



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

November 9, 2021

Cynthia L. Wolcott

Dear Mrs. Wolcott:

On November 5, 2021, the Arizona Board of Behavioral Health Examiners ("Board") reviewed your application for licensure as a licensed clinical social worker and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(A)(6). Specifically, the Board found that you engaged in conduct that had you been licensed would have constituted grounds for disciplinary action. The Board determined that the disciplinary action invoked the following violations that were based upon the conduct referenced thereafter:

1. A.R.S § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.

These violations were based on the following findings:

1. On 02/16/21, Applicant submitted her LCSW application with the Board indicating she had a previous complaint against her professional license in Idaho.
2. Within her LCSW application, Applicant indicated she completed a 2-year probationary period for having a relationship with a client ("Client") that she was friends with for a long time.
3. The Idaho Board's investigative records included the following:
 - a. Applicant had a prior personal relationship with Client and her husband ("Husband") through a music ministry in a non-professional setting.
 - b. From 2010 – 2011, Applicant provided hospice services to Client and Husband at two different agencies.
 - c. Applicant started a relationship with Husband while providing hospice services to Client and Husband.
 - d. Husband purchased a vehicle and laptop for Applicant between 2010 – 2011.
 - e. Applicant acknowledged hugging and kissing Husband.
 - f. Applicant recommended Husband enroll Client in services at River City Hospice, where Applicant was actively employed as a social worker.
 - g. When Applicant's former husband was dying, Applicant and Husband relied on each other for support and companionship.

- h. In 03/11, Applicant started working at River City Hospice and in 05/11, Client was admitted to River City Hospice where Applicant began providing hospice services to Client and Husband.
 - i. Applicant spoke to River City Hospice's owner and disclosed her relationship with Husband and the owner stated this would not be a conflict of interest.
 - j. A 01/28/14 Idaho Board consent order indicated the following:
 - Applicant provided hospice services to Client and Husband from 11/09 – 06/11
 - From 05/10 – 06/11, Applicant engaged in a romantic relationship with Husband.
 - k. On 01/26/16, the Idaho Board released Applicant from probation.
4. During a 10/07/21 investigative interview with Board staff, Applicant represented the following:
- a. Husband and Client were friends of Applicant prior to her working for Auburn Crest Hospice.
 - b. Applicant recommended Auburn Crest Hospice to Husband and did not view this as a potential conflict of interest.
 - c. Applicant and Husband simultaneously attended the same ministry while Applicant provided hospice services to Client and Husband.
 - d. Applicant also acknowledged being "friends" with Husband and Client a few years prior to working at Auburn Crest Hospice.
 - e. At some point, Client discharged from Auburn Crest Hospice.
 - f. In 02/11, Applicant's former husband passed away and her relationship with Husband began to develop into something more.
 - g. Shortly after her former husband's death, Applicant began working as a social worker for River City Hospice.
 - h. Applicant then recommended Husband to River City Hospice and began to provide hospice services to Client and Husband shortly after.
 - i. Applicant represents she spoke to her supervisor at River City Hospice and was told her prior relationship with Client and Husband would not be a conflict of interest.
 - j. Applicant acknowledged accepting gifts of a vehicle and laptop from Husband.
 - k. Applicant further acknowledged that a client in hospice services is considered the family; therefore, Husband would have been considered a client.
 - l. Applicant acknowledged engaging in a dual relationship with Client and Husband.
 - m. Applicant admitted to hugging and kissing Husband.
 - n. In 01/16, Applicant married Husband after having no contact with him for roughly 5 years.
 - o. Applicant was under the impression that she could have some sort of relationship with Husband since 5 years had passed.
 - p. Applicant feels she has firm boundaries now and has learned from the Idaho Board complaint.
5. Despite representing that she learned from the Idaho Board complaint and developed firm boundaries with clients, Applicant married Husband while still on the Idaho consent order.
6. Applicant feels the NASW Code of Ethics does not apply in this situation because she did not exploit Husband.
7. However, based on Applicant's own representations, she accepted large monetary gifts of a vehicle and laptop from Husband.

8. Furthermore, Applicant engaged in multiple roles with Client and Husband, as she had both a personal relationship and a professional relationship providing hospice services.
9. In doing so, Applicant failed take appropriate steps to protect her clients and act responsibly to set clear and appropriate boundaries to avoid potential conflicts of interest.

Pursuant to A.R.S. § 41.1092.03 (B), you may request a formal hearing by notifying the Board, in writing, within 35 days from the date of this letter. The hearing will be held within 60 days after the Board receives your request. (A.R.S. § 41-1092.05)(A)) At the hearing, you will have the burden of proof to demonstrate that you are qualified for licensure regarding the matters set forth above. The Office of the Attorney General will represent the State of Arizona at the hearing. In addition, if you request a hearing, you have the right to request a settlement conference. (A.R.S. § 41-1092.06) Please note that if you do not request a hearing by the close of business on **December 14, 2021**, your file will be closed without recourse to appeal. If you desire licensure in the future you will be required to submit a new application and fee. Please be further advised that pursuant to the Board's licensure statutes only persons holding licenses to practice behavioral health may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

Notice to Licensure Applicant:

Pursuant to A.R.S. § 41-1093.01, an agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to A.R.S. § 41-1093.02 and A.R.S. § 41-1093.03, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court of general jurisdiction to challenge the occupational regulation and to ensure compliance with A.R.S. § 41-1093.01.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,



Tobi Zavala
Executive Director