



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

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, February 10, 2012

Members Present: Doug Mitchell, Stephen Lankton, Cedric Davis, Vicki Dawson

Staff Present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Mary Wilson

1. **Call to Order**

The meeting was called to order on February 10, 2012, at 9:02 a.m. with Mr. Mitchell presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Tabled

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. 2012-0070, Fred Elsen, LMSW-3569 and LASAC applicant

Ms. Rinaudo summarized the results of the investigation.

The professional appeared telephonically.

The professional's attorney, Larry Cohen, appeared in person and addressed the committee.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Lankton, to find the following violations:

- A.R.S. §32-3251(12)(v), any sexual contact between a licensee and a client or former 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

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Ms. Dawson, to recommend to the Board to accept 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.

Mr. Mitchell moved, seconded by Ms. Dawson, to recommend to the Board to deny the license pursuant to A.R.S. §32-3275 based on findings of unprofessional conduct and failure to meet minimum licensure requirements. The motion passed unanimously.

B. 2010-0107, Fernando Estrada, LCSW-2273

Ms. Rinaudo summarized the results of the investigation.

The professional and his attorney, Faren Akins, appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Dr. Davis, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

C. Eric Gaylord, LMSW applicant

Ms. Rinaudo summarized the results of the investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Dr. Davis, to open a complaint and 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)(t), disclosing a professional confidence or privileged communication except as may otherwise be required by law or permitted by a valid release
- A.R.S. §32-3251(12)(b), use of fraud or deceit in connection with rendering services as a licensee

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

The committee took a break at 10:05 a.m., reconvening its public meeting at 10:15 a.m.

D. 2010-0132, Tara Nolan, LCSW-10372

Ms. Rinaudo summarized the results of the investigation.

The professional and her attorney, Jonathan Collins, appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Mr. Lankton, to find the following violations:

- 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.R.S. §32-3251(10)(b), use of fraud or deceit in connection with establishing qualifications
- 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
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by a licensee in any statements provided during an investigation or disciplinary proceeding

The motion passed unanimously.

This complaint will be consolidated with complaint 2011-0020.

E. 2011-0020, Tara Nolan, LCSW-10372

Ms. Rinaudo summarized the results of the investigation.

The professional and her attorney, Jonathan Collins, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Lankton moved, seconded by Dr. Davis, 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)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to the NASW Code of Ethics
 - 1.06(c) Conflicts of Interest

- A.R.S. §32-3251(12)(t), disclosing a professional confidence or privileged communication except as many others except as otherwise required by law or permitted by valid written release
- 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. R4-6-1102, Treatment plan
 - A.A.C. R4-6-1103, Client record

The motion passed unanimously.

Mr. Mitchell moved, seconded by Dr. Davis, to consolidate Complaint Nos. 2010-0132 and 2011-0020. The motion passed unanimously.

Following further discussion by members, Dr. Davis moved, seconded by Ms. Dawson, to recommend that the Board accept a consent agreement with the following stipulations:

- The professional's license shall be suspended for 24 months
- The suspension shall be stayed as long as the professional is compliant with terms of probation
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics within 12 months
- The professional shall complete 6 clock hours of the NASW *Staying Out of Trouble* course or its equivalent
- The professional shall receive weekly clinical supervision from a pre-approved independently licensed clinical supervisor
- Clinical supervision shall focus on the Board's minimum practice standards, appropriate professional boundaries and suicide risk assessments
- The professional shall complete 24 months of supervised work experience in an agency licensed by the Office of Behavioral Health Licensure

The motion carried with Mr. Mitchell opposed.

Mr. Lankton moved, seconded by Mr. Mitchell, to direct the professional to obtain a psychological evaluation from a pre-approved psychologist and that the SWCC will consider other possible terms for the proposed consent agreement following review of the evaluation report. The motion carried with Ms. Dawson opposed.

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/report regarding Sunset Review audit

Ms. Rinaudo provided an update regarding the audit.

D. Update regarding the Board's FY13 budget

Ms. Rinaudo provided information regarding the Board's FY13 budget request.

7. Board, Committee and Subcommittee reports (discussion and possible action)

None

8. National and regional trends and news regarding the profession(s)

None

9. Review, consideration and action of supervision/work experience and/or exemptions

A. Sandra Cruz (Jon McCain, PhD)

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

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the request for a supervisor exemption. The motion passed unanimously.

B. Jennifer DeGraffe (Jon McCain, PhD)

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

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the request for a supervisor exemption. The motion passed unanimously.

10. Applications for re-review of A.A.C. R4-6-212(J) and (K)

None

11. Review, consideration and action of consent agenda for applications for inactive status and deficiency extension requests

Mr. Mitchell moved, seconded by Ms. Dawson, to approve the consent agenda as reviewed by Mr. Lankton granting a 60-day extension to Jessica Woodruff. The motion passed unanimously.

12. Review, consideration and action regarding exam accommodations, exam extensions and inactive extensions

A. Jean Registre, exam accommodation

Members reviewed information submitted in support of the request for an exam accommodation.

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the request for an exam accommodation. The motion passed unanimously.

B. Mary Ann Turner, exam accommodation

Members reviewed information submitted in support of the request for an exam accommodation.

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to approve the request for an exam accommodation. The motion passed unanimously.

13. Review, consideration and action regarding applications for licensure

The committee took a break to review files at 12:00 p.m., reconvening its public meeting at 12:43 p.m.

Dr. Davis moved, seconded by Mr. Lankton, to recommend to the Board to approve Nathan Wiggin, Arnold Williams and Laurie Raymond as Licensed Master Social Workers upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Lankton, to recommend to the Board to approve Beth Pohl as a Reciprocal Licensed Clinical Social Worker upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Lankton, to recommend to the Board to approve Rebecca Horn as a Licensed Clinical Social Worker upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Dawson, to recommend to the Board to approve Stacey Stocks as a Licensed Clinical Social Worker upon receipt of a passing score on the required exam and receipt of the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Dawson, to recommend to the Board to approve the following 6 applicants as Licensed Master Social Workers upon receipt of a passing score on the required exam and upon receipt of the required license issuance fee:

Julie Reese	Nohemy Durazo	Philsenia Bertrand-Ramos
Maria Peri	Sonya Moore	Gregory McIvor

The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Dawson, to recommend to the Board to approve the following 6 applicants as Licensed Master Social Workers upon receipt of the required license issuance fee:

Linda Herbert	Kenneth Fournier	Michele Simka
Rachel Forgang	Sarah Lyon	Elinor Gersten

The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Lankton, to recommend to the Board to deny Jacqueline Kinard and Sarah Hartz based on their failure to meet minimum licensure requirements. 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 Friday, March 9, 2012, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Mr. Mitchell moved, seconded by Ms. Dawson, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:45 p.m.

Steve Lankton, Secretary

Date