



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, November 16, 2012

Members Present: Patrick Goodman, Yvonne Fortier, Deborah Pettitt, Don DeValle

Staff Present: Debra Rinaudo, Executive Director, Patricia Reynolds, Enforcement Manager, Marc Harris, A.A.G., Lynanne Chapman, Board Investigator, Michelle Clinkenbeard, Investigator, Doreen Romney, Elma Brambila, Mary Wilson

1. Call to Order

The meeting was called to order on November 16, 2012, at 9:05 a.m., with Mr. Goodman presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Ms. Fortier moved, seconded by Ms. Pettitt, to approve the September 28, 2012, general meeting minutes as submitted. The motion passed unanimously. Mr. Goodman abstained from the vote.

Ms. Fortier moved, seconded by Mr. Goodman, to approve the October 26, 2012, general meeting minutes as submitted. The motion passed unanimously. Mr. DeValle abstained from the vote.

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. 2010-0046, Michelle Easson, LAC applicant

Ms. Rinaudo summarized information regarding the Board's investigation. In 2009, the committee recommended the denial of the applicant's license based on unprofessional conduct. At that time, the applicant requested a formal hearing. She then requested that the hearing be indefinitely postponed. Recently, the applicant requested that the committee review its previous decision due to the time that has passed and in consideration of the applicant's activities since 2009.

The applicant appeared in person and addressed the committee.

Mr. Goodman moved, seconded by Mr. DeValle, to go into executive session to review confidential medical information pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 10:15 a.m., reconvening its public meeting at 10:55 a.m.

The committee took break at 10:55 a.m., reconvening its public meeting at 11:02 a.m.

Mr. Harris explained that the purpose of bringing this matter back is to allow the committee to consider what has taken place since the 2009 recommended denial to determine whether the updated information has any effect on the committee's prior recommendation. All licensure recommendation options are available to the committee.

Following review and discussion by members, Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to deny the application based on the previous findings of unprofessional conduct and to add new findings of fact based on the updated investigation. The motion passed unanimously.

B. David Larimer, LPC-2504 (expired)

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

Ms. Reynolds summarized information regarding the professional's failure to renew his license in a timely manner.

The professional and Senator Robert Meza appeared in person and addressed the committee.

Ms. Pettitt moved, seconded by Ms. Fortier, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the committee went into executive session at 9:32 a.m., reconvening its public meeting at 9:41 a.m.

Members discussed A.A.C. R4-6-209(C), which specifically prohibits the Board from granting an extension for renewal submission deadlines.

Following review and discussion, Mr. DeValle moved, seconded by Ms. Pettitt, to recommend to the Board to deny the licensee's request for an extension to allow him to submit his renewal application more than 90 days after the expiration of his license. The motion passed unanimously.

C. 2011-0089, Jasmine Moore, LPC-13258

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

The complainant was properly noticed, but did not appear.

The professional's attorney, Faren Akins, appeared and addressed the committee.

Following review and discussion, Ms. Pettitt moved, seconded by Mr. Goodman, to find that the complaint is without merit pursuant to A.R.S. §3281(D)(1), and remove it from the professional's complaint history pursuant to A.R.S. §32-3281(E). The motion passed unanimously.

D. 2013-0024, Carl Schwartz, LPC-0355

E. 2013-0024 and 2012-0118, Carl Schwartz, LPC-0355

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

Ms. Chapman, Investigator, reviewed the changes that were made to the proposed consent agreement.

The professional and his attorney, Larry Cohen, were available for questions.

Following review and discussion, Mr. Goodman moved, seconded by Ms. Pettitt, to consolidate the two complaints and to accept the signed consent agreement. The motion passed unanimously.

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. Update regarding curriculum review subcommittee

Ms. Rinaudo reported regarding the curriculum review subcommittee. Subcommittee members have begun reviewing coursework. Their recommendations will accompany files for review by credentialing committee members. Committee members are still responsible for completing curriculum reviews for all applicants. The subcommittee's role is to provide recommendations regarding curriculum to ease the committee's workload. All disputes regarding curriculum will still be resolved by committee members.

The committee took a break for lunch at 12:00 p.m., reconvening its public meeting at 1:06 p.m.

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

None

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

Mr. Goodman moved, seconded by Ms. Pettitt, to approve the consent agenda as reviewed by Ms. Fortier, granting a 60-day extension to Bob Hoopingarner. 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

None

14. Applications for licensure: review, consideration and action

Independent Contractor

Branden Mott (AZ Behavioral Health Center)

Members reviewed information submitted in support of the work acquired as an independent contractor.

Following review and discussion, Mr. Goodman moved, seconded by Mr. DeValle, to deny the work experience acquired as an independent contractor at AZ Behavioral Health Center based on the applicant's failure to establish that the clinical supervision was in compliance with A.A.C. R4-6-212(F)(3). The motion passed unanimously.

School Counselor

Meghann Sherman

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

Following review and discussion, Mr. DeValle moved, seconded by Mr. Fortier, to deny the work experience acquired at Higley Unified School District based on the applicant's failure to establish that her client files meet the Board's minimum practice standards for informed consent for treatment, treatment planning documentation and clinical supervision documentation. The motion passed unanimously.

Appeals

I. Ruth Garnett

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee

Following review and discussion, Mr. Goodman moved, seconded by Ms. Fortier, to recommend to the Board to accept the consent to treat which includes that name and phone number of the clinical supervisor and 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.

2. *Tyler Newton*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

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

3. *David Vogt*

Mr. DeValle recused himself from all matters involving the applicant.

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 Mr. Goodman, to recommend to the Board to deny the appeal based on the reasons previously stated. The motion passed unanimously. Mr. DeValle was recused from the vote.

4. *Jose Bucio*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee

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

5. *Amanda Collins*

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 Mr. Goodman, to recommend to the Board to accept MAP604A for 3 quarter credit hours under Group Counseling Theory and Practice, MAP640D for 3 quarter credit hours under Research Methods, to find that the applicant completed the required internship hours, and to deny the appeal based continuing curriculum deficiencies. The motion passed unanimously.

6. *Miriam Breceda*

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 Mr. Goodman, to recommend to the Board to accept PP7371 for Basic Test and Appraisal in Counseling, PP8036 for Basic Counseling Skills in the Helping Relationship, to accept evidence establishing the applicant's legal residency in the United States, and to recommend to the Board to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

7. *Kristy Anderson*

Ms. Fortier recused herself from all matters involving the professional.

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

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

8. *Steven Johnson*

Members reviewed information submitted in support of the appeal.

The applicant and his attorney, Kelly McDonald, appeared in person and addressed the committee.

Joe Wright, CEO of Encompass Health Services, addressed the committee on behalf of the applicant.

Following review and discussion, Mr. DeValle moved, seconded by Mr. Goodman, to recommend to the Board that the clinical supervision hours provided by Perry Pullins from September 2011 to present meets current requirements and deny the appeal based on continuing work experience and clinical supervision deficiencies. The motion passed unanimously.

9. *Mindy Effertz*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee

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

The committee reviewed files from 3:40 p.m., reconvening its public meeting at 4:35 p.m.

Mr. Goodman moved, seconded by Mr. DeValle, to recommend to the Board to approve the following 6 applicants as Licensed Professional Counselors upon receipt of the required license issuance fee:

Jessica Mannino	Jose Bucio	Molly LaRocco
Kristen Hanna	Ann Ryan	Teresa Cotton

The motion passed unanimously.

Mr. Goodman moved, seconded by Mr. DeValle, to recommend to the Board to approve Kristy Anderson as a Licensed Professional Counselor upon receipt of the required licensed issuance fee. The motion passed unanimously. Ms. Fortier was recused from the vote.

Mr. Goodman moved, seconded by Mr. DeValle, to recommend to the Board to approve Deana Morgan as a Licensed Associate Counselor upon receipt of a passing score on the required exam and the license issuance fee. The motion passed unanimously. Ms. Fortier was recused from the vote.

Mr. Goodman moved, seconded by Ms. Fortier, to recommend to the Board to approve Edward Hedinger as a Reciprocal Licensed Professional Counselor upon receipt of the required licensed issuance fee. The motion passed unanimously.

Mr. Goodman moved, seconded by Mr. DeValle, to recommend to the Board to approve the following 4 applicants as Licensed Associate Counselors upon receipt of the required license issuance fee:

Mindy Effertz	Liza Roberts
Cassandra Martinez	Ashley Chesky

The motion passed unanimously.

Mr. DeValle moved, seconded by Mr. Goodman, to recommend to the Board to deny the following 4 applicants based on their failure to establish that they meet minimum requirements in education and/or supervised work experience:

Ricky Peacock	Sharon Marshall-French
Michelle Harper	Meghan Sherman

The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to approve Lynn Anderson as a Reciprocal Licensed Associate Counselor upon receipt of the required licensed issuance fee. The motion passed unanimously.

16. Future agenda items

None

17. Call for public comment

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

18. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, December 7, 2012, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

19. Adjournment

Mr. DeValle moved, seconded by Mr. Goodman, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:40 p.m.

Yvonne Fortier
Secretary/Treasurer

Date