



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 August 7, 2009, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

2nd amended (8/4/09)

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 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. July 10, 2009, general meeting minutes
- B. July 10, 2009, executive session minutes
- C. June 5, 2009, amended 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. 2009-0024, Dennis Andrew, LMFT-0083

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

B. 2007-0169, Jeremy Courtney, LISAC-11472

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to release the professional from the consent agreement.

C. 2008-0020, *Stephanie Cox, LPC-10114*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

D. 2007-0125, *Elisabeth Davies, LPC-1584 (expired)*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint and re-open if the professional re-applies for a license.

E. 2005-0032, *Gail Harper, LPC-0428*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to release the professional from the consent agreement.

F. 2007-0117, *Shari Healy, LPC-11133*

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

G. 2009-0013, *Kirsten Hendershot, LISAC-1527 and LPC-10414*

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

H. 2008-0103, *Michael King, LPC-1905*

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

I. 2007-0010, *Robert Luigs, LISAC-10352*

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

J. 2009-0048, *JoAnn Marks, LMFT-10280*

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to release the professional from the consent agreement.

K. 2009-0075 and 2008-0115, *Michael Rice, LISAC-1352*

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

L. 2007-0031, *Joanne Rosenberg, LCSW-1087*

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

M. 2006-0127, *Karen Torry Greene, LCSW-10653*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to release the professional from the non-disciplinary 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. 2009-0088, *Abel Moniz-Ferriera, LMSW applicant*

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

6. Formal Interviews 11:00 AM

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. 2007-0120, *Louise Egan, LISAC-10073*

B. 2007-0097, *Linda Bennardo, LPC-12144*

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. 2008-0122, Jean Caron, LISAC-11693 and LPC-10615

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

B. 2009-0002, Thea Wilshire, LISAC-10709

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

C. 2007-0017 and 2009-0054, Diane Andrick, LISAC-0372

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

D. 2009-0097, Antonietta Estrada, LISAC-10527

Review, consideration and action regarding the proposed consent agreement.

E. 2009-0015 and 2009-0098, Diane Genco, LPC-1330

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

F. 2007-0023, Susan Livingston, LCSW-11160 (suspended)

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to remand the matter to formal hearing.

G. 2008-0082, Eve Mayer, LCSW-0211

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

H. 2008-0114, Mary Molinek, LPC-1541

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

I. 2009-0033, Larry Pam, LISAC-10311 (suspended)

Review, consideration and action regarding summarily suspending the professional's license, remanding the matter to formal hearing, and authorization to seek an injunction to stop the unauthorized practice of behavioral health and referral to appropriate law enforcement agency.

J. 2008-0094, Kimberly Popkey, LPC-2248

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

K. 2004-0035, Martha Thompson, LPC-1062

Review, consideration and action regarding additional allegations to complaint No. 2004-0035 or opening a new complaint.

L. NJ09-0021, Amy Gillespie

Review, consideration and action regarding dismissing the complaint as non-jurisdictional and issuance of a cease and desist order.

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

A. Anne Lipp, LCSW applicant

Review, consideration and action to issue the professional's Licensed Clinical Social Worker license retroactive to July 1, 2009, to correct an administrative error.

B. William Schoder-Ehri, LPC applicant

Review, consideration and action regarding the applicant's temporary license application.

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 action regarding use of A.R.S. §32-3281(E) regarding frivolous 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

B. Discussion regarding the importance of announcing disclosures and recusals for the record and reviewing minutes

C. Review, consideration and action regarding review of Board policies

D. Report regarding FY10-11 budget

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).

A. Appoint members and schedule meeting of the Personnel Subcommittee

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 September 4, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

The Board has scheduled extra meetings on November 13th and December 11th at 1:00 p.m.

17. Adjournment

August 4, 2009

Debra Rinaudo
Executive Director