



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

DEBRA RINAUDO  
Executive Director

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

Members present: Kirk Bowden, Cynthia Pio-Padilla, Gerald Szymanski, David Campbell (in at 9:40 a.m.)

Staff present: Debra Rinaudo, Executive Director, Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on January 19, 2012, at 9:07 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Pio-Padilla moved, seconded by Mr. Szymanski, to approve the general meeting minutes from the December 15, 2011, meeting as submitted. The motion passed unanimously.

Ms. Pio-Padilla moved, seconded by Mr. Szymanski, to approve the executive session minutes from the December 15, 2011, meeting as amended. 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. *Angela Berry, LAC applicant and LASAC applicant*

Dr. Bowden indicated that he knows one of the supervisors identified in the investigative report from his work at Grand Canyon University, but there is nothing in that relationship that would prevent him from making an unbiased decision in this matter.

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

The applicant addressed the committee telephonically.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint and 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 in attempt to secure or attempt to secure the issuance or renewal of a license
- A.R.S. §32-3251(12)(b), the use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the LASAC application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to adopt the recommendation of the Counseling Credentialing Committee to deny the LAC application based on failure to meet requirements and to deny the application on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6).

*B. Mark Cain, LSAT applicant*

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

The applicant was properly noticed, but did not appear.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint and find a violation of A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee in attempt to secure or attempt to secure the issuance or renewal of a license, and to deny the application based on a finding of unprofessional conduct based on A.R.S. §32-3275(6) . The motion passed unanimously.

*C. 2012-0062, Jacquelyn Dearth, LISAC-10730 and LPC-11773*

Mr. Szymanski was recused from all matters involving the professional.

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

The complainant, Daniel Barber, appeared 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)(l), any conduct practice or condition that impairs the ability of the licensee to safely and competently practice. The motion passed unanimously. Mr. Szymanski was recused from the vote.

Following further discussion, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to accept a consent agreement that stipulates a 3-month stayed suspension of the professional's license, an order of censure, and completion of a pre-approved 3-semester credit hour graduate level course in ethics within 12 months. The motion passed unanimously. Mr. Szymanski was recused from the vote.

*D. Megan Hayes, LMSW applicant*

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

The applicant and her attorney, Jonathan Collins, appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint and to deny the application based on a finding of unprofessional conduct based on A.R.S. §32-3275(6) as it relates to A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant in an attempt to secure a license, and 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.

*The committee took a break at 10:35 a.m., reconvening its public meeting at 10:45 a.m.*

*E. Richard Hoversten, LASAC applicant*

Dr. Bowden indicated that the professional graduated from Grand Canyon University, but he has no recollection of ever having met or spoken to the applicant and he is unaware of anything that would prevent him making an unbiased decision in this matter.

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

The applicant appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint and recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(ll), being the subject of a revocation, suspension, surrender or any other disciplinary sanction of a professional license
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee in attempt to secure or attempt to secure the issuance or renewal of a license

- A.R.S. §32-3251(12)(b), the use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter
- 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) and 32-3275(7) . The motion passed unanimously.

*F. 2008-0090, Bradley Hudson, LPC-10645 (suspended)*

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

The professional appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the professional's request for release from the interim consent agreement based on the professional's failure to establish that he has created and maintained an appropriate relapse prevention plan. The motion passed unanimously.

*G. Deborah Stelzleni, LPC-10626*

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

The professional and her attorney, Brian Strong, appeared and addressed the committee.

Following review and discussion by members, Dr. Bowden, seconded by Ms. Pio-Padilla, to open a complaint and recommend to the Board to dismiss the complaint with a letter of concern regarding the professional's failure to timely report a DUI arrest. The motion passed unanimously.

*The committee took a break at 12:15 p.m., reconvening its public meeting at 12:25 p.m.*

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

*A. Annual election of officers*

Mr. Szymanski moved, seconded by Mr. Campbell, to nominate Dr. Bowden and Ms. Pio-Padilla to continue to serve as Chair and Secretary. The motion passed unanimously.

**6. Report from the Executive Director and/or staff**

*A. General Agency Operations*

No report

*B. SACC workload issues*

Members discussed concerns regarding the timing of when meeting packets are mailed to them. Members requested that packets be mailed so that members have a weekend to review them.

*C. 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 60-day extensions to Ramie Hansen and Jennifer Cunico. 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. Kevin O'Grady*

Dr. Bowden was recused from all matters involving Grand Canyon University curriculum.

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 under licensure.

*B. Mark Gonchar*

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

- He completed supervised work experience limited to the practice of psychotherapy.
- He completed supervised work experience limited to the practice of psychotherapy as it relates to substance abuse issues
- The practice forms he used do not comply with the Board minimum documentation standards
- Some of the client records the professional provided do not include the client's signature on treatment plans
- The clinical supervision documentation is inadequate

The motion passed unanimously.

*C. Lynette Houston*

Ms. Pio-Padilla was recused 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, Dr. Bowden moved, seconded by Mr. Campbell, to accept FAAS572, FAAS574, FAAS575, FAS576 and FAAS581 and, upon receipt of verification that the syllabi provided correspond with the year the applicant completed the course, FAAS570 and FAAS571, and to deny the appeal based on a 3-semester credit hour deficiency. The motion passed unanimously. Ms. Pio-Padilla was recused from the vote.

*D. Annette Michael*

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 under licensure.

*E. Winter Wyrick-Waugh*

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 continued curriculum and work experience deficiencies. The motion passed unanimously.

*The committee reviewed files from 2:32 p.m. through 4:03 p.m.*

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board approve Elizabeth Orthmann as a Licensed Associate Marriage and Family Therapist 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 approve Harold Duhon as a Licensed Independent Substance Abuse Counselor upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to approve Annette Michel and Judith Edwards as Licensed Substance Abuse Technicians upon receipt of a passing score on the required exam and the license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Kevin O'Grady and LeEllen Anderson 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 3 applicants based on their failure to meet minimum licensure requirements:

Kimberly Happ            Juanita Novak  
Susana Rigau

The motion passed unanimously.

**14. Future agenda items**

Discussion regarding action to be taken where an applicant submits supervised work experience hours from an agency that uses forms that do not comply with the Board's minimum practice standards.

**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 February 16, 2012, at 9:00 a.m. at 3443 North Central, Room 908.

**17. Adjournment**

Ms. Pio-Padilla moved, seconded by Dr. Bowden, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:05 p.m.

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Cynthia Pio-Padilla  
Secretary/Treasurer

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Date