



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  
Arizona State Website: [www.az.gov](http://www.az.gov)  
Board Website: [www.bbhe.state.az.us](http://www.bbhe.state.az.us)  
Board E-mail Address: [azbbhe@bbhe.state.az.us](mailto:azbbhe@bbhe.state.az.us)

JANICE K. BREWER  
Governor

DEBRA RINAUDO  
Executive Director

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BOARD OF BEHAVIORAL HEALTH EXAMINERS  
**NOTICE & AGENDA FOR REGULAR SESSION MEETING**  
Scheduled for April 3, 2009, at 9:00 AM  
3443 N Central Avenue, Room 908, Phoenix, Arizona

**2nd amended (3/31/09)**

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 9<sup>th</sup> 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. *March 6, 2009, general meeting minutes*

B. *March 6, 2009, executive session 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. *2006-0065, Francine Akins-Arbuckle, LPC-11723*

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

B. *2007-0002, Caroline Allen, LMSW-12510*

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

C. *2008-0036, John Baker, LPC-0973*

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

D. *2002-0042, 2008-0102 and 2009-0070 Celia Boone, LMSW-3400 restricted*

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

*E. 2007-0104, Heidi Clapham, LISAC-10465 and LPC-11948*

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

*F. 2007-0065, Charles Conn, LPC-1456*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

*G. 2007-0044 and 2008-0018, Sylvia Garcia, LISAC-10024*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

*H. 2006-0091, Yola Ghammashi, LPC-1842*

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

*I. 2008-0002, Thomas Hall, LCSW-0017*

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

*J. 2007-0005, David Heward, LISAC-11814*

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

*K. 2008-0012, Amy King, LMFT-0469*

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

*L. 2006-0021, Maria Kinsella, LISAC-1590*

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

*M. 2007-0146 and 2007-0148, Donald Nichols, LISAC-11603*

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

*N. 2009-0033, Larry Pam, LISAC-10311*

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

*O. 2008-0028, Penni Patterson, LCSW-3490*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

*P. 2004-0040, Priscilla Reynolds, LCSW-0314*

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

*Q. 2007-0089, Elaine Roan, LISAC-11593*

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

*R. 2007-0123, Trudy Sloane-Farrell, LCSW-2164*

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

*S. 2008-0013, James B. Stewart, LISAC-0846*

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

*T. 2006-0125, Sandra Tursini, LPC-0362*

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

*U. 2009-0073, Benjamin Tyau, LAC-12294*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed signed 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. 2008-0097, Sherry DesCoteaux, LCSW applicant*  
Board to conduct a formal administrative hearing.

*B. 2008-0007 and 2008-0120, Jane Johnson, LSAT-12022 restricted*  
Board to conduct a formal administrative hearing.

*C. 2004-0016 and 2004-0017, Karl Monical, LMSW-10214 suspended*  
Board to conduct a formal administrative hearing.

*D. 2009-0088, Abel Moniz-Ferriera, LMSW applicant*  
Board to conduct a 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).

None

**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. 2009-0095, Sherry DesCoteaux, LCSW applicant*  
Review, consideration and action regarding complaint No. 2009-0095.

*B. 2009-0052, Jesse Hash, LCSW applicant*  
Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

*C. 2009-0039, Donald Thomas, LPC-10230 and LISAC-11843*  
Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed signed consent agreement.

*D. NJ09-0016, David Edgington*  
Review, consideration and action regarding Dr. Edgington's "Nouthetic" Counseling Practice

**8. 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*

**9. 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. Member reports*

*C. Review, consideration and possible action regarding expediting the investigation process for complaints where a court order requires that a party raise concerns before the court about services provided by a court-appointed behavioral health professional before pursuing other types of complaints*

**10. Report from the Treasurer**

*A. Monthly financial report*

**11. 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*

**12. 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).

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

**14. Future agenda items**

**15. 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.

**16. Establishment of future meeting date(s)**

*The next meeting is scheduled for May 1, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.*

**17. Adjournment**

March 31, 2009

Debra Rinaudo  
Executive Director