



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, March 21, 2013

Members present: Kirk Bowden (out at 11:45 a.m.), Nikole Hintz-Lyon, David Rick Campbell

Members absent: Gerald Szymanski, Cynthia Pio-Padilla (phone to do license motions)

Staff present: Michelle Clinkenbeard, Deputy Director, Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on March 21, 2013, at 9:00 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Approval of the February minutes was tabled due to a lack of quorum of members who were present at that meeting.

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. 2013-0057, Cheryl Bolte, LISAC-10915 and LPC-10982

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

The complainant was properly noticed, but did not appear.

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

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to find the following violation:

- A.R.S. §32-3251(12)(f), habitual intemperance in the use of alcohol or active habitual substance abuse

The motion passed unanimously.

Following further discussion, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to accept an interim consent agreement and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

B. 2013-0056, David Emehiser, LISAC-11423

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

The complainant was properly noticed, but did not appear.

The licensee and his attorney, Robert Chelle, appeared in person and addressed the committee.

Following discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to dismiss the complaint and issue a letter of concern addressing the importance of following Arizona guidelines that ban sex with clients. The motion passed unanimously.

C. Katie Jebraail, LAC applicant

Ms. Clinkenbeard summarized information regarding the background investigation.

The applicant appeared in person and addressed the committee.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to go into executive session to review medical 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 10:28 a.m., reconvening its public meeting at 10:34 a.m.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(f), active 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)(c)(i), any oral or written misrepresentation of a fact by an applicant to secure or attempt to secure the issuance of a license
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by an applicant in any statements provided during an investigation by the Board

The motion passed unanimously.

Following further discussion, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to make a finding of unprofessional conduct based upon the violations and to deny the application pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

D. Karim Moabi, LASAC applicant

Dr. Bowden recused himself from all matters involving the professional.

The matter was tabled due to a lack of quorum of members to consider the matter.

E. 2011-0062, Joanna Parris, LISAC-10846

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

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee to secure or attempt to secure the issuance or renewal of 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
- A.R.S. §32-3251(12)(o), failing to furnish information within a specified time to the Board or its investigators if legally requested

The motion passed unanimously.

Following further discussion, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board accept an interim consent agreement and if not signed, to remand the matter to formal hearing. The motion passed unanimously.

F. Jeffrey Schill, LAC-13468 (suspended)

Ms. Clinkenbeard summarized information regarding the professional's request for release from the interim consent agreement.

The professional appeared in person and addressed the committee.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to go into executive session to review medical 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 10:03 a.m., reconvening its public meeting at 10:05 a.m.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to find a violation of 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. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to release the professional from the interim consent agreement and accept a consent agreement that stipulates the following:

- The license will be on probation for 24 months
- The professional will attend two AA meetings a week in person
- The professional's sponsor will submit quarterly reports regarding attendance and participation
- The professional must submit information regarding any change of sponsor within 60 days
- The professional will maintain medication management with his physician
- The professional shall receive individual counseling twice a month with master level LISAC
- The licensee will practice only at an agency licensed by the Office of Behavioral Health Licensure
- Early release will be available after 12 months

The motion passed unanimously.

G. 2013-0035, Esther Williamson, LMSW applicant

Ms. Clinkenbeard summarized information regarding the proposed consent agreement.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to reoffer the consent agreement, and if not signed to deny the application. The motion passed unanimously.

The committee took a break at 10:50 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. Discussion regarding investigation of the medical board

Ms. Clinkenbeard provided information regarding the medical board investigation.

D. Discussion regarding SB1374

Ms. Clinkenbeard provided an update regarding SB1374.

E. Discussion regarding HB2578

Ms. Clinkenbeard provided an update regarding HB2578.

F. Member training for paperless system for meeting materials

Ms. Clinkenbeard provided information regarding the schedule for training.

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

No report.

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

No report.

9 Supervisor exemption requests: review, consideration and action

A. *Shareef Muhammed (Carey McGrath, LPC)*

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

Following review and discussion, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to deny the request for a supervisor exemption based on the applicant's failure to establish the supervisor's experience in substance abuse counseling and completion of 12 hours of continuing education in clinical supervision. The motion passed unanimously.

10. Applications for renewal: review, consideration and action

None

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

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to approve the consent agenda as reviewed by Dr. Bowden, granting inactive status to Lois Held and Mario Lippy. The motion passed unanimously.

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

None

13. Applications for licensure: review, consideration and action

Appeals

A. *Louann Vertrees*

Members received information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to change the level of consideration to the LSAT based on the applicant's request and to recommend to the Board to deny the appeal based on the applicant's failure to submit information for the LSAT level. The motion passed unanimously.

The committee reviewed files from 11:15 a.m. through 12:41 p.m.

Mr. Campbell moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to license Joyce Glorioso and Deborah McClish as Licensed Substance Abuse Technicians upon receipt of a passing score on the required exam and receipt of the required license issuance fee. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to license Adrian Russell as a Licensed Substance Abuse Technician upon receipt of the required license issuance fee. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Hintz-Lyon, to recommend to the Board license James Sisk as a Licensed Associate Substance Abuse Counselor upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to approve Misty Martin, Sarah Petty and Ardis Bennett as Licensed Associate Substance Abuse Counselors upon receipt of a passing score on the required exam and the license issuance fee. The motion passed unanimously.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to approve Cassandra Goodman, Lisa Young, Amy Rubin and Christopher Little as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to recommend to the Board to deny Shareef Muhammad, Kandi Morris, Christopher Cohn and Caroline Taylor based on their failure to meet minimum licensure requirements. The motion passed unanimously.

14. Future agenda items

Discuss documentation of curriculum denials

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 April 18, 2013, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:55 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date