BEFORE THE ARIZONA BOARD OF BEHAVIORAL HEALTH EXAMINERS

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3	In the Matter of:
4	Alexandra McAuslan, LAMFT-10448, Licensed Associate Marriage and Family
5	Therapist, In the State of Arizona.
6	
7	RESPONDENT

Case No. 2014-0036

Notice of Errata

The Arizona State Board of Behavioral Health Examiners gives notice that the Consent Agreement it entered into with Respondent on January 22, 2015, contained a typographical error in paragraph one of the Findings of Fact. The typographical error related to Respondent's blood alcohol content¹ and has been corrected. A corrected copy of the Consent Agreement is attached.²

> TOBI ZAVALA, Executive Director Arizona Board of Behavioral Health Examiners

ORIGINAL of the foregoing filed
This ______, 2016 with:

Arizona Board of Behavioral Health Examiners 3443 N. Central Ave., Suite 1700

22 Phoenix, AZ 85012

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¹ The paragraph erroneously listed Respondent's BAC at .88 when it should have listed it as .088.

² Respondent timely complied with the terms of the Consent Agreement and on January 19, 2016, was released from all of its terms and conditions.

1	COPY of the foregoing mailed via
2	COPY of the foregoing mailed via Certified mail no. 7015 0640 0005 0661 0263 This 2019 day of, 2016, to:
3	Alexandra McAusian
4	Address of Record Respondent
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1	BEFORE THE ARIZONA STATE BOARD OF BEHAVIORAL HEALTH EXAMINERS		
2	I)		
3	Alexandra McAuslan, LAMFT-10448	CASE NO. 2014-0036	
4	Licensed Associate Marriage and Family Therapist In the State of Arizona.	RELEASE FROM CONSENT AGREEMENT AND ORDER	
5 6	RESPONDENT		
7 8	The Board received a request from Re	espondent to release him from the terms and	
9	conditions of the Consent Agreement and Orde	er dated January 22, 2015. After consideration	
	the Board voted to release Respondent from	n the terms and conditions of the Consen	
10	Agreement and Order dated January 22, 2015.		
11	ORD	<u>DER</u>	
12	GOOD CAUSE APPEARING, IT IS THEF	REFORE ORDERED THAT:	
13	[]	erms and conditions of the Consent Agreement	
14	and Order dated January 22, 2015.		
15			
16	Dated this <u>/9</u> 44 day of	January, 2016.	
17	\sim 10	· Zando	
18	By: TOBI ZAVAI	A, Executive Director	
19	ORIGINAL of the foregoing filed	rd of Behavioral Health Examiners	
20		016, with:	
21	Arizona Board of Behavioral Health Examiners 3443 N. Central Ave., Suite 1700		
22	Phoenix, AZ 85012		
23	COPY of the foregoing mailed via	,,,,	
	Certified mail no. 70/4287000018957367. This 1941 day of January	<u>5</u> _, 2016, to:	
24 25	Alexandra McAuslan Address of Record		
	Respondent		

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BEFORE THE ARIZONA BOARD

OF BEHAVIORAL HEALTH EXAMINERS

In the Matter of:

Alexandra Chatilovicz, LAMFT Applicant, Licensed Associate Marriage and Family Therapist, In the State of Arizona.

RESPONDENT

CASE NO. 2014-0036

CONSENT AGREEMENT FOR ISSUANCE OF LICENSE

In the interest of a prompt and speedy settlement of the above captioned matter, consistent with the public interest, statutory requirements and responsibilities of the Arizona State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(H) and 41-1092.07(F)(5), Alexandra Chatilovicz ("Respondent") and the Board enter into this Consent Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final disposition of this matter.

<u>RECITALS</u>

Respondent understands and agrees that:

- Any record prepared in this matter, all investigative materials prepared or received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.
- 2. Respondent has the right to a formal administrative hearing at which Respondent can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably waives her right to such formal hearing concerning these allegations and irrevocably waives her right to any rehearing or judicial review relating to the allegations contained in this Consent Agreement.

- Respondent has the right to consult with an attorney prior to entering into this
 Consent Agreement.
- 4. Respondent acknowledges and agrees that upon signing this Consent Agreement and returning it to the Board's Executive Director, Respondent may not revoke her acceptance of this Consent Agreement or make any modifications to it. Any modification of this original document is ineffective and void unless mutually approved by the parties in writing.
- 5. The findings contained in the Findings of Fact portion of this Consent Agreement are conclusive evidence of the facts stated herein and may be used for purposes of determining sanctions in any future disciplinary matter.
- 6. This Consent Agreement is subject to the Board's approval, and will be effective only when the Board accepts it. In the event the Board in its discretion does not approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value, nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or of any records relating thereto.
- 7. Respondent understands that once the Board approves and signs this Consent Agreement, it is a public record that may be publicly disseminated as a formal action of the Board, and that it shall be reported as required by law to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.
- 8. Respondent further understands that any violation of this Consent Agreement constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(n) and may result in disciplinary action pursuant to A.R.S. § 32-3281.

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terms of this Consent Agreement or of the practice act.

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BAC of 0.88%.

In 10/12. Applicant pled guilty to the DUI charge. 2.

Around 03/13, Applicant was advised that her driver's license was suspended as 3. a result of her DUI conviction.

The Board therefore retains jurisdiction over Respondent and may initiate

On 05/18/12, Applicant was charged with DUI after a blood alcohol test yielded a

disciplinary action against Respondent if it determines that she has failed to comply with the

The Board issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

- On 06/05/13, Applicant submitted her Licensed Associate Marriage and Family 4. Therapist application and properly disclosed her DUI conviction.
 - On 07/01/13, Applicant drove her car despite her suspended license. 5.
 - 6. After Applicant was cited for driving on a suspended license:
 - a. Applicant's car was impounded for 1 month.
 - b. She pled guilty to driving on a suspended license.
- After the suspension of Applicant's license was lifted in 08/13, Applicant was 7. required to install an ignition interlock in her car.

CONCLUSIONS OF LAW

- The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 et seq. 1. and the rules promulgated by the Board relating to Respondent's professional practice as a licensed behavioral health professional.
- The conduct and circumstances described in the Findings of Fact constitute a 2. violation of A.R.S. § 32-3251(12)(I), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.

ORDER of CENSURE

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provisions and penalties imposed as follows:

- Respondent is hereby censured, which is an official action against her license, for her conduct as set forth in the Findings of Fact.
 - 2. This Consent Agreement shall be effective on the date of entry below.
- 3. This Consent Agreement is conclusive evidence of the matters described herein and may be considered by the Board in determining appropriate sanctions in the event a subsequent violation occurs.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to the provisions and penalties imposed as follows:

- Respondent's application to be a Licensed Associate Marriage and Family
 Therapist is approved pending Respondent's passage of the marriage and family therapy examination.
- The license issued to Respondent pursuant to paragraph 1 will be immediately placed on probation for 24 months.
- 3. Respondent shall not practice under her license, unless she is fully compliant with all terms and conditions in this Consent Agreement. If, for any reason, Respondent is unable to comply with the terms and conditions of this Consent Agreement, she shall immediately notify the Board in writing and shall not practice under her license until she submit a written request to the Board to re-commence compliance with this Consent Agreement. All such requests shall be pre-approved by the Board Chair or designee.
- 4. In the event that Respondent is unable to comply with the terms and conditions of this Consent Agreement, all remaining time frames shall be tolled and remain tolled until

such time as she is granted approval to re-commence compliance with the Consent Agreement.

Continuing Education

5. In addition to the continuing education requirements of A.R.S. § 32-3273, within 24 months of the effective date of this Consent Agreement, Respondent shall complete 6 clock hours of the NASW Staying Out of Trouble continuing education course or an equivalent course addressing current behavioral health documentation standards in Arizona. All required continuing education shall be pre-approved by the Board Chair or designee. Upon completion, Respondent shall submit a certificate of completion of the required continuing education.

Recovery Program

7. While on probation, Respondent shall attend monthly Mothers Against Drunk Driving ("M.A.D.D.") meetings in person for 12 months. Respondent shall provide quarterly reports to the Board Chair or designee substantiating her attendance at M.A.D.D. meetings.

Early Release

8. After 12 months and upon completion of the continuing education requirements set forth in this Consent Agreement, Respondent may request early release from the Consent Agreement if all other terms have been met.

GENERAL PROVISIONS

Provision of Clinical Supervision

 Respondent shall not provide clinical supervision while subject to this Consent Agreement.

Civil Penalty

10. Subject to the provisions set forth in paragraph 11, the Board imposes a civil penalty against the Respondent in the amount of \$1,000.00.

- 11. Respondent's payment of the civil penalty shall be stayed so long as Respondent remains compliant with the terms of this Consent Agreement. If Board staff determines that Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the exception of the tolling provision under Paragraph 4, the stay of the civil penalty payment shall be automatically lifted and payment of the civil penalty shall be made by certified check or money order payable to the Board within 30 days after being notified in writing of the lifting of the stay.
- that the matter be reviewed by the Board for the limited purpose of determining whether the automatic lifting of the stay was supported by substantial evidence. If the Board receives the written request within 10 days or less of the next regularly scheduled Board meeting, the request will not be heard at that meeting, but will be heard at the next regularly scheduled Board meeting. The Board's decision on this matter shall not be subject to further review.
- 13. The Board reserves the right to take further disciplinary action against Respondent for noncompliance with this Consent Agreement after affording Respondent notice and an opportunity to be heard. If a complaint is filed against Respondent for failure to comply with this Consent Agreement, the Board shall have continuing jurisdiction until the matter is final and the period of probation shall be extended until the matter is final.
- 14. Within 10 days of the effective date of this Order, if Respondent is working in a position where Respondent provides any type of behavioral health related services or works in a setting where any type of behavioral health, health care, or social services are provided, Respondent shall provide the Board Chair or designee with a signed statement from Respondent's employer(s) confirming Respondent provided the employer(s) with a copy of this Consent Agreement. If Respondent does not provide the employer's statement to the Board

within 10 days of the effective date, the Board will provide Respondent's employer(s) with a copy of the Consent Agreement.

- 15. If Respondent is not employed as of the effective date of this Order, within 10 days of accepting employment in a position where Respondent provides any type of behavioral health related services or in a setting where any type of behavioral health, health care, or social services are provided, Respondent shall provide the Board Chair or designee with a written statement providing the contact information of her new employer and a signed statement from Respondent's new employer confirming Respondent provided the employer with a copy of this Consent Agreement. If Respondent does not provide the employer's statement to the Board within 10 days, as required, Respondent's failure to provide the required statement to the Board shall be deemed a violation of A.R.S. § 32-3251(12)(n) and the Board will provide Respondent's employer(s) with a copy of the Consent Agreement.
- employment, resigns, is involuntarily terminated, resigns in lieu of termination, or goes on extended leave of absence for whatever reason that may impact her ability to timely comply with the terms of probation, Respondent shall, within 10 days of the aforementioned acts, inform the Board of her change of employment status. After the change and within 10 days of accepting employment in a position where Respondent provides any type of behavioral health related services or in a setting where any type of behavioral health, health care, or social services are provided, Respondent shall provide the Board Chair or designee a written statement providing the contact information of her] new employer(s) and a signed statement from Respondent's new employer(s) confirming Respondent provided the employer(s) with a copy of this Consent Agreement. If Respondent does not provide the employer's statement to the Board within 10 days, as required, Respondent's failure to provide the required statement to the Board shall be

deemed a violation of A.R.S. § 32-3251(12)(n) and the Board will provide Respondent's employer(s) with a copy of the Consent Agreement.

- 17. Respondent shall practice social work using the name under which she is licensed. If Respondent changes her name, she shall advise the Board of the name change as prescribed under the Board's regulations and rules.
- 18. Prior to the release of Respondent from probation, Respondent must submit a written request to the Board for release from the terms of this Consent Agreement at least 30 days prior to the date she would like to have this matter appear before the Board. Respondent may appear before the Board, either in person or telephonically. Respondent must provide evidence that she has successfully satisfied all terms and conditions in this Consent Agreement. The Board has the sole discretion to determine whether all terms and conditions of this Consent Agreement have been met and whether Respondent has adequately demonstrated that she has addressed the issues contained in this Consent Agreement. In the event that the Board determines that any or all terms and conditions of this Consent Agreement have not been met, the Board may conduct such further proceedings as it determines are appropriate to address those matters.
- 19. Respondent shall bear all costs relating to probation terms required in this Consent Agreement.
- 20. Respondent shall be responsible for ensuring that all documentation required in this Consent Agreement is provided to the Board in a timely manner.
 - 21. This Consent Agreement shall be effective on the date of entry below.
- 22. This Consent Agreement is conclusive evidence of the matters described herein and may be considered by the Board in determining appropriate sanctions in the event a subsequent violation occurs.

1	PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT
2	5/3/2014
3	Alexandra Chatilovicz Date
4	BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT
5	
6	Dated this 22nd day of January, 2014/5
7	By: Mi Centa
8	TOBI ZAVALA, Interim Executive Director Artzona Board of Behavioral Health Examiners
9	
10	ORIGINAL of the foregoing filed This 22nd day of January 2014 with:
11	
12	Arizona Board of Behavioral Health Examiners 3443 N. Central Ave., Suite 1700 Phoenix, AZ 85012
13	THOGHK, AZ 0301Z
14	This 221d day of January, 2014, to:
15	Beth Campbell Assistant Attorney General
16	1275 West Washington
17	Phoenix, Arizona 85007
18	COPY of the foregoing mailed via Certified mail no. 10141200 0000 66336119
19	This 22th day of January, 201450:
20	Alexandra Chatilovicz Address of Record
21	Respondent /
22	Mi Conta
23	Tobi Zavala, Interim Executive Director 602-542-1617
24	