



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, December 15, 2011

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

1. **Call to Order**

The meeting was called to order on December 15, 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 Ms. Pio-Padilla, to approve the general meeting minutes from the November 17, 2011, meeting as submitted. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the 11:45 a.m. executive session minutes from the November 17, 2011, meeting as submitted. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the 12:10 p.m. executive session minutes from the November 17, 2011, 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. *2011-0139, Lynn Barwick, LCSW-1292*

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

The professional appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(b), use of fraud or deceit in connection with rendering services. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to find a violation of A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the NASW Code of Ethics Section 1.06., Conflict of Interest. The motion passed unanimously.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice. The motion passed unanimously.

Following further discussion by members, 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.
- The professional shall complete a pre-approved 3-semester hour graduate level course in behavioral health ethics within 12 months

- The professional shall complete 12-clock hours of pre-approved continuing education in clinical supervision within 12 months
- The professional shall complete 8-clock hours of pre-approved continuing education addressing current behavioral health documentation standards within 12 months
- The professional's practice shall be monitored by a pre-approved practice monitor for 24 months
- The professional shall meet twice monthly with the practice monitor
- The practice monitor shall submit quarterly reports for approval
- Early release is available after 12 months upon the recommendation of the practice monitor

The motion passed unanimously.

B. 2011-0140, Ronald Gransie, LPC-0730

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

The professional appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Campbell, to find a violation of A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the ACA Code of Ethics Section C.2.e., Consultation on Ethical Obligations. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to find a violation of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee 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
- The professional shall complete 15-clock hours of pre-approved continuing education addressing behavioral health ethics
- The professional shall complete 12 hours of pre-approved continuing education addressing clinical supervision
- Issuance of a decree of censure

The motion passed unanimously.

C. 2011-0137, Deena Stewart-Hitzke, LISAC-10275

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

The professional appeared in person and addressed the committee.

Dr. Bowden moved, seconded by Mr. Campbell, to find that the professional failed to establish that she meets minimum requirements in curriculum, work experience and clinical supervision. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to find a violation of A.R.S. §32-3251(12)(d), any false, fraudulent or deceptive statement connected with the practice of behavioral health. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(n), failing to comply with or violating any Board statute or rule as it relates to A.R.S. §32-3286(A), a person not licensed by the Board shall not engage in the practice of behavioral health, and A.R.S. §32-3251(10), the scope of practice for license substance abuse counselors. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the NAADAC Code of Ethics Section 1, Standard 3.2 and Standard 3.3. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(l), any conduct practice or condition that impairs the ability of the licensee to safely and competently practice. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to deny the application based on the applicant's failure to meet minimum licensure requirements and her failure to qualify under A.R.S. §§32-3275(6) and 32-3275(7) . The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to accept a consent agreement for the voluntary surrender of the professional's license and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

D. 2006-0153 and 2007-0036, John Butler, LISAC-0793

Ms. Rinaudo summarized information regarding the professional's non-compliance with a consent agreement.

The professional and his attorney, Paul Crane, appeared in person and addressed the committee.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, 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 9:25 a.m., reconvening its public meeting at 9:36 a.m.

Mr. Butler requested that Dr. Bowden recuse from this matter based on their prior professional relationship. Dr. Bowden stated that their prior relationship was limited to serving together on a committee over 20 years ago and that there is nothing to from that interaction that would prevent him from making an unbiased decision in this matter.

The committee expressed concern regarding the professional's lack of timely communications with the Board regarding consent agreement compliance issues.

Following review and discussion, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to give the professional an additional 30 days to timely comply with all consent agreement terms, including submission of additional statements from the proposed practice monitor and clinical supervisor regarding their professional relationship with Mr. Butler and whether such relationships would impair their ability to function as the professional's practice monitor/clinical supervisor. The motion passed unanimously.

E. 2011-0155, Patrick Kelly, LISAC-1448

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

The complainants appeared in person and addressed the committee.

The professional appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to find a violation of 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 planning documentation, and A.A.C. R4-6-1103, progress notes. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to find a violation of A.R.S. §32-3251(12)(d), any false, fraudulent or deceptive statement connected with the practice of behavioral health. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(n), failing to comply with or violating any provision of this chapter, as it relates to A.R.S. §32-3286, a person not licensed by the Board shall not engage in the practice of behavioral health, and A.R.S. §32-3251(10), scope of practice for licensed substance abuse counselors. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(10)(j), any conduct, practice or condition that impairs the ability of the certified behavioral health 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 revoked
- The revocation is stayed pending successful and timely completion with all consent agreement terms
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in behavioral health ethics within the first 12 months
- The professional shall complete 8-clock hours of pre-approved continuing education addressing current behavioral health documentation standards within the first 12 months
- The professional's practice shall be monitored by a pre-approved practice monitor for 24 months
- Early release is available after 12 months upon the recommendation of the practice monitor

The motion passed unanimously.

The committee took a break at 10:45 a.m., reconvening its public meeting at 10:57 a.m.

F. Robert Irving, LSAT applicant

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

The professional appeared and addressed the committee.

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

G. Andrea March, LMSW-12753

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

The professional appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health. The motion passed unanimously.

Following review and discussion by members, Dr. Bowden, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(i), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice. The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint and recommend to the Board to accept an Interim Consent Agreement not to practice and, if not signed, to remand the matter to formal hearing. 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. Discussion regarding application review process requirements

No report

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

None

10. Applications for renewal: review, consideration and action

None

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

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to approve the consent agenda as reviewed by Ms. Pio-Padilla, granting a 60-day extension to Miguel Chinchillas and inactive status to Anne Cunningham. The motion passed unanimously.

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

None

The committee took a break at 12:50 p.m., reconvening its public meeting at 1:00 p.m.

13. Applications for licensure: review, consideration and action

Appeals

A. Rashel Perry

Ms. Pio-Padilla recused herself from matters involving Ms. Perry.

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Dr. Bowden moved, seconded by Mr. Szymanski, to accept SWG611 and to deny the appeal based on continued curriculum deficiencies. The motion passed unanimously. Ms. Pio-Padilla was recused from the vote.

B. Jacqueline Jeffries

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the appeal based on the applicant's failure to establish that her clinical supervisor has education, training and experience to provide clinical supervision to substance abuse counselor applicants. The motion passed unanimously.

C. Craig Davis

Members reviewed information submitted in support of the appeal.

The applicant and his attorney, Faren Akins, appeared and addressed the committee.

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

D. Katy Scoblink

Members reviewed information submitted in support of the appeal.

The applicant and her supervisor, Tom Litwicki, appeared in person and addressed the committee.

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

E. Joyce Kinikin

Ms. Pio-Padilla recused herself from matters involving Ms. Kinikin.

Dr. Bowden indicated that he worked with the applicant's supervisor 25 years ago, but there is nothing regarding that relationship that would prevent him from making an unbiased decision in this matter.

Members reviewed information submitted in support of the appeal.

The applicant and her site director, Nolan Roberts, appeared in person and addressed the committee.

Following review and discussion, members requested additional information regarding the applicant's compliance with the Board's minimum practice standards.

F. Kristy Anderson

Ms. Pio-Padilla recused herself from matters involving Ms. Anderson.

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, members requested additional information regarding the applicant's compliance with the Board's minimum practice standards.

The committee reviewed files from 3:15 p.m. through 3:35 p.m.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license Della Wood as a Licensed Bachelor Social Worker 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 license Tamara Hirsch as a Licensed Clinical Social Worker 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 license the following 3 applicants as Licensed Master Social Workers upon receipt of the required license issuance fee:

Rebecca Fitzpatrick	Whitney Allen
Jessica Clancy	

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Debbie Marack as a Licensed Master Social Worker upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license the following 18 applicants as Licensed Master Social Workers upon receipt of a passing score on the required exam and the required license issuance fee:

Jessica Troost	Cynthia Dees-Goulette	Michelle Munoz
Lisa Kizer	Margo Anderson	Deborah Josselyn
John Clarizio	Ariel Skalina	Blanche Russell
Jordan Houtz	Adriana Escarsega	Deborah Shoman
Natalie Davis	Holly Fechtmeyer	Rebecca Romero
Minerva Valles Renovato	Catherine Brown	Maria Decarvalho

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board license Brandon Coleman as a Licensed Associate Substance Abuse Counselor 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 license Robert Irving as a Licensed Substance Abuse Technician upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to approve Angela Barry, Christopher Mills and La'Nia Hunt 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.

14. Future agenda items

Committee member workload issues

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 January 19, 2012, 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 3:37 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date