



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 January 4, 2008, at 9:00 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

1st amended (1/3/08)

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.

Pursuant to A.R.S. §38-431(A)(2), any discussion of the executive session minutes will take place in executive session.

A. December 7, 2007, general meeting minutes

B. December 7, 2007, executive session minutes

4. Consent Agenda: review, consideration and action

A. 2007-0130, Jodi Engel, LPC-10685

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

B. 2005-0123, Perci La-Nae, LCSW-11337

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

C. 2005-0136, Nick Myers, LISAC-10368

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

D. 2008-0046, Florida Marie Powell, LAC applicant

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

E. 2006-0019 and 2007-0025, Norma A Reed, LCSW-10131

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

F. 2005-0074, Sandra Reiff, LISAC-1267

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

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).

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. 2007-0098, Brooks Gibson, LPC-10022

Board to conduct formal interview.

B. 2005-0001, Sondra Wilkening, LPC-1256

Board to conduct formal interview.

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. 2008-0001, John Zegar, LISAC-10658

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to remand to the Board for a summary suspension.

B. 2005-0073, Rex Smyly, LISAC-10486

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

C. 2008-0030, Rene White, LCSW-10131

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to deny the professional's request for release from the Interim Consent Agreement.

D. NJ07-0030, Chris Monoco

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

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. Review, consideration and action to rescind the Board's December 7, 2007, motion to license Deborah Ardolino as a Licensed Associate Counselor.

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 of September 2007 Board discussion regarding disclosure of confidential records pursuant to A.R.S. §32-3206

D. Review, consideration and action regarding investigative materials

E. Review, consideration and action regarding adoption of a resolution regarding proposed fee increase

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. Review, consideration and possible action regarding member attendance

C. Review, consideration and possible action regarding proposed 2008 legislation

D. Review of Sunset Review hearing

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 February 1, 2008, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

January 3, 2008

Debra Rinaudo
Executive Director