



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, October 20, 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, Elma Brambila

1. **Call to Order**

The meeting was called to order on October 20, 2011, at 9:05 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 September 15, 2011, meeting as submitted. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the executive session minutes from the September 15, 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. *Wendy Barry, LASAC applicant*

Ms. Rinaudo summarized the results of the Board's 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 dismiss the complaint with a letter of concern addressing the responsibility of the professional to have structure in her recovery. The motion passed unanimously.

B. *Anthony Bratko, LAC applicant*

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

The applicant appeared in person and addressed the committee.

Following review and discussion, members agreed no further action in necessary regarding the background investigation.

C. *2011-0160, Laurie Duarte, LISAC-1492*

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

The professional and her attorney, Kathleen Lambert, appeared in person and addressed the committee.

Ms. Pio-Padilla, seconded by Mr. Campbell, to go into executive session to review information 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 10:15 a.m., reconvening its public meeting at 10:24 a.m.

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 licensee to safely and competently practice
- A.R.S. §32-3251(12)(n), failing to comply with a consent agreement

The motion passed unanimously.

Mr. Campbell moved, seconded Dr. Bowden, to recommend to the Board to accept a consent agreement for the voluntary surrender of the professional's license. The motion passed unanimously.

D. 2011-0024. Jack Griffith, LCSW-10329 (suspended)

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to go into executive session to review information 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 9:14 a.m., reconvening its public meeting at 9:34 a.m.

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

The applicant and his wife appeared and addressed the committee.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Pio-Padilla, to deny the professional's request for release from the interim consent agreement. The motion passed unanimously.

The committee took a break at 10:55 a.m., reconvening its public meeting at 11:05 a.m.

E. 2010-0106, David Osinga, LISAC-0411

Ms. Rinaudo summarized the results of the background investigation.

The complainant was properly noticed, but did not appear.

The professional addressed the committee telephonically.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to dismiss the complaint. The motion passed unanimously. The motion passed unanimously.

F. 2011-0096, Henry D. Turberville, LISAC-10777

Ms. Rinaudo summarized the results of the background investigation.

The complainant, William McCarroll, addressed the committee telephonically.

The professional and his attorney, Christopher Kottke, appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. 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 licensee to safely and competently practice the licensee's profession
- A.R.S. §32-3251(12)(k), any conduct or practice that constitutes a danger to the health, safety or welfare of a client
- A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to the following Office of Behavioral Health Licensure rules:
 - A.A.C. R9-20-100(15)
 - A.A.C. R9-20-209(E) and A.A.C. R9-20-209(J)
 - A.A.C. R9-20-205(B)(2) and R9-20-205(D)(1)
- 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. R4-6-1105(C)(5)

The motion passed unanimously.

Following further discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to recommend to the Board to accept a consent agreement for the voluntary surrender of the professional's license. 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. *Application review process requirements*

None

C. *Reconsideration of the SACC's 9/15/11 request for an investigation regarding a supervisor's failure to report impairment issues regarding another licensee to the Board*

Mr. Harris provided information regarding recent instances when it has come to the Board's attention that a supervisor has not reported impairment issues regarding another licensee to the Board.

Members discussed ways to remind supervisors of their statutory responsibility to report possible unprofessional conduct by other licensees. Members requested that Board staff draft a standard letter for Board review to send to supervisors where appropriate to remind them of their duty to report unprofessional conduct by other licensee.

Following further discussion, Mr. Szymanski moved, seconded by Ms. Pio-Padilla, to send the duty to report reminder letter to the supervisor who failed to report possible impairment issues by another licensee as identified in Complaint No. 2011-0161. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Szymanski, to rescind this committee's September 15, 2011, request for an investigation regarding the failure by the clinical supervisor identified above to report unprofessional conduct by another licensee. The motion passed unanimously.

The committee took a break at 12:16 p.m., reconvening its public meeting at 12:22 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. *Paula Harper (Joseph Walsh, LCSW, IL)*

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

Following review and discussion, Mr. Campbell moved, seconded by Dr. Bowden, to deny the request for an exemption based on the applicant's failure to establish the supervisor had qualifying education and experience in substance abuse counseling. The motion passed unanimously.

B. *Paula Harper (Paul Hewett, CADC-IL)*

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

Following review and discussion, Dr. Bowden moved, seconded by Mr. Campbell, to deny the request for an exemption based on the applicant's failure to establish the supervisor had qualifying education and experience in substance abuse counseling. 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

Dr. Bowden moved, seconded by Mr. Campbell, to approve the consent agenda as reviewed by Dr. Bowden, granting a 60-day extension to Joyce Najafi and inactive status to Deborah Metzger. The motion passed unanimously.

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

None

The committee reviewed files from 1:21 p.m. through 3:20 p.m.

13. Applications for licensure: review, consideration and action

Appeals

A. Shaweta Vasudeva

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to accept PSYG703 for 3-semester credit hours of counseling related coursework and to deny the appeal based on continued curriculum deficiencies. The motion passed unanimously.

B. Samuel Wolde

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to deny the appeal based on continued curriculum deficiencies. The motion passed unanimously.

C. Lori Basaldu

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following discussion, members agreed that applicant meets minimum requirements.

D. Elza Boycheva

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following discussion, members agreed that applicant meets minimum requirements.

E. Heather Romero

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

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

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license Wendy Barry as a Reciprocal Licensed Associate Substance Abuse Counselor upon receipt of a passing score on the required exam, the required license issuance fee and the Board's dismissal of the pending complaint. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license Elza Boycheva and Erica Sims as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell , to approve Brian French, Lori Basaldu, Felix Rocha and Heather Romero 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. Ms. Pio-Padilla was recused from the vote.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny Wynter Wynick-Waugh, Paula Harper and Sara Ronhovde based on their failure to meet minimum licensure requirements. The motion passed unanimously.

14. Future agenda items

Discussion re: on-line course syllabus dates

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 November 17, 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 3:22 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date