjournment

Ms. Lee moved, seconded by Ms. Nix, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:30 a.m.

Julian Pickens
Secretary/Treasurer

Date