



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, September 15, 2011

Members present: Kirk Bowden, David Campbell, Cynthia Pio-Padilla, Gerald Szymanski

Staff present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Elma Brambila

1. **Call to Order**

The meeting was called to order on September 15, 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 August 18, 2011, meeting as submitted. The motion passed unanimously. Mr. Szymanski abstained from the vote.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the executive session minutes from the August 18, 2011, meeting as submitted. The motion passed unanimously. Mr. Szymanski abstained from the vote.

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. *2011-0161, Barbara Nebeker, LISAC-0269*

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

The professional was properly notice, but did not appear.

Following review and discussion, Dr. Bowden, 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)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. §32-3208(A), a health professional who has been charged with a felony or a misdemeanor involving conduct that may affect patient safety must notify the Board in writing within 10 working days after the charge is filed.
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of fact by a licensee to secure or attempt to secure the issuance or renewal of a license.

and to recommend to the Board to offer the professional 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.

B. *2011-0107, Jan Owens, LISAC-1288*

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

The complainant was properly notice, but did not appear.

The professional's attorney, Robert Chelle, appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to offer the professional a modified consent agreement as follows:

- The professional's license shall be revoked
- The revocation shall be stayed as long as the professional is compliant with the consent agreement
- Include all of the terms in the consent agreement previously offered
- The professional shall practice only at an agency licensed by the Office of Behavioral Health Licensure during the duration of the consent agreement

The motion passed unanimously.

C. Tara Boocheck, LPC-12785

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

The professional addressed the committee telephonically.

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

- 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 accept a consent agreement with the following stipulations:

- The professional's license shall be placed on probation for 24 months with no early release available
- The professional shall receive weekly clinical supervision for 24 months from a LISAC licensed at the masters level pre-approved by the committee chair or designee
- The clinical supervisor shall submit quarterly reports for approval by the SACC Chair
- The professional shall complete a 3-semester credit hour graduate level course in substance abuse counseling
- The focus of the clinical supervision will be substance abuse/dependency issues, ethical practice, and honesty in all professional representations
- The professional shall receive weekly therapy from a therapist pre-approved by the committee chair to address substance abuse and accurate professional representations issues.
- While on probation, the professional shall only practice psychotherapy in an agency licensed by the Office of Behavioral Health licensure
- While on probation, the professional is prohibited from providing clinical supervision

The motion passed unanimously.

The committee took a break at 10:30 a.m., reconvening its public meeting at 10:40 a.m.

D. Jenise Johnson, 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 by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to open a complaint and dismiss the complaint upon Board acceptance of a non-disciplinary consent agreement that stipulates completion of a pre-approved 3-semester graduate level course regarding substance abuse/dependency counseling within 12 months, and to issue a letter of concern regarding the applicant's responsibility for ensuring the accuracy of all professional representations. The motion passed unanimously.

E. Donna Lane, LISAC applicant

Ms. Pio-Padilla recused herself from all matters involving Ms. Lane.

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

The professional addressed the committee telephonically.

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

- A.R.S. §32-3251(12)(b), 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)(k), any conduct or practice that constitutes a danger to the health, welfare or safety of a client
- 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 a licensee to secure or attempt to secure the issuance or renewal of a licensee.

and to recommend to the Board to deny the appeal based on the applicant's failure to qualify for the reasons previous stated and based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(5) and (6) . The motion passed unanimously.

The committee took a break at 11:20 a.m., reconvening its public meeting at 11:24 a.m.

F. Katie Masters, LMSW applicant

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

The applicant and her attorney, Melvin McDonald, appeared in person and addressed the committee.

Mr. Campbell moved, seconded by Dr. Bowden, 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 9:26 a.m., reconvening its public meeting at 9:32 a.m.

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

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. Review, consideration, and possible action regarding Committee determination to require that all substance abuse evaluations ordered by the Committee be completed by a Board Certified addictionologist
Members discussed whether to add thirteen Board Certified addictionologists who have no adverse actions against their licenses to the list of Board approved evaluators.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Dr. Bowden, to add the additional thirteen Board Certified addictionologists to the Board's list of approved evaluators. The motion passed unanimously.

D. Discussion regarding attempts by licensees/applicants to communicate with members

Mr. Harris reviewed recent incidents where professionals have attempted to directly contact committee and/or Board members outside of public meetings. Mr. Harris reviewed options should this occur and reminded members that they can always refer individuals to Board staff or Mr. Harris for assistance.

The committee took a break at 12:30 p.m., reconvening its public meeting at 12:35 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. *Jacqueline Jeffries (James Simpson, LCP)*

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 a supervisor exemption based on the applicant's failure to establish that the supervisor has appropriate education, experience, and training 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 Ms. Pio-Padilla, to approve the consent agenda as reviewed by Dr. Bowden granting inactive status to Ann Satori. 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. *Donna Lane*

Reference item 4(E).

B. *Wendy Bender*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and was available for questions.

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

C. *Celeste Lippy*

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and was available for questions.

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

D. *Rashel Perry*

Members reviewed information submitted in support of the appeal.

The professional addressed the committee telephonically.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Campbell, to accept 3-semester credit hours for SWG591, Seminar: Co-Occurring Disorders, and 3-semester credit hours for SWG606, Assessment of Mental Disorders, and to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

E. *Rachel Flann-Willis*

Members reviewed information submitted in support of the appeal.

The professional was properly noticed, but did not appear.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the application based on reasons previously stated. The motion passed unanimously.

F. Emily Endreson

Members reviewed information submitted in support of the appeal.

The professional addressed the committee telephonically.

The professional's attorney, Robert Chelle, appeared in person and addressed the committee.

Following review and discussion, Dr. Bowden moved, seconded by Mr. Campbell, to find that clinical supervision training completed by Liana Condello is acceptable, to deny the appeal based on reasons previously stated, and to recommend that the Board refer issues regarding the registered nurse identified in the appeal to her licensing board. The motion passed unanimously.

The committee reviewed files from 1:06 p.m. through 3:00 p.m.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to license Celeste Lippy and Sarah Wind 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 license Jillian Vanselow 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 recommend to the Board to license Wendy Bender, Nicole Henry and Kristi Brown as Licensed Associate Substance Abuse Counselors upon receipt 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 David Dustman as a Licensed Associate Substance Abuse Counselor upon receipt of favorable finger print 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 Shanda Ciganick as a Licensed Substance Abuse Technician upon receipt of favorable finger print report and the required license issuance fee. The motion passed unanimously.

Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to deny the following 9 applicants based on their failure to meet minimum licensure requirements:

Robert Yager	Lynnette Houston	Alison Dunning
Kristy Anderson	Mark Gonchar	Kutlo Kesitilwe
Jacqueline Jeffries	Katy Scoblink	Annette Michel

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 October 20, 2011, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Dr. Bowden moved, seconded by Mr. Campbell, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:02 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date