



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 September 1, 2011, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

4th amended (8/29/11)

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. *August 1, 2011, general meeting minutes*

B. *August 1, 2011, executive session 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. *Janet Carpentier, LISAC-10475*

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

B. *2012-0013, Dino Haley, LMSW applicant*

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

C. *2010-0108, Walter Long, LAC-13331*

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

D. 2010-0089, Lauren Megrew, LMSW-12919

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

E. 2010-0066, Jerry Slaton, LAC-12153

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint

F. 2011-0031, Diana Vigil, LPC-0805

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

G. 2010-0088, Stephen Weiss, LCSW-12136

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

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. 2011-0087, Stephen McIntyre, LSAT applicant

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. 2010-0096, Tracy Epstein, LPC-10646

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

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

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

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

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

D. 2009-0012, Marvin Hillyard, LISAC-1408

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

E. 2012-0014, Carlos Inostroza, LMSW-11028

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

F. 2010-0093, Katherine Linden, LMSW-11810

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

G. 2010-0095, Gloria Schmidt, LPC-0262

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

H. 2010-0084, Linda Thompson, LMFT-0481

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

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

A. Discussion regarding attempts by licensees/applicants to communicate with members outside of meetings.

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

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

11. Report from the Treasurer

A. Monthly financial report

B. Approval of 13th month 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. BBHE's FY 2013 budget request

C. 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.

D. Review, consideration and action regarding lack of resources to address growing complaints backlog

E. Review, consideration and action regarding approval of policy to open complaints for consent agreement non-compliance issues

F. Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to revise the Board's 2007 decision to accept the procedures recommended by the Substance Abuse Credentialing Committee for processing substance abuse/dependency issues

G. Review, consideration and action regarding development of a Substantive Policy Statement regarding interpretation of A.A.C. R4-6-212(J) that addresses identified compliance difficulties in the regulated community

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 meeting is scheduled for Monday, October 6, 2011, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

August 29, 2011

Debra Rinaudo
Executive Director