



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
Arizona State Website: www.az.gov
Board Website: www.azbbhe.us
Board E-Mail Address: information@azbbhe.us

DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

July 21, 2015

Mr. David Giorgio
[REDACTED]

Dear Mr. Giorgio:

On July 9, 2015, the Board reviewed your application for licensure as a master social worker and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(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(15)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.
2. A.R.S § 32-3251(15)(f), active habitual intemperance in the use of alcohol or active habitual substance abuse.
3. A.R.S § 32-3251(15)(c)(ii), any oral or written misrepresentation of a fact by an applicant or licensee in any statements provided during an investigation or disciplinary proceeding by the Board.
4. A.R.S § 32-3251(15)(o), failing to furnish information within a specified time to the Board or its investigators or representatives if legally requested by the Board.
5. A.R.S § 32-3251(15)(p), failing to conform to minimum practice standards as developed by the Board.

These violations were based on the following findings:

1. In 08/02, you were arrested for DUI with a BAC of .137%.
2. In 10/05, you were arrested for Extreme DUI with a BAC of .207%.
3. In 06/12, you were arrested for Extreme DUI with a BAC of .220%.
4. In 10/12, you began receiving behavioral health services through a treatment facility.
5. Treatment records indicated:
 - a. You have a history of coping with alcohol.
 - b. Your longest period of sobriety is a couple of weeks.
 - c. Your frequency of alcohol use is daily.
 - d. You have experienced blackouts from drinking.
6. In 04/15, you were arrested for Extreme DUI with a BAC of .214%.
7. On 04/27/15, when interviewed by Board staff, you indicated:
 - a. You drink 1-2 times per week having 1-3 glasses of wine on each occasion.
 - b. You have not driven under the influence of alcohol since your 2012 DUI arrest.
 - c. No one has ever told you that you have a drinking problem.
8. Your statements to Board staff appear to be deliberate misrepresentations where:

- a. You were arrested on 04/04/15 for Extreme DUI, just weeks before your Board interview.
 - b. According to Phoenix Police Department lab results, you had the equivalent of 9.5 drinks in your system.
9. Upon learning of the 04/15 Extreme DUI arrest, Board staff made multiple attempts to contact you for an additional investigative interview, but did not receive a response.
 10. In 05/15, you informed Board staff that you recently moved out of state for a new job.
 11. You have not provided the Board with a new address despite being verbally instructed to do so and being mailed a copy of the Board's change of address form.

Per A.R.S. §41.1092.03.B, you may request a Formal Hearing by notifying the agency in writing within thirty-five (35) days from the date of this letter. If you do request a Formal Hearing, you also have the right, pursuant to A.R.S. §41-1092.06, to request a settlement conference. If you do not request a Formal Hearing by the close of business on August 25, 2015, your file will be closed without further recourse to appeal and the licensure denial will be reported to the federal data banks that record this information. If you desire licensure at a later date, you must submit a new application and fee.

PLEASE BE FURTHER ADVISED that, pursuant to the Board's new licensure statute, as of July 1, 2004, only persons holding licenses to practice social work may do so unless they are exempt from licensure pursuant to A.R.S. §32-3271.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Tobi Zavala". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tobi Zavala
Executive Director