



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

COUNSELING CREDENTIALING COMMITTEE MEETING MINUTES
Friday, April 26, 2013

Members Present: Yvonne Fortier, Deborah Pettitt, Don DeValle
Members Absent: Jerri Shields
Staff Present: Michelle Clinkenbeard, Deputy Director, Marc Harris, A.A.G., Doreen Romney, Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on April 26, 2013, at 9:02 a.m., with Ms. Fortier presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Pettitt moved, seconded by Mr. DeValle, to approve the March 22, 2013, general meeting minutes as submitted. The motion passed unanimously.

Ms. Pettitt moved, seconded by Mr. DeValle, to approve the March 28, 2013, teleconference minutes as submitted. The motion passed unanimously.

Mr. DeValle moved, seconded by Ms. Pettitt, to approve the March 22, 2013, executive session minutes as submitted. The motion passed unanimously.

4. **Review, consideration and action of complaints and other disciplinary matters**

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. Except as provided by A.R.S. §§32-3281(D)(1) and 32-3281(E), action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

A. 2011-0013, Jeffrey Aronson, LPC-1655

Tabled

B. Edward Ottesen, LAC applicant

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

The applicant and a co-worker appeared in person and addressed the committee.

Following review and discussion by members, Ms. Pettitt moved, seconded by Ms. Fortier, to open a complaint and recommend to the Board to dismiss the complaint with a letter of concern addressing the importance that, as a licensee, it is incumbent on you to follow all rules, statutes, policies and procedures. The motion passed unanimously.

C. 2011-0133, Jodi Wilton, LPC-12135 and LISAC-1101

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

The complainant addressed the committee telephonically.

The professional and her attorney, Dennis Fitzgibbons, appeared in person and addressed the committee.

Following review and discussion by members, Mr. DeValle moved, seconded by Ms. Fortier, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to:
 - A.A.C. R4-6-1102(1), a licensee shall work jointly with a client, or a client's representative, to prepare an integrative, individualized written treatment plan
 - A.A.C. R4-6-1102(5), a licensee shall ensure that a client's treatment is in accordance with the treatment plan
- A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to the following:
 - A.A.C. R9-20-209.J.6.c., a licensee shall ensure that a treatment plan is developed for each client and that the treatment plan includes one or more treatment methods
 - A.A.C. R9-20-209.J.7.d., a licensee shall ensure that a treatment plan is reviewed and updated on an ongoing basis when a client has a significant change in condition or experiences an event that affects treatment
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the 2005 ACA Code of Ethics:
 - Section A.1.c., Counseling Plans
 - Section C.2.e., Consultation on Ethical Obligations
 - Section A.5.e., Role Changes in the Professional Relationship
 - Section A.7, Multiple Clients
 - Section B.4.b, Couples and Family Counseling
- A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. §13-3620, mandatory reporting
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to:
 - A.A.C. R4-6-1102(1)(c), a licensee shall ensure that the treatment plan includes the date for review
 - A.A.C. R4-6-1102(2), a licensee shall, at a minimum, review and reassess the treatment plan according to the review date
 - A.A.C. R4-6-1103(B)(9), a licensee shall ensure that a client record contains documentation of contacts
 - A.A.C. R4-6-1103(H)(b), a licensee shall ensure that a progress note includes duration of time spent providing the behavioral health service
 - A.A.C. R4-6-1103(H)(d), a licensee shall ensure that a progress note includes the signature and date signed by the licensee
 - A.A.C. R4-6-1104(3), a licensee shall truthfully represent financial and billing facts to a client
 - A.A.C. R4-6-1104(4), a licensee shall maintain separate written or electronic billing records that correspond with the client record
- A.R.S. §32-3251(12)(bb), Harassing, exploiting or retaliating against a former client or complainant in a disciplinary investigation or proceeding involving a licensee

The motion passed unanimously.

Following further discussion, Mr. DeValle moved, seconded by Ms. Pettitt, to recommend to the Board to accept a consent agreement that stipulates the following:

- The professional's license shall be revoked
- The revocation shall be stayed as long as the professional is compliant with all terms of the consent agreement
- The professional's license shall be on probation for 24 months

- Practice restriction to employment at an agency licensed by Office of Behavioral Health Licensing
- The professional shall receive clinical supervision 1 hour per 40 hours worked from a pre-approved LPC with experience providing clinical supervision
- Clinical supervision shall include review of progress notes, treatment plans and billing records including following the agency's policy on documenting non-billable treatment hours
- Focus of clinical supervision shall be ethics including dual relationships, counseling minors and documentation
- The professional shall complete 6-clock hours of pre-approved continuing education in high conflict cases within 12 months
- The professional shall complete 3-clock hours of pre-approved continuing education in mandatory reporting within 12 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in behavioral health ethics
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in diagnostics, assessment and treatment planning

The motion passed unanimously.

The committee took a break at 10:30 a.m., reconvening its public meeting at 10:40 a.m.

5. Report from the Chair

No report

6. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Discussion regarding application review process

No report.

C. Election of Committee Chair and Secretary

Mr. DeValle moved, seconded by Ms. Pettitt, to nominate Ms. Fortier to serve as Chair of the committee. The motion passed unanimously.

Ms. Pettitt moved, seconded by Ms. Fortier, to nominate Mr. DeValle to serve as Secretary of the committee. The motion passed unanimously.

D. Discussion regarding SB1374

Ms. Clinkenbeard provided an update regarding SB1374.

E. Update regarding paperless system for meeting materials

No report.

F. Review of ACA Code of Ethics proposed revisions

Ms. Clinkenbeard provided information regarding the proposed revisions to the ACA Code of Ethics. Members will bring their comments, suggestions or concerns to the next meeting to be provided to ACA.

G. Appointment of delegate to NBCC Conference

Members will check their schedules and a delegate will be appointed at the next meeting.

H. Consideration of accepting a university's attestation that an undated syllabus was in place when an applicant took a course

Ms. Clinkenbeard provided information regarding a policy adopted by the Substance Abuse Credentialing Committee regarding syllabi that are used by educational institutions that offer classes online. Members agreed to accept undated syllabi from an online educational program if they are accompanied by a letter from the university registrar's office attesting that the syllabus was used for the course under consideration by the committee.

7. Board, committees and subcommittee reports

A. The Board's discussion regarding interpretation of the rules and stature

Mr. Harris, A.A.G., provided information regarding the Board's discussion regarding interpretation of the rules.

Mr. Harris explained that the Board is considering promulgating rule changes that would modify the Board's ability to interpret its rules. Until that time, the Board has decided to ask its committees to forward applicant cases for its review when committees have determined that an applicant has established, through corroborating documentation, that they have met requirements.

This will give an applicant an opportunity to address the Board outside a formal hearing.

8. National and regional trends and news regarding the profession(s)

None

9. Supervisor exemption requests: review, consideration and action

None

10. Consent agenda: review, consideration and action of requests for inactive status and extension requests

Ms. Pettitt moved, seconded by Mr. DeValle, to approve the consent agenda as reviewed by Ms. Fortier, granting 60-day extensions to Catherine Wilson, Nha Tran, Gary Tupper, Shannon Sims and Crystal Harris and inactive status to Diane Dichtenberg and Megan Lorimer. The motion passed unanimously.

11. Inactive status extension, exam extension/accommodation requests: review, consideration and action

None

The committee took a break for lunch at 12:00 p.m., reconvening its public meeting at 1:02 p.m.

13. Applications for reassessment: review, consideration and action

A. Jennifer Marrero

Members reviewed information submitted in support of the request for reassessment.

Following review and discussion, Ms. Fortier moved, seconded by Mr. DeValle, to deny the request for reassessment based on continuing deficiencies in work experience and clinical supervision. The motion passed unanimously.

B. Amy Bartlett

Members reviewed information submitted in support of the request for reassessment.

Following review and discussion, members agreed the applicant meets minimum requirements.

14. Applications for licensure: review, consideration and action

Independent Contractor

A. Terry Thorstad (Journey Counseling Center)

Tabled

School Counselor

Kimberly Campbell (Spring Ridge Academy)

Members reviewed information submitted in support of the work experience acquired as a school counselor.

Following review and discussion, members requested additional information.

Appeals

A. Inge Detweiler

Tabled

B. Byron Watson

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Mr. DeValle, to accept PSY640 for Basic Tests and Appraisal and to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

C. Angela Berry

Members reviewed information submitted in support of the appeal.

The applicant addressed the committee telephonically.

Following review and discussion, members agreed the applicant meets minimum requirements.

D. Michelle Harper

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Pettitt moved, seconded by Ms. Fortier, to deny the appeal based on continuing deficiencies. The motion passed unanimously.

E. Brielle Piper

Members reviewed information submitted in support of the appeal.

The applicant and her attorney, Edwin Hsu, appeared in person and addressed the committee.

Following review and discussion by members, Mr. DeValle moved, seconded by Ms. Pettitt, to accept the clinical supervisor's training and to deny the appeal based on continuing deficiencies in work experience and clinical supervision. The motion passed unanimously.

F. Sharon Marshall-French

Members reviewed information submitted in support of the appeal.

The applicant, her attorney Steven Keist, and her clinical supervisor Emillie Karlin, appeared in person and addressed the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Mr. DeValle, to deny the appeal based on continuing deficiencies in work experience and clinical supervision. The motion passed unanimously.

G. Bambi Denton

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, Ms. Pettitt moved, seconded by Ms. Fortier, to accept CNSL563 and CNSL573. The motion passed unanimously.

H. Deborah Lowther

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, Ms. Fortier moved, seconded by Ms. Pettitt, to deny the appeal based on the previous reasons. The motion passed unanimously.

The committee reviewed files from 2:48 p.m., reconvening its public meeting at 6:30 p.m.

Ms. Fortier moved, seconded by Ms. Pettitt, to recommend to the Board to license Edward Ottesen as a Licensed Associate Counselor upon receipt of the license issuance fee and the Board's dismissal of the complaint with a letter of concern. The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. DeValle, to recommend to the Board to license Robert Viola as a Reciprocal Licensed Professional Counselor upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. DeValle, to recommend to the Board to license Kara Miller as a Licensed Associate Counselor upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. DeValle, to recommend to the Board to approve the following 10 applicants as Licensed Professional Counselors upon receipt of the required license issuance fee:

Allison Vadasz	Delfina Cenicerros	Barbara Koopman	Kristina Crabtree
Jill Coxen	Kathleen Sparks	Coreen Talbot	Bryan Gest
Phyllis Siebern	Joshua Adams		

The motion passed unanimously.

Ms. Fortier moved, seconded by Ms. Pettitt, to recommend to the Board to approve the following 8 applicants as Licensed Associate Counselors upon receipt of a passing score on the required exam and the required license issuance fee:

Michael Zimmerman	Daniel Krepps	Rosa Ruales	Anna Villarreal
Angela Berry	Amy Bartlett	Shellie Nikitenko	Danielle Patton

The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. DeValle, to recommend to the Board to approve the following 25 applicants as Licensed Associate Counselors upon receipt of the required license issuance fee:

Angela Curtis	Kristopher Schlepp	Stephen Magill	Aaron Rasband
Salvador Aquino	Mily Gomez	Yasaman Parsi	Jane Robinson
Annia Salas	Debbie Yeh	Sara Dominguez	Jayci Robb
Walter Schick	Hannah Nunez	Christine Pellegrino	Jose Amparo
Ray Young	Catherine Wilson	Kristan Farley	Jacqueline Zengler
Shannon Alexander	Karoline Crawshaw	Kelyn Younger	Thomas Ruderstaller
Callie Valko			

The motion passed unanimously.

Ms. Fortier moved, seconded by Ms. Pettitt, to recommend to the Board to deny the following 8 applicants based on their failure to establish that they meet minimum requirements in education and/or supervised work experience:

Barbara Cochran	Kathleen McFarland	Branden Mott	Edward O'Connor
Jennifer Salas	Susan Sajadi	Angel Viano	Brooke Swisher

The motion passed unanimously.

16. Future agenda items

1. Revisions to ACA Code of Ethics
2. Appointment of delegate to NBCC Conference

17. Call for public comment

A student thanked the committee commenting on how much she learned from today's meeting.

An applicant commented regarding the time and attention the committee gave to the matters on the agenda.

18. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, May 17, 2013, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

19. Adjournment

Mr. DeValle moved, seconded by Ms. Fortier, to adjourn. The motion passed unanimously and the meeting was adjourned at 6:32 p.m.

Don DeValle
Secretary/Treasurer

Date