



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  
**NOTICE & AGENDA FOR REGULAR SESSION MEETING**  
Scheduled for August 2, 2012, at 9:00 AM  
3443 N Central Avenue, Room 908, Phoenix, Arizona

**3<sup>rd</sup> amended (8/1/12)**

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 considering 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 12, 2012, general meeting minutes*

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

The Board may go into executive session to discuss confidential medical records 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. *2012-0099, John de Pianelli, LISAC-11697 (revoked)*

Review, consideration and action regarding dismissing the complaint without prejudice.

**5. Administrative Hearings 9:00 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 confidential medical records 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. *2012-0112, Eric Gaylord, LMSW applicant*

Board to conduct a formal administrative hearing.

B. *2012-0109, Kim Greenberg, LAC applicant*

Board to conduct a formal administrative hearing.

C. 2012-0111, Rhonda Grier, LASAC applicant  
Board to conduct a formal administrative hearing.

D. Lisa Jones, LASAC 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 confidential medical records 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).

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

The Board may go into executive session to discuss confidential medical records 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.*

B. 2012-0150, Da'Mond Gadson, LAC-13467

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

C. 2012-0064, Yolanda Harvey, LCSW-12887

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

D. Millie Hudson-Libby, LPC-1715 (revoked)

Review, consideration and action regarding opening a complaint and possible issuance of a cease and desist order.

E. 2011-0155, Patrick Kelly, LISAC-1448 (revocation under review)

Review, consideration and possible action regarding Mr. Kelly's request that the Board review the lifting of the stay of the revocation of his license in accordance with the consent agreement based on his failure to comply with the terms of the Order.

F. Michael D. White, LCSW-2165

Review, consideration and action regarding opening a complaint and the possible summary suspension of the license based on the imminent danger to the health and safety of the public.

G. 2011-0012, Lee Zohaunnie-Russell, LASAC-13135

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

**8. Assistant Attorney General's Report: Marc Harris, A.A.G.**

A. Update regarding Robert Collette judicial review action

**9. Applications for licensure: review, consideration and action**

The Board may go into executive session to discuss confidential medical records 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. Review, consideration and action regarding applications for licensure

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.

B. Teresa Fresquez, LPC applicant

Review, consideration and action to rescind this Board's July 12, 2012, motion to deny licensure based on failure to meet minimum requirements.

**10. Report from the Chair**

The Board may go into executive session to discuss confidential medical records 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*

**11. Report from the Treasurer**

A. *Monthly financial report*

**12. Report from the Executive Director and/or staff**

The Board may go into executive session to discuss confidential records 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. *Review, consideration and possible action regarding development of a Board policy addressing discipline to be imposed where complaint allegations are not substantiated, but clinical records are deficient.*

C. *Review, consideration and possible action regarding preliminary report draft of the performance audit and sunset review of the Board*

D. *Update regarding Stakeholder meetings*

E. *Review, consideration and action regarding modifications to the list of complaints the Board has determined are not within its jurisdiction*

F. *Discussion regarding proposed rule changes by Division of Behavioral Health Services*

**13. Committee reports**

The Board may go into executive session to discuss confidential medical records 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).

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

**15. Future agenda items**

**16. 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.

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

*The next meeting is scheduled for Thursday, September 6, 2012, at 9:00 a.m., at 3443 North Central Avenue, Room 908.*

**18. Adjournment**

August 1, 2012

Debra Rinaudo  
Executive Director