



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
Website: www.az.gov
Website: www.azbbhe.us
E-mail address: information@azbbhe.us

JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
November 1, 2012

Members Present: Kirk Bowden, Gloria Gabler, Steve Lankton, Deborah Pettitt, Mary Coonrod
Members Absent: Jayne McElfresh, Bruce Murchison
Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Michelle Clinkenbeard, Board Investigator, Mary Wilson, Elma Brambila

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on November 1, 2012, at 9:03 a.m. with Dr. Bowden presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

Mr. Lankton moved, seconded by Dr. Gabler, to approve the general meeting minutes from the October 4, 2012, meeting as submitted. The motion passed unanimously. Ms. Pettitt and Ms. Coonrod abstained from the vote.

Mr. Lankton moved, seconded by Dr. Gabler, to approve the general meeting minutes from the October 19, 2012, meeting as submitted. The motion passed unanimously.

Mr. Lankton moved, seconded by Dr. Gabler, to approve the executive session minutes from the October 19, 2012, meeting as submitted. The motion passed unanimously.

4. Consent Agenda: review, consideration and action

A. 2011-0043, *Jane Angell, LCSW-10675*

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

B. 2011-0053, *Maureen Christensen, LMFT-10272*

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

C. 2011-0048, *Deborah Lane, LPC-10368*

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

D. 2012-0147, *John Lynch, LMSW-13555*

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

Following review and discussion by members, Mr. Lankton moved, seconded by Dr. Gabler, to accept the consent agenda as presented. The motion passed unanimously. See attached roll call vote.

The Board took a break at 10:30 a.m., reconvening its public meeting at 10:45 a.m.

5. Administrative Hearings

A. 2011-0135, Jennifer Bjerke, LPC-13051

Christopher Munns, Solicitor General's Office, appeared to provide independent legal advice to the Board.

Mr. Harris, A.A.G., appeared on behalf of the State.

Ms. Bjerke and her attorney, Teresa Sanzio, appeared and addressed the Board,

Following review and discussion by members, Ms. Pettitt moved, seconded by Ms. Coonrod, to accept the signed consent agreement. The motion passed unanimously. See attached roll call vote.

B. Samuel Wolde, LASAC applicant

Christopher Munns, Solicitor General's Office, appeared to provide independent legal advice to the Board.

Mr. Harris, A.A.G., appeared on behalf of the State.

Mr. Wolde appeared in person and made an opening statement.

Mr. Wolde was sworn and testified.

Ms. Clinkenbeard was sworn and testified on behalf of the state.

Dr. Bowden accepted State's Exhibits 1 – 7 into evidence.

Mr. Wolde and Mr. Harris made closing arguments.

Following review and discussion by members, Ms. Pettitt moved, seconded by Dr. Gabler, to continue the hearing to the December meeting. The motion carried with Dr. Bowden opposed. Mr. Lankton abstained from the vote.

6. Formal Interviews

None

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

A. 2013-0021, Kathleen Davis, LAC-12522

Ms. Rinaudo summarized information regarding the investigation.

The professional was properly noticed, but did not appear.

Following review and discussion, Mr. Lankton moved, seconded by Ms. Coonrod, to reoffer the consent agreement and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

B. 2010-0132 and 2011-0020, Tara Nolan, LCSW-10372

Ms. Rinaudo summarized information regarding the complaint.

The complainant from the 2011 complaint appeared and addressed the Board.

The professional and her attorney, Faren Akins, appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Lankton, to reoffer the consent agreement and, if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously. See attached roll call vote.

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

A. Jamie Pullin, judicial review action

Mr. Harris provided an update regarding the professional's judicial review action and the superior court's affirmation of the revocation of the license.

B. Robert Collette, revocation order affirmed

Mr. Harris provided an update regarding the Court's affirmation of the Board's revocation of the professional's license.

9. Applications for licensure: review, consideration and action

Social Work

Mr. Lankton moved, seconded by Dr. Gabler, to approve 3 applicants as Licensed Clinical Social Workers, 20 applicants as Licensed Master Social Workers, and 2 applicants as Reciprocal Licensed Clinical Social Workers. The motion passed unanimously.

Mr. Lankton moved, seconded by Ms. Coonrod, to deny 4 applications based on failure to take and/or pass the required exam and one application based on failure to meet minimum requirements. The motion passed unanimously.

Counseling

Ms. Pettitt moved, seconded by Dr. Gabler, to approve 6 applicants as Licensed Associate Counselors, 11 applicants as Licensed Professional Counselors and one applicant as a Reciprocal Licensed Professional Counselor. The motion passed unanimously.

Ms. Pettitt moved, seconded by Dr. Gabler, to deny 5 applications based on failure to meet minimum requirements. The motion passed unanimously.

Substance Abuse

Dr. Bowden moved, seconded by Dr. Gabler, to deny one application based on failure to meet minimum requirements and 2 applications based on failure to take and/or pass the required exam. The motion passed unanimously.

Marriage and Family Therapy

Dr. Gabler moved, seconded by Ms. Coonrod, to approve 4 applicants as Licensed Associate Marriage and Family Therapists and 2 applicants as Reciprocal Licensed Marriage and Family Therapists. The motion passed unanimously.

Dr. Gabler moved, seconded by Mr. Lankton, to deny one application based on failure to meet minimum requirements. The motion passed unanimously.

10. Report from Chair

A. Chair report

No report

11. Report from the Treasurer

A. Monthly Financial Report

Members reviewed the monthly financial reports.

Following review, Dr. Gabler moved, seconded by Ms. Pettitt, to accept the monthly financial report as presented. The motion passed unanimously.

12. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Policy regarding deficient clinical records

Tabled

C. Update regarding Stakeholder meetings

Ms. Rinaudo reported regarding the stakeholder meetings.

D. Review of Sunset Audit Process

Ms. Rinaudo informed members that the Sunset Hearing is scheduled for November 13, 2012, at 8:00 a.m.

E. Review of SWS 2012 evaluation

Ms. Rinaudo provided the evaluation of her presentation at the SWS Annual Conference.

F. Proposed changes to the Board's authorizing statute

Rory Hayes, lobbyist for the Council of Human Service Providers, addressed the Board regarding the Council's proposed changes to the Board's statute.

Patricia Bonnay, Richard Poppy, Del Worley, and Keith Cross also addressed the Board.

Dr. Bowden advised participants that the Board would not take a position on the requested changes. Members and stakeholders engaged in a discussion regarding the proposed changes. Members noted a number of potential problems with the proposed changes, including a lack of Board resources to fund implementation.

13. Committee reports

No report

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

None

15. Future agenda items

None

16. Call for public comment

No one was present to respond to the call for public comment.

17. Establishment of future meeting dates

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

18. Adjournment

Mr. Lankton moved, seconded by Ms. Pettitt, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:25 p.m.

Gloria Gabler
Secretary/Treasurer

Date