



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 November 3, 2011, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

2nd amended (11/1/11)

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. *October 6, 2011, general meeting minutes*

B. *October 18, 2011, 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. *2012-0049, Willis Beasley, LPC-10904 (suspended)*

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

B. *2011-0153, Curtis Bissonette, LMFT-0467*

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

C. *2012-0040, Deborah Clendon, LBSW-10777*

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

D. 2010-0123, Lacey Cox, LCSW-0115

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

E. 2010-0061, John de Pianelli, LISAC-11697

Review, consideration and action regarding acceptance of the proposed signed consent agreement.

F. 2012-0056, Cherilin Diefenbacher-Phariss, LMSW-11277

Review, consideration and action regarding accepting the proposed signed Interim Consent Agreement.

G. 2011-0127 and 2012-0001, Russell Enright, LPC-12385

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

H. 2010-0122, Jill Goldstein, LPC-13386

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

I. 2011-0130, Marie Hanna, LSAT-12019

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

J. 2009-0137, Veronica Jeffus, LASAC-13181

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

K. 2012-0043, Jenise Johnson, LAC applicant

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to open a complaint and dismiss the complaint upon Board acceptance of a non-disciplinary signed consent agreement and to issue a letter of concern.

L. 2009-0117, Valerie Piacitelli, LMSW-11401

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

M. 2010-0121, Marie Schimmelpenninck, LMFT-0326

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

N. 2010-0083, Susan K. Warren, LPC-1182 and LISAC-0717

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

5. Administrative Hearings 10:00 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. 2011-0106, Kirstie McLean, LMSW applicant

Request for review or rehearing.

B. 2009-0007, David Olivarez, LISAC-10277

Board to conduct 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).

- 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. 2011-0149, William Lowe, LISAC-1594 (suspended)
Review, consideration and action regarding dismissing the complaint without prejudice.
- B. 2011-0063, Hal Nevitt, LCSW-3406 and LISAC-0837
Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.
- C. 2011-0107, Jan Owens, LISAC-1288
Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.
- D. 2012-0020, Debra Raybon, LAMFT-10255 and LMFT applicant
Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.
- E. 2012-0030, Yvonne Rios, LISAC-11795
Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.
- 8. Assistant Attorney General's Report: Marc Harris, A.A.G.**
- A. Update regarding status of Jamie Pullin judicial review action
- 9. 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. Rescind the Board's October 6, 2011, motion to approve Kelly McMahon as a Licensed Master Social Worker upon receipt of the license issuance fee.
- B. Rescind the Board's May 31, 2011, motion to deny Carol Melim's license.
- 10. Report from the 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. Review of performance audit of Board by Auditor General's Office
- 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 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 development of a Board policy addressing discipline to be imposed where complaint allegations are not substantiated, but clinical records are deficient.
- 13. Committee reports**
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).

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 meetings are scheduled for Monday, November 21, 2011, at 9:00 a.m., and Thursday, December 1, 2011, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

November 1, 2011

Debra Rinaudo
Executive Director