



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
PHONE: 602.542.1882 FAX: 602-364-0890
Website: www.az.gov
Website: www.azbbhe.us
E-mail address: information@azbbhe.us

JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Thursday, April 19, 2012

Members present: Kirk Bowden, Cynthia Pio-Padilla, David Campbell
Member by phone: Gerald Szymanski
Member absent: Nikole Hintz-Lyon
Staff present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Michelle Clinkenbeard, Investigator, Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on April 19, 2012, at 9:00 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the general meeting minutes from the February 16, 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. Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

A. *2012-0016, Pedro Choca, LISAC-0638*

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

The complainant's representative, Leo Vainshtein, appeared and addressed the committee.

The professional and his attorney, Charles Hover, appeared in person and addressed the committee.

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

B. *Aida DeJonghe, LAC applicant*

Ms. Rinaudo summarized information regarding the background investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion, members agreed that no further action is necessary regarding the background issue.

C. *Teresa Hancock, LMSW applicant*

Ms. Pio-Padilla moved, seconded by Mr. Campbell, to go into executive session to review confidential behavioral health records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 9:30 a.m., reconvening its public meeting at 9:45 a.m.

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

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to open a complaint and find a violation of:

- A.R.S. §32-3251(12)(f), active habitual intemperance in the use of alcohol
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact in an attempt to secure a license
- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice

and to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

D. Michael Rubel, LISAC-10320

Ms. Rinaudo summarized information obtained during the processing of an investigation regarding the licensee's supervisee.

The professional was properly noticed, but did not appear.

Following review and discussion, Ms. Pio-Padilla moved, seconded by Ms. Pio-Padilla, to open a complaint for further investigation. The motion passed unanimously.

E. 2012-0102, Jeffrey Schill, LAC-13468

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

Ms. Pio-Padilla moved, seconded by Mr. Campbell, to go into executive session to review confidential behavioral health records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 10:30 a.m., reconvening its public meeting at 10:33 a.m.

The complainant was present and available for questions.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to recommend to the Board to accept an Interim Consent Agreement prohibiting the licensee from engaging in the practice of behavioral health and, if not accepted, to remand the matter to formal hearing based on the findings and recommended violations in the investigative report. The motion passed unanimously.

F. Robert Yager, LASAC-13077 and LISAC applicant

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

The professional appeared in person and addressed the committee.

Following review and discussion, members agreed no further action is necessary.

The committee took a break at 10:45 a.m., reconvening its public meeting at 10:55 a.m.

5. Report from the Chair and items for review, consideration, and possible action

No report

6. Report from the Executive Director and/or staff

A. General Agency Operations

No report

B. Discussion regarding application review process requirements

No report.

C. Update regarding Sunset Review audit

Ms. Rinaudo provided an update regarding the audit.

D. Update regarding Board's FY13 budget

No report.

E. Recommendation to Board regarding interpretation of group clinical supervision

Ms. Rinaudo informed members that the Board has been asked whether a group clinical supervision session can have 12 supervisees if there are 2 clinical supervisors present. She asked that the committee provide input to the Board regarding this issue.

Following discussion, the consensus of the committee was that it would not be appropriate to allow a clinical supervision session to exceed 6 group members regardless of how many supervisors were present.

F. Discussion regarding independent level applications where documentation does not meet Board standards and/or information is presented in such a manner that a client is unlikely to find it

Following discussion, the consensus of the committee was as follows:

- Supervised work experience will not accepted to qualify an applicant for independent licensure where the forms used do not meet the Board's minimum practice standards.
- The Board should pursue the rule changes needed to ensure that the required informed consent for treatment elements are presented in a way that is reasonably understandable for clients.

G. Open meeting law training

Tabled

7. Board, committee and subcommittee reports (discuss and possible action)

None

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

No report.

9. Supervisor exemption requests: review, consideration and action

A. Antoinette Wilson (Albert Jordan, psychologist)

Mr. Campbell was recused from matters involving Dr. Jordan.

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

Following review and discussion, Ms. Pio-Padilla moved, seconded by Mr. Szymanski, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor had the requisite education and experience in substance abuse counseling. The motion passed unanimously. Mr. Campbell was recused from the vote.

B. Carol Colmenero (Albert Jordan, psychologist)

Mr. Campbell was recused from all matters involving Dr. Jordan.

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

Following review and discussion, Ms. Pio-Padilla moved, seconded by Mr. Szymanski, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor had the requisite education and experience in substance abuse counseling. The motion passed unanimously. Mr. Campbell was recused from the vote.

C. Carol Colmenero (Camille Hernandez, psychologist)

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

Following review and discussion, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor had the requisite education and experience in substance abuse counseling and the required clinical supervision training. The motion passed unanimously.

D. Veronica Jeffus (Dan Sours, LPC)

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

Following review and discussion, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor had the requisite education in substance abuse counseling. The motion passed unanimously.

E. Sarah Talton (Janelle Westfall, LPC)

Dr. Bowden was recused from matters involving Ms. Talton.

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

Following review and discussion, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor had the requisite education and experience in substance abuse counseling. The motion passed unanimously. Dr. Bowden was recused from the vote.

10. Applications for renewal: review, consideration and action

None

11. Consent agenda: review, consideration and action regarding requests for extensions and inactive status

Mr. Campbell was recused from matters involving Antoinette Wilson.

Dr. Bowden moved, seconded by Mr. Szymanski, to approve the consent agenda as reviewed by Ms. Pio-Padilla, granting 60-day extensions to Yvonne Fox, Justin Smith, Cynthia Potter, Erin Sullivan, Ramie Hansen and Antoinette Wilson. The motion passed unanimously. Mr. Campbell was recused from the vote.

12. Applications for inactive extension requests: review, consideration and action

None

13. Applications for licensure: review, consideration and action

Appeals

A. Joyce Kinikin

Ms. Pio-Padilla recused herself from all matters involving the applicant.

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Mr. Campbell moved, seconded by Mr. Szymanski, to find that the applicant established that her client documentation complies with A.A.C. R4-6-1101, but to deny the appeal based on the applicant's failure to establish compliance with A.A.C. R4-6-212(F)(3). The motion passed unanimously. Ms. Pio-Padilla was recused from the vote.

B. Kristy Anderson

Ms. Pio-Padilla recused herself from all matters involving the applicant.

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Mr. Campbell moved, seconded by Mr. Szymanski, to find that the applicant established that her client documentation complies with A.A.C. R4-6-1101, but to deny the appeal based on the applicant's failure to establish compliance with A.A.C. R4-6-212(F)(3). The motion passed unanimously. Ms. Pio-Padilla was recused from the vote.

C. Lynette Houston

Ms. Pio-Padilla recused herself from all matters involving the applicant.

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

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

D. Robert Yager

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to deny the appeal based for the reasons previously stated. The motion passed unanimously.

E. Kimberly Happ

Dr. Bowden indicated that he has had limited contact with the applicant's practicum instructor, but there is nothing in that relationship that prevents him from making an unbiased decision in this matter.

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

F. Anna Book

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to deny the appeal for the reasons previously stated and to reserve the right to review the background issues if the applicant qualifies in the future. The motion passed unanimously.

G. Susana Rigau

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

H. Samuel Wolde

The applicant was properly noticed, but did not appear.

Members reviewed information submitted in support of the appeal.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to deny the appeal.

Ms. Pio-Padilla withdrew her motion and Mr. Campbell withdrew his second.

This matter was scheduled to provide an opportunity for the applicant to address the committee. Because the applicant did not appear, no action is necessary at this time.

The committee reviewed files from 1:18 p.m. through 4:28 p.m.

Ms. Pio-Padilla moved, seconded by Mr. Campbell, to recommend to the Board to deny Patricia Sneed based on her failure to establish that she meets minimum licensure requirements and to reserve the right to review the background issues if the applicant qualifies for licensure in the future. The motion passed unanimously.

Ms. Pio-Padilla moved, seconded by Mr. Campbell, to approve Alison Dean, Thomas Aubrey and Melissa Love as Licensed Associate Substance Abuse Counselors upon receipt of a passing score on the required exam and the required license issuance fee. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve the following 4 applicants as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee:

Deborah Williams	Robert Potter
Alan Kovin	James Kreitler

The motion passed unanimously.

Ms. Pio-Padilla moved, seconded by Mr. Campbell, to recommend to the Board to deny the following 9 applicants based on their failure to meet minimum licensure requirements:

Sandra Baran	Katherine Bloom	Veronica Jeffus
Christine Driscoll	Patricia Ryder	Haley Bell
Carol Colmenero	Teresa Fresquez	Xiaoli Wang

The motion passed unanimously.

14. Future agenda items

None

15. Call for public comment

No one asked to speak in response to the call for public comment.

16. Establishment of future meeting date(s)

The next meeting is scheduled for May 17, 2012, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:30 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date