



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, September 20, 2012

Members present: Kirk Bowden, Cynthia Pio-Padilla, Nikole Hintz-Lyon, David Rick Campbell
Members by phone: Gerald Szymanski (out at 10:15 a.m.)
Staff present: Debra Rinaudo, Executive Director, Michelle Clinkenbeard, Board Investigator, Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on September 20, 2012, at 9:04 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 16, 2012, meeting as submitted. The motion passed unanimously.

Mr. Campbell moved, seconded by Ms. Pio-Padilla, to approve the executive session minutes from the August 16, 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. *Yvonne Culp, LMSW-11341*

Ms. Rinaudo summarized information obtained during the background investigation.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to open a complaint. The motion passed unanimously.

Following further discussion, Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to find a violation of A.R.S. §32-3251(12)(l), and accept a consent agreement that stipulates the following:

- The professional's license will be placed on probation
- The professional shall complete a pre-approved 3-semester graduate level course in addictions to be completed within 12 months
- The professional shall complete weekly therapy for 24 months with a pre-approved therapist addressing substance abuse/addiction issues and honesty issues regarding alcohol use
- The professional shall attend monthly MADD meetings for 24 months
- The therapist shall be a master's level LISAC
- Early release is available after 12 months

The motion passed unanimously.

The committee took a break at 10:35 a.m., reconvening its public meeting at 10:47 a.m.

B. 2012-0056, Cherelin Diefenbacher-Phariss, LMSW-11277 (suspended)

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

The professional appeared in person and addressed the committee.

Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to go into executive session to review confidential medical records pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 10:50 a.m., reconvening its public meeting at 11:29 a.m.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Campbell, to recommend to the Board to deny the professional's request for release from the interim consent agreement. The motion passed unanimously.

C. Dorothy Granberry, LASAC-13151

Dr. Bowden recused himself from all matters involving the professional.

Ms. Rinaudo summarized information regarding the professional's self-report of a pending indictment involving federal criminal charges.

The professional addressed the committee telephonically.

Following review and discussion by members, Mr. Campbell moved, seconded by Ms. Hintz-Lyon, to open a complaint and recommend to the Board to accept an Interim Consent Agreement prohibiting the professional from practicing under her license. The motion passed unanimously. Dr. Bowden was recused from the vote.

D. Robert Lovett, Jr., LAC applicant

Ms. Rinaudo summarized the results of the background investigation.

The applicant appeared in person and addressed the committee.

Following discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to open a complaint. The motion passed unanimously.

Following further discussion, Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to 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. The motion carried with Mr. Szymanski opposed.

Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to deny the license based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275 (6). The motion carried with Mr. Szymanski opposed.

E. Steven Pittman, LMSW applicant

Ms. Rinaudo summarized the results of the background investigation.

The applicant appeared in person and addressed the committee.

Following discussion by members, Dr. Bowden moved, seconded by Ms. Hintz-Lyon, to open a complaint, 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 applicant to safely and competently practice
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant to secure a license

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

F. 2011-0086, Susan Sargent, LISAC-0433

Mr. Campbell recused himself from all matters involving the professional.

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

The professional appeared in person and addressed the committee.

Following further discussion, Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to recommend to the Board to find the following violations:

- 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(1)(a) and (b), treatment plan requirements
 - A.A.C. R4-6-1102(5), a licensee shall ensure that a client's treatment is in accordance with the client's treatment plan
 - A.A.C. R4-6-1103(A)(5), a licensee shall ensure that client record is accurate and current
 - A.A.C. R4-6-1103(B)(12)(a), a licensee shall ensure that client record contains appropriate financial records
 - A.A.C. R4-6-1101(2), informed consent for treatment requirements
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to:
 - the NAADAC Code of Ethics, Standard I.3.2 – Counseling Relationship/Dual Relationships
 - the NAADAC Code of Ethics, Standard IV.2 – Professional Responsibility/Legal and Ethical Standards
- A.R.S. §32-3251(12)(f), active, habitual substance abuse
- 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. Campbell was recused from the vote.

Following further discussion by members, Ms. Hintz-Lyon moved, seconded by Ms. Pio-Padilla, to recommend to the Board to immediately accept an Interim Consent Agreement for 90 days and, if not accepted, to seek immediate summary suspension of the professional's license, and 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. Mr. Campbell was recused from the vote.

Ms. Hintz-Lyon moved, seconded by Ms. Pio-Padilla, to refer the medical practitioners identified in the investigative report to the Medical Board and the Dental Board regarding possible inappropriate prescription practices. The motion passed unanimously. Mr. Campbell was recused from the vote.

G. 2011-0034, Terri Waibel, LMSW-13651

Ms. Rinaudo summarized information regarding compliance issues involving the pending consent agreement.

The professional appeared in person and addressed the committee.

Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to go into executive session to review confidential medical records pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 9:10 a.m., reconvening its public meeting at 9:26 a.m.

Following discussion, members requested additional information.

The committee took a break at 12:47 a.m., reconvening its public meeting at 12:51 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. Rinaudo distributed copies of the final audit report.

7. Board, committee and subcommittee reports (discuss and possible action)

No report.

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 Mr. Campbell, to approve the consent agenda, as reviewed by Ms. Pio-Padilla, granting inactive status to Liza Hita, Thomas Ameen and Joseph Dombrowski. 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. Carol Colmenero

Members reviewed information submitted in support of the appeal.

The applicant and her clinical supervisor, Albert Kevin Jordan, PsyD, appeared in person and addressed the committee.

Myrtle Pavatea, Division Director of Salt River Pima Maricopa Indian Community, addressed the committee.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Campbell, to accept Dr. Jordan as a qualified clinical supervisor and to deny the appeal based on the applicant's failure to establish that the work experience acquired at Salt River Pima Maricopa Indian Community and The Haven meets minimum licensure requirements. The motion passed unanimously.

B. Patricia Sneed

Dr. Bowden recused himself from all matters involving the applicant.

Members reviewed information submitted in support of the appeal.

The applicant addressed the committee telephonically.

Following review and discussion by members, Ms. Hintz-Lyon moved, seconded by Mr. Campbell, to accept PYC7922, PYC7422 and PYF7132 and to deny the appeal based on continued curriculum deficiencies and the applicant's failure to establish that the work experience acquired at Southwest Behavioral Health meets minimum licensure requirements. The motion passed unanimously. Dr. Bowden was recused from the vote.

C. Karim Moabi

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review, members agreed that the applicant meets minimum requirements pending the outcome of the background investigation.

The committee reviewed files from 3:29 p.m. through 4:19 p.m.

Ms. Hintz-Lyon moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Pema White as a Licensed Associate Substance Abuse Counselor upon receipt of a passing score on the required exam and the license issuance fee. The motion passed unanimously.

Ms. Hintz-Lyon moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Job Elliot as a Licensed Associate Substance Abuse Counselor upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Hintz-Lyon moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the following 3 applicants based on their failure to establish they meet minimum licensure requirements:

Mona Darwich Stacie Copsey
Tamara Quarelli

The motion passed unanimously.

14. Future agenda items

Discussion regarding whether D.O.s should be included as possible medical practitioners under consent agreements.

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 18, 2012, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Ms. Pio-Padilla moved, seconded by Ms. Hintz-Lyon, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:20 p.m.

Cynthia Pio-Padilla
Secretary/Treasurer

Date