



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, July 27, 2012

Members Present: Yvonne Fortier (out at 2:40 p.m.), Patrick Goodman, Deborah Pettitt, Don DeValle

Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Michelle Clinkenbeard,
Investigator, Doreen Romney, Mary Wilson

1. **Call to Order**

The meeting was called to order on July 27, 2012, at 9:02 a.m., with Mr. Goodman presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Pettit moved, seconded by Ms. Fortier, to approve the general meeting minutes from the June 22, 2012, meeting as submitted. The motion passed unanimously.

Ms. Fortier moved, seconded by Ms. Pettit, to approve the 10:06 a.m., executive session minutes from the June 22, 2012, meeting as submitted. The motion passed unanimously.

Ms. Fortier moved, seconded by Ms. Pettit, to approve the 1:43 p.m., executive session minutes from the June 22, 2012, meeting 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. 2011-0098, Clyde Feldman, LPC-0421 and LMFT-10055

Ms. Rinaudo summarized information regarding the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional appeared telephonically and addressed the committee.

Following review and discussion, Ms. Pettitt moved, seconded by Mr. Goodman, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

B. 2011-0025, Chelsie Reed, LPC-12936

Mr. Goodman recused himself from all matters involving the professional.

Ms. Rinaudo summarized information regarding the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional and her attorney, Larry Cohen, appeared in person and addressed the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Mr. DeValle, 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, treatment plan
 - A.A.C. R4-6-1103, client record

The motion passed unanimously. Mr. Goodman was recused from the vote.

Following further discussion, members agreed to table further consideration of this matter pending additional investigation.

C. David Robinson, LPC-2450

Tabled

D. 2011-0109, Heath Kilgore, LPC-10582

Mr. Goodman recused himself from all matters involving the professional.

Ms. Rinaudo summarized information regarding the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Ms. Pettitt, to recommend to the Board to dismiss the complaint. The motion passed unanimously. Mr. Goodman was recused from the vote.

E. 2011-0108, Debra Shewey, LAC-13010 and LPC applicant

Mr. Goodman recused himself from all matters involving the professional.

Ms. Rinaudo summarized information regarding the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional 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)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - ACA Code of Ethics Section C.2.e, counselors take reasonable steps to consult regarding ethical obligations or professional practice
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards, as developed by the Board, as it relates to the following:
 - A.A.C. R4-6-1103(A)(5), a licensee shall ensure that a client record is maintained and is current and accurate
 - A.A.C. R4-6-1103(B)(6), a licensee shall ensure that a client record contains documentation of requests for client records and the resolution of requests

- A.A.C. R4-6-1103(B)(9), a licensee shall ensure that a client record contains documentation of contact with the client that relates to health, safety, welfare or treatment

The motion passed unanimously. Mr. Goodman was recused from the vote.

Members tabled further action on this complaint pending the review of a new complaint against the professional opened by the committee.

F. Heath Kilgore, LPC-10582

Mr. Goodman recused himself from all matters involving the professional.

Ms. Rinaudo summarized information regarding the Board's investigation.

The professional appeared in person and addressed the committee.

Following review and discussion, Mr. DeValle moved, seconded by Ms. Pettitt, to open a complaint for further investigation regarding information obtained during the Board investigation of Complaint No. 2011-0108. The motion passed unanimously. Mr. Goodman was recused from the vote.

G. Debra Shewey, LAC-13010 and LPC applicant

Mr. Goodman recused himself from all matters involving the professional.

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

The professional appeared in person and addressed the committee

Following review and discussion, Mr. DeValle moved, seconded by Ms. Pettitt, to open a complaint for further investigation regarding information obtained during the Board investigation of Complaint No. 2011-0108. The motion passed unanimously. Mr. Goodman was recused from the vote.

The committee took a break 11:36 a.m., reconvening its public meeting at 11:45 a.m.

5. Report from the Chair

No report

6. Report from the Executive Director and/or staff

A. General Agency Operations

Mr. Pettitt reported regarding the Board's discussion of the good cause exemptions to clinical supervision documentation as recommended by the committee. Ms. Rinaudo reported regarding continuing Board efforts to clarify supervised work experience and clinical supervision documentation requirements.

B. Discussion regarding application review process

No report.

C. Update/report regarding Sunset Review audit

No report

D. Update regarding Board development and distribution of informational letters regarding the Board's standards for clinical supervision documentation

Tabled

E. Revised process for limiting complaint presentations by the complainant and licensee

Tabled

7. Board, committees and subcommittee reports

None

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

None

9. Supervisor exemption requests: review, consideration and action

A. Raman Eremia (Steve Ploum, LPC-IL)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to accept 9 hours of continuing education in clinical supervision training and to deny the request for a supervisor exemption based on the supervisor's failure to establish completion of the required 12 hours of clinical supervision training. The motion carried with Ms. Pettit opposed.

Mr. Goodman moved, seconded by Mr. DeValle, to rescind the previous motion. The motion passed unanimously.

Mr. Goodman moved, seconded by Mr. DeValle, to accept supervision hours provided from June 1, 2005, through June 1, 2006, to accept 9 hours of continuing education in clinical supervision training and to deny the request for a supervisor exemption after June 1, 2006, based on the supervisor's failure to establish completion of the required 12 hours of clinical supervision training. The motion passed unanimously.

B. Raman Eremia (Harold Bendicsen, LCSW-IL)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to approve the request for a supervisor exemption. The motion passed unanimously.

C. Melissa Cacialli (Staci Garner)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Ms. Pettitt, to deny the request based on the supervisor's failure to establish completion of the required clinical supervision training hours. The motion passed unanimously.

D. Tricia Nealon (Linda Sue Marshall, LCSW-CA)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Ms. Pettitt, to approve the request for a supervisor exemption. The motion passed unanimously.

F. Tricia Nealon (Margaret Murchan, LCSW-CA)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to deny the request based on the applicant's failure to provide the required verification of the supervisor's license. The motion passed unanimously.

F. Tricia Nealon (Jacqueline Kobal, LMFT-CA)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Ms. Pettitt, to approve the request for a supervisor exemption. The motion passed unanimously.

G. Tricia Nealon (Sonja Sati-Joncas, LMFT-CA)

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to deny the request based on the applicant's failure to submit the supervisor's transcript for review by the committee. The motion passed unanimously.

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

Mr. Goodman moved, seconded by Ms. Fortier, to approve the consent agenda as reviewed by Ms. Fortier, granting 60-day extensions to Maria Navarro, Tarah Carmody, Kattia Valdivia Luevano, Melissa Cacialli and Charles Sharpe and inactive status to Bryna Van Gorp and Martha Mason. The motion passed unanimously.

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

None

12. Re-review of applications denied pursuant to A.A.C. R4-6-212(J) and (K) deficiencies

None

13. Applications for reassessment: review, consideration and action

A. *Diana Zumas*

Members reviewed the request for reassessment.

Following review, members agreed the applicant meets minimum requirements.

B. *Alison VanDyke*

Tabled

The committee took a break for lunch at 11:50 a.m., reconvening its public meeting at 1:04 p.m.

14. Applications for licensure: review, consideration and action

School Counselor

Debbie Ritterbrush (Embry-Riddle Aeronautical University)

Members reviewed information submitted in support of the work experience acquired at Embry-Riddle Aeronautical University.

Following review, Ms. Pettitt moved, seconded by Mr. Goodman, to deny the work experience based on the applicant's failure to establish that the work experience was limited to the practice of psychotherapy. The motion passed unanimously.

Independent Contractor

Jacqueline Scorza (Professional Counseling Associates)

Members reviewed information submitted in support of the work experience acquired at Professional Counseling Associates.

Following review and discussion by members, Ms. Pettitt moved, seconded by Mr. Goodman, to accept the work experience acquired at Professional Counseling Associates as supervised work experience under direct supervision. The motion passed unanimously.

Appeals

1. *Grant Nees*

Members reviewed information submitted in support of the appeal.

The applicant appeared telephonically and addressed the committee.

Following review and discussion, Mr. Goodman moved, seconded by Ms. Pettitt, to recommend to the Board to deny the appeal based on the applicant's failure to establish completion of supervised work experience that meets minimum licensure requirements. The motion passed unanimously.

2. *Sharon Engel*

Members reviewed information submitted in support of the appeal.

The applicant and her attorney, Steve Meyers, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. Fortier, to recommend to the Board to accept the applicant's practicum and pre-practicum and to deny the appeal based on a continued deficiency of a 3-semester credit hour course in Basic Counseling Skills in the Helping Relationship. The motion passed unanimously.

3. *Kevin Wheeler*

Members reviewed information submitted in support of the appeal.

The applicant appeared telephonically and addressed the committee.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to recommend to the Board to accept MACP50190 as meeting the curriculum requirement in Professional Counseling Ethics and to find that the applicant completed the required internship hours, and to deny the appeal based continuing curriculum deficiencies. The motion passed unanimously.

4. *Michael Oviatt*

Members reviewed information submitted in support of the appeal.

The applicant appeared and addressed the committee.

Jerry Boehm, Council of Human Service Providers, addressed the committee on behalf of the applicant.

Following review and discussion by members, Ms. Pettitt moved, seconded by Mr. Goodman, to recommend to the Board to deny the appeal based on the applicant's failure to establish that he completed qualifying clinical supervision hours. The motion passed unanimously.

5. *Terasa Prince*

Members reviewed information submitted in support of the appeal.

The applicant and her supervisor, Ryan Sheade, appeared and addressed the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to deny the appeal based on the applicant's failure to establish she completed supervised work experience that meets minimum licensure requirements. The motion passed unanimously.

6. *Donna Pisano*

Members reviewed information submitted in support of the appeal.

The applicant and her attorney, Michael Golder, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. Fortier, to accept the coursework submitted for Basic Tests and Appraisal, Group Counseling, Chemical Dependency, Pre-Practicum and Practicum, and to deny the appeal based on the applicant's failure to establish completion of a 3-semester credit hour course in Basic Counseling Skills. The motion passed unanimously.

7. *Kerry Van Volkinburgh*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

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

8. *Tania Lopez-Cepero*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

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

The committee took a break at 2:55 p.m., reconvening its public meeting at 3:00 p.m.

The committee reviewed files from 4:00 p.m., reconvening its public meeting at 4:58 p.m.

16. Future agenda items

None

17. Call for public comment

No one was in the room to respond to a call for public comment.

18. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, August 24, 2012, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

Members agreed to schedule the November meeting for Friday, November 16th and the December meeting for Friday, December 7th.

Members lost quorum at 5:00 p.m. and agreed to try to schedule a telephone meeting to make the motions on applications reviewed during the meeting.

19. Adjournment

Mr. Goodman moved, seconded by Ms. Pettitt, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:59 p.m.

Yvonne Fortier
Secretary/Treasurer

Date