



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 MEETING MINUTES  
October 7, 2010

1<sup>st</sup> Amended (11/08/10)

Members Present: Gloria Gabler, Kirk Bowden, Douglas Mitchell, Sunita Krishna, Kahryn Nix  
Member Absent: Laura de Blank  
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Christopher Munns, Solicitor General's Office,  
Mary Wilson, Elma Brambila

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 7, 2010, at 9:15 a.m. with Dr. Gabler presiding.

**2. Roll Call**

See above.

**3. Minutes: review, consideration and action**

Dr. Bowden moved, seconded by Ms. Krishna, to approve the general meeting minutes from the September 2, 2010, meeting as submitted. The motion passed unanimously.

Dr. Bowden moved, seconded by Dr. Gabler, to approve the general meeting minutes from the September 28, 2010, meeting as submitted. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Mitchell, to approve the amended general meeting minutes from the July 9, 2010, meeting as submitted. The motion passed unanimously.

Mr. Mitchell moved, seconded by Dr. Bowden, to approve the amended general meeting minutes from the August 6, 2010, meeting as submitted. The motion passed unanimously.

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

A. 2010-0087, Gayle Billingsley, LASAC-13093

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

B. 2007-0024 and 2010-0011, James Bissel, LAC-12585 and LASAC-13078

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

C. 2009-0047, Charles Combs, LPC-1004

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

D. 2009-0114, Jon Grossman, LCSW-0754 and LMFT-0182

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

E. 2010-0103, Michael Kennedy, LCSW-10321

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

Ms. Nix inquired whether it was appropriate to remand the matter back to the credentialing committee for consideration of dismissing the complaint and removing it from the professional's complaint history pursuant to A.R.S. §32-3281(D)(1) and (E).

Members discussed the categories of dismissals that the Board has determined are appropriate for consideration under A.R.S. §32-3281(D)(1) and (E).

Following discussion by members, Ms. Nix moved, seconded by Dr. Bowden, to dismiss the complaint. The motion passed unanimously.

*F. 2011-0022, Victor Leeks, LAC applicant*

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

*G. 2010-0118, Karen Mavrikos, LAC applicant*

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

Following review and discussion by members, Mr. Mitchell moved, seconded by Dr. Bowden, to accept the consent agenda items A – D and F - G as presented. The motion passed unanimously. See attached roll call vote.

**5. Administrative Hearings 11:00 AM**

*A. 2010-0127, David Tennyson, LSAT applicant*

The professional was properly noticed, but did not appear. Ms. Rinaudo distributed a letter from the professional that was delivered to the Board just prior to the formal hearing.

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

Christopher Munns, Solicitor General's Office, was present to provide legal advice to the Board.

Following discussion by members, Ms. Krishna moved, seconded by Dr. Bowden, to deny the applicant's request for a continuance.

Mr. Harris made an opening statement on behalf of the State. He then called Kami Thur, Board Investigator, to testify.

Ms. Thur was sworn in and testified.

Mr. Harris offered State's Exhibits 1-20 into evidence. Dr. Gabler accepted State's Exhibits 1-20 into evidence.

Mr. Harris made a closing argument.

Following review and discussion by members, Dr. Gabler moved, seconded by Mr. Mitchell, to affirm the denial of the application. The motion passed unanimously.

Following further discussion, Dr. Gabler moved, seconded by Mr. Mitchell, to clarify that the Board's motion to deny is based on the findings and conclusions as set forth in the Social Work Credentialing Committee's recommendation to the Board to deny the application. The motion passed unanimously.

*B. Carol Signore, LMFT applicant*

Following review and discussion by members, Ms. Nix moved, seconded by Ms. Krishna, to grant the applicant's request for a continuance of the formal hearing scheduled for 11/04/10. The motion passed unanimously.

*C. Michael Joseph, LCSW-10422*

The professional was properly noticed, but did not appear.

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

Christopher Munns, Solicitor General's Office, was present to provide legal advice to the Board.

Mr. Harris made an opening statement on behalf of the State. He called Debra Rinaudo, Executive Director for the Board, to testify.

Ms. Rinaudo was sworn and testified.

Mr. Harris offered State's Exhibits 1-5 into evidence. Dr. Gabler accepted State's Exhibits 1-5 into evidence.

Following review and discussion by members, Mr. Mitchell moved, seconded by Dr. Bowden, to deny the request for an extension to inactive status based on Mr. Joseph's failure to establish good cause. The motion passed unanimously.

**6. Formal Interviews**

None

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

*A. 2009-0108, Francine Akins-Arbuckle, LPC-11723*

Ms. Rinaudo summarized the results of the Board's investigation.

The professional appeared in person and addressed the Board.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Krishna, to re-offer 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.

*B. 2010-0074, Kyle A. Arena, LISAC-0468*

Ms. Rinaudo summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Mitchell, to remand the matter for formal hearing. The motion passed unanimously. See attached roll call vote.

Following further discussion, Dr. Bowden moved, seconded by Dr. Gabler, to accept the proposed consent agreement if signed by the professional. The motion passed unanimously. See attached roll call vote.

*C. 2010-0131, Lorena Hirsch, LPC-10589*

Ms. Rinaudo summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Nix moved, seconded by Dr. Gabler, to dismiss the complaint. The motion passed unanimously.

*D. NJ10-0007, Pamela Shaw-Keuter*

Ms. Rinaudo summarized the results of the Board's investigation.

The complainant addressed the Board telephonically.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Krishna moved, seconded by Ms. Nix, to direct staff to send a letter to the school employing Ms. Shaw-Keuter clarifying the type of services the professional is allowed to provide without holding a Board license and to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*E. NJ10-0015, Joan Parkinson*

Ms. Rinaudo summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

Members discussed representations the professional included in her resume, including a representation that she is a physician's assistant. The professional's resume did not identify any education qualifying her to practice as a physician's assistant.

Following review and discussion by members, Dr. Gabler moved, seconded by Dr. Gabler, to refer to refer this matter to the Board of Physicians Assistant, to direct staff to send the professional a letter indicating that she needs to be cautious in her representations regarding her skills and experience where she is no longer licensed to provide psychotherapy, and to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

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

*A. Rayne Norton, No. 1 CA-CV 10-0049*

Mr. Harris reviewed information regarding the Plaintiff's Motion for Reconsideration and Motion to Include Exhibits Not Automatically Transmitted.

Mr. Harris, A.A.G., reported regarding the recent denial of the professional's motion.

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

*Social Work*

Mr. Mitchell moved, seconded by Dr. Bowden, to approve 6 applicants as Licensed Clinical Social Workers, 24 applicants as Licensed Master Social Workers, 3 applicants as Licensed Bachelor Social Workers and 1 applicant as a Reciprocal Licensed Clinical Social Worker. The motion passed unanimously.

Mr. Mitchell moved, seconded by Ms. Krishna, to deny 5 applicants based on failure to pass the required exam. The motion passed unanimously.

*Counseling*

Dr. Gabler moved, seconded by Ms. Nix, to approve 17 applicants as Licensed Associate Counselors and 11 applicants as Licensed Professional Counselors. The motion passed unanimously.

Dr. Gabler moved, seconded by Ms. Nix, to deny 6 applications based failure to meet minimum requirements. The motion passed unanimously.

*Marriage and Family Therapy*

Dr. Gabler moved, seconded by Ms. Nix, to approve 1 applicant as a Licensed Associate Marriage and Family Therapist. The motion passed unanimously.

Dr. Gabler moved, seconded by Ms. Nix, to deny 1 applicant based on failure to meet minimum requirements. The motion passed unanimously.

*Substance Abuse*

Dr. Bowden moved, seconded by Ms. Nix, to approve 5 applicants as Licensed Associate Substance Abuse Counselors. 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 report.

Following review, Mr. Mitchell moved, seconded by Dr. Bowden, to accept the financial report as presented. The motion passed unanimously.

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

*A. General Agency Operations*

No report.

*B. Discussion regarding personal staff security issues*

Ms. Rinaudo reported regarding the security officer's request for direction when individuals attending the Board's public meetings engage in inappropriate conduct.

Following discussion, members agreed that any member of the Board or a committee should advise an individual engaging in inappropriate conduct that he/she will have to leave the meeting if the inappropriate conduct continues.

*C. Discussion regarding process for reviewing applicants/licensees with substance abuse issues*

Tabled

*The Board took a break at 10:48 a.m., reconvening its public meeting at 11:00 a.m.*

**13. Committee Reports**

None

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

None

**15. Future agenda items**

None

**16. Call for public comment**

None

**17. Establishment of future meeting dates**

The next regular meeting is scheduled for Thursday, November 4, 2010, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**18. Adjournment**

Ms. Nix moved, seconded by Dr. Bowden, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:15 p.m.

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Gloria Gabler  
Secretary/Treasurer

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Date