



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

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Thursday, August 18, 2011

Members present: Kirk Bowden, David Campbell, Cynthia Pio-Padilla
Members absent: Gerald Szymanski
Staff present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Mary Wilson, Elma Brambila

1. **Call to Order**

The meeting was called to order on August 18, 2011, at 9:07 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Campbell moved, seconded by Dr. Bowden, to approve the general meeting minutes from the July 21, 2011, meeting as submitted. The motion passed unanimously. Ms. Pio-Padilla abstained from the vote.

Mr. Campbell moved, seconded by Dr. Bowden, to approve the executive session minutes from the July 21, 2011, meeting as submitted. The motion passed unanimously. Ms. Pio-Padilla 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. Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

A. *Janet Carpentier, LISAC-10475*

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

The professional's attorney, Chad Pajerski, appeared and was available for questions.

Following review and discussion, Dr. Bowden, seconded by Mr. Campbell, to recommend to the Board to accept the signed interim consent agreement not to practice after it is amended to reflect the professional's correct discipline. The motion passed unanimously.

B. *Debra Raybon, LAMFT-10255 and LMFT applicant*

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

The professional 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 recommend to the Board to find a violation of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the professional to safely and competently practice. The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to accept a consent agreement that stipulates the following:

- The professional's license shall be placed on probation for 24 months
- The professional shall complete a 3-semester credit hour graduate level course in addictions counseling pre-approved by the committee chair

- The professional shall complete 6-clock hours of continuing education addressing family addiction issues pre-approved by the committee chair
- The education will be completed within 12 months
- The professional shall not treat clients with any type of substance abuse/dependency issues while on probation
- Early release is available after 12 months

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the LMFT application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(5). The motion passed unanimously.

C. Yvonne Rios, LISAC-11795

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

The professional and her attorney, Janey Henze Cook, appeared in person and addressed the committee.

Ms. Pio-Padilla moved, seconded by Dr. Bowden, to open a complaint based issues identified in the investigative report. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(f), habitual substance abuse
- 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)(t), breach of confidentiality
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of fact by a licensee in any statements during an investigation or disciplinary proceeding by the Board

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to accept a consent agreement for the voluntary surrender of the professional's license. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to amend the motion to include that, if the consent agreement is not signed, to remand the matter to formal hearing. The motion passed unanimously.

D. Kurt Woodburn, LSAT applicant

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

The applicant and his attorney, Gordon Bueler, appeared and addressed the committee.

Dr. Bowden moved, seconded by Mr. Campbell, to open a complaint based on issues identified in the investigative report. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(a), conviction of a felony
- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the professional to safely and competently practice
- A.R.S. §32-3251(12)(ll), revocation of a license
- 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. R4-6-1101 consent for treatment
 - A.A.C. R4-6-1103 client record
- A.R.S. §32-3251(ii), violating any state law as it relates to A.R.S. §32-3286, practicing without a license

- A.R.S. §32-3251(12)(t) breach of confidentiality
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by an applicant to secure a license

and to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §§32-3275(5) and 32-3275(6). The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend that the Board issue a cease and desist order to the applicant with regard to his practicing substance abuse counseling without being licensed to do so. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend that the Board refer issues regarding physicians identified in the investigative report to their respective licensing boards. The motion passed unanimously.

The committee took a break at 11:00 a.m., reconvening its public meeting at 11:15 a.m.

E. Cory Shaw, LPC-10892

Ms. Rinaudo summarized the results of the background investigation.

The applicant and her attorney, Rob Chelle, appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Campbell, to open a complaint based on issues identified in the investigative report. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, 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 professional to safely and competently practice
- A.R.S. §32-3251(12)(f), active habitual intemperance in the use of alcohol or active habitual substance abuse

The motion passed unanimously.

Following further discussion, Ms. Pio-Padilla moved, seconded by Dr. Bowden, to order the professional to complete a substance abuse evaluation by a Board certified addictionologist within 60 days. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to issue a letter of concern regarding the professional's failure to identify her employer on her license renewal application. The motion passed unanimously.

F. Heather Addington, LPC-12954

Ms. Rinaudo summarized the results of the background investigation.

The professional appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint based on issues identified in the investigative report. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to order the professional to complete a substance abuse evaluation by a Board certified addictionologist within 60 days. The motion passed unanimously.

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. Review and discussion regarding interpretation of timeline of clinical supervisor training under A.A.C. R4-6-212

Ms. Rinaudo reviewed the following:

- The Board has received complaints regarding its interpretation of the timetable required for completion of clinical supervision training required under A.A.C. R4-6-212(J).
- Staff reviewed A.A.C. R4-6-212(J) to assess whether there are other reasonable interpretations of the timetable set forth in the rule with regard to completion of clinical supervision training other than the Board's current interpretation.
- Staff concluded that there are other reasonable interpretations of the timetable set forth in A.A.C. R4-6-212(J) other than that previously adopted by the Board.
- Staff recommended that the SACC review clinical supervision training completed by supervisors on a case-by-case basis to determine whether the timing of the clinical supervision training completed by the supervisor appears to fall within a reasonable interpretation of the timetable requirements set forth in A.A.C. R4-6-212(J).

Following discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla:

- To review clinical supervision training completed by supervisors on a case-by-case basis to determine whether the timing of the clinical supervision training completed by the supervisors falls within a reasonable interpretation of the timetable requirements set forth in A.A.C. R4-6-212(J)
- To allow applicants whose supervision was previously denied because the supervisor's clinical supervision was not completed within the timeframe previously required by the Board to have their supervision re-reviewed to determine whether the timing of the clinical supervision training completed by the supervisor appears to fall within a reasonable interpretation of the timetable requirements set forth in A.A.C. R4-6-212(J).

The motion passed unanimously.

C. Review and discussion of the content of clinical supervisor continuing education courses

Members reviewed various continuing education coursework that was submitted for review.

The committee reiterated that it will not review clinical supervision training unless the following documents are provided:

- A certificate of completion for the professional that identifies the entity providing the training, the title of the training, the date of the training, and the hours of training provided.
- A course description or course syllabus that includes a biography of the presenter(s) and a comprehensive description of the subject matter included in the training, including the course objectives.

Following further discussion, members agreed:

- It will consider course descriptions created after the training is provided only if they are signed by the presenter.
- The committee will not accept any certificates of completion signed only by the attendee
- Having determined that applicants must submit a certificate of attendance and course description or syllabus, the committee will not accept any other documents regarding the substance of a training, such as a PowerPoint presentation.

Shirley Ali

Becoming Outcome Informed: Advanced Training for Supervisors and Managers

Dr. Bowden moved, seconded by Mr. Campbell, to find that the additional information provided does not establish that the training completed addresses the required content areas set forth in A.A.C.R4-6-212(J)(1)(a) – R4-6-212(j)(1)(d). The motion passed unanimously.

Resilient practitioner

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find that the information provided does not establish that the training completed addresses the required content areas set forth in A.A.C.R4-6-212(J)(1)(a) – R4-6-212(j)(1)(d). The motion passed unanimously.

Rebecca Marrer

Reflective Supervision

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find that the certificate of completion and course description establishes that the training meets the requirements set forth in A.A.C.R4-6-212(J). The motion passed unanimously.

Supervision: Effective Clinical Relationships

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find that the information provided does not establish that the training completed addresses the required content areas set forth in A.A.C.R4-6-212(J)(1)(a) – R4-6-212(j)(1)(d). The motion passed unanimously.

Christine Chisholm

Clinical Supervision: A Four Stage Process

Dr. Bowden moved, seconded by Mr. Campbell, not to accept the clinical supervision training based on the lack of a certificate of attendance and course description/syllabus and because 2 of the training hours taken addressed ethics, not clinical supervision. The motion passed unanimously.

Michelle Humke

Supervision as Mentoring

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find that the information provided does not establish that the training completed addresses the required content areas set forth in A.A.C.R4-6-212(J)(1)(a) – R4-6-212(j)(1)(d). The motion passed unanimously.

Karen Shaver

Trauma Informed Care Clinical Supervision

Dr. Bowden moved, seconded by Mr. Campbell, to find that the certificate of completion and course description establishes that the training meets the requirements set forth in A.A.C.R4-6-212(J). The motion passed unanimously.

Marcus Earle

Major Models of Supervision

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find that the information provided does not establish that the training completed addresses the required content areas set forth in A.A.C.R4-6-212(J)(1)(a) – R4-6-212(j)(1)(d). The motion passed unanimously.

Clinical Supervision Education Training

Dr. Bowden moved, seconded by Mr. Campbell, to find that the September 2008 training meets the requirements set forth in A.A.C.R4-6-212(J) and to deny the July 2010 training based on the lack of a comprehensive course description/syllabus The motion passed unanimously.

Adaleesa Meek

Developmental Model Clinical Supervision

Fundamentals of Clinical Supervision

Dr. Bowden moved, seconded by Mr. Campbell, to accept both trainings based on a finding that the certificates of completion and course descriptions establishes that the trainings meet the requirements set forth in A.A.C.R4-6-212(J). The motion passed unanimously.

Martin Loaiza

Clinical Supervision Training

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to accept the training completed based on a finding that the certificate of completion and course description establish that the training meets the requirements set forth in A.A.C.R4-6-212(J). The motion passed unanimously.

William Todd

Essentials of clinical supervision

Clinical supervision professional development

Supervision a guide for mental health professionals

Dr. Bowden moved, seconded by Mr. Campbell, to accept the trainings completed based on a finding that the certificates of completion and course descriptions establishes that the trainings meet the requirements set forth in A.A.C.R4-6-212(J). The motion passed unanimously.

D. Application review process requirements

None

E. Discussion regarding impact of limited Board resources

Ms. Rinaudo reported regarding the need for the committees and the Board to consider the Board's limited investigation resources when deciding whether to offer to license an applicant subject to a consent agreement or to offer multiple modified consent agreements to professionals with consent agreement non-compliance issues.

F. Development of a revised Board policy regarding review of professionals/applicants with substance abuse issues

Ms. Rinaudo reviewed the policy adopted by the Board in 2007 regarding procedures to be used for professionals and applicants with substance abuse/dependency issues.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to revise the policy to have all substance abuse/dependency issues reviewed by the Substance Abuse Credentialing Committee on a case-by-case basis. The motion passed unanimously.

The committee took a break at 12:30 p.m., reconvening its public meeting at 12:35 p.m.

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. Julie Eisenbart (Mary Ellen Comare, LCPC, CADC IL)

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

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the request for an exemption based on the applicant's failure to establish that the supervisor had the appropriate education and experience in substance abuse counseling and the applicant's failure to establish her supervisor's compliance with A.A.C. R4-6-212(J). The motion passed unanimously.

The committee took a break at 1:40 p.m., reconvening its public meeting at 1:47 p.m.

10. Applications for renewal: review, consideration and action

None

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

None

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

None

The committee reviewed files from 1:55 p.m. through 3:45 p.m.

13. Applications for licensure: review, consideration and action

Appeals

A. Elizabeth Gallion

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

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

B. Andrew Prochniak

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and was available for questions.

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

Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to license Rosalinda Ibarra as a Licensed Substance Abuse Technician upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to approve Elizabeth Gallion and Elizabeth Moyer 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.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Andrew Prochniak and Aaron Hallstrom as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the following 6 applicants based on their failure to meet minimum licensure requirements:

Craig Davis	Teresa Woodruff	Lisa Jones
Joyce Kinikin	Julia Eisenbart	Justin Evans

The motion passed unanimously.

14. Future agenda items

Annual election of officers

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 September 15, 2011, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:47 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date