



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, June 21, 2012

Members present: Kirk Bowden, Cynthia Pio-Padilla, Nikole Hintz-Lyon
Members absent: David Rick Campbell, Gerald Szymanski
Staff present: Patricia Reynolds, Deputy Director, Kami Thur, Board Investigator, Michelle Clinkenbeard, Investigator, Marc Harris, A.A.G., Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on June 21, 2012, at 9:02 a.m. with Ms. Pio-Padilla presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to approve the general meeting minutes from the May 17, 2012, meeting as submitted. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to approve the executive session minutes from the May 17, 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. 2011-0014, Lyn Christophersen, LISAC-0751

Tabled due to loss of quorum of members to consider the matter.

B. 2010-0009, Sylvia Garcia, LISAC-10024

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Stephen Myers, appeared in person and addressed the committee.

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

- A.R.S. §32-3251(12)(d), any false, fraudulent or deceptive statement connected to the practice of behavioral health
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by a licensee in any statement provided during an investigation or disciplinary proceeding by the Board

The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to offer the professional a consent agreement for the voluntary surrender of the license and, if not accepted, to remand the matter to formal hearing. The motion passed unanimously.

C. Kristan Ray, LAC-13433

Ms. Reynolds summarized information regarding the professional's self-report of a DUI.

The professional appeared in person and addressed the committee.

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

- 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)(ii), violating any state law, rule or regulation applicable to the practice of behavioral health, as it pertains to A.R.S. §32-3208

The motion passed unanimously.

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

- The professional's license will be revoked
- The revocation will be stayed as long as the professional is compliant with the terms of the consent agreement
- The professional's license shall be placed on probation for 24 months
- The professional shall attend at least 24 MADD meetings within 24 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course specific to alcohol addiction and, if not available, addressing general addiction issues
- The professional shall receive one hour of weekly in-person clinical supervision for 24 months with a masters level LISAC
- The clinical supervision shall focus on honesty, abuse of alcohol, and ethics in general
- The professional can request early release after 12 months if all stipulations are completed and upon the clinical supervisor's recommendation

The motion passed unanimously.

D. Anthony Raymond, LAC applicant

Ms. Reynolds summarized information regarding the background investigation.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, 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 a licensee to secure or attempt to secure the issuance of a license
- A.R.S. §32-3251(12)(o), failing to furnish information within a specified time to the Board or its investigators or representatives if legally requested by the Board
- 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)(a), conviction of a felony

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

E. Todd Rosenblatt, LASAC applicant

Ms. Reynolds summarized information regarding the background investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, 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 licensee to safely and competently practice and to deny the license based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

F. 2012-0123, Scott Smith, LISAC-1224 (restricted)

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

The professional appeared in person and addressed the committee.

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

- 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)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to the following,
 - A.A.C. R4-6-1101, consent for treatment
 - A.A.C. R4-6-1103, client record
 - A.A.C. R4-6-1103, progress notes

The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, 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 24 months of work experience at an agency licensed by the Office of Behavioral Health Licensure
- The professional shall terminate his private practice and shall work only at an agency licensed by OBHL
- The professional shall receive one hour of weekly clinical supervision focusing on ethics and current minimum clinical behavioral health documentation requirements
- The professional shall not provide clinical supervision while on probation

The motion passed unanimously.

G. 2011-0012, Lee Zohaunnie-Russell, LASAC-13135

Tabled due to loss of quorum of members to consider the matter.

The committee took a break at 11:02 a.m., reconvening its public meeting at 11:10 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. Reynolds provided an update regarding the Board's performance audit.

D. Update regarding the Board's FY2013 appropriation

Ms. Reynolds reported regarding the appropriation increase provided to allow the Board to develop a paperless system for meeting materials.

E. *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**

None

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 Dr. Bowden, to approve the consent agenda as reviewed by Ms. Pio-Padilla, granting inactive status to Jeremy Courtney, Kimberly Schulz, Baron Grover, Pamela Maybush, Tawny Meyers and Patricia Nye. 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. *Patricia Ryder*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to accept ELPS573 and PSYC573 and to deny the appeal based on a deficiency of 3 semester credit hours of counseling-related coursework. The motion passed unanimously.

B. *Susana Rigau*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to deny the appeal based on the SACC's determination that the applicant's degree is deficient 21 hours of counseling related coursework. The motion passed unanimously.

The committee reviewed files from 11:50 p.m. through 1:52 p.m.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license Stephanie Crum as a Licensed Substance Abuse Technician 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. Hintz-Lyon, to approve Frank Borwell and Lisa Wheatley as Licensed Associate Substance Abuse Counselors upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to deny the following 4 applicants based on their failure to meet minimum licensure requirements:

Sylvia Reynolds	Donald Paterson
Sharareh Najafi	Gimi Garcia

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 July 19, 2012, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Ms. Hintz-Lyon moved, seconded by Dr. Bowden, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:55 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date