

1 **BEFORE THE ARIZONA STATE BOARD OF BEHAVIORAL HEALTH EXAMINERS**

2
3 **IN THE MATTER OF:**

4 **AMY S. KING,**
5 **An Unlicensed Individual**
6 **in the State of Arizona,**

7 **Respondent.**

Case No. 2020-0016

CEASE AND DESIST ORDER

8 The above-captioned matter came before the Arizona State Board of Behavioral Health
9 Examiners ("Board") on September 11, 2020, for the purposes of determining whether grounds
10 existed to issue a Cease and Desist Order to Amy S. King ("Respondent"). Respondent was
11 properly noticed of the Board's review of this issue, but did not appear.

12 **FACTS REVIEWED**

13 1. Respondent was previously licensed by this Board under license number LMFT-
14 0469.

15 2. On 02/14/20, the Board reviewed Complaint No. 2020-0016 against Respondent.

16 3. Respondent was properly noticed but failed to appear at the Board Meeting.

17 4. At the conclusion of the Board's review, the Board found that Respondent
18 violated:

19 a. A.R.S. § 32-3251(16)(o), Failing to furnish information within a specified
20 time to the board or its investigators or representatives if legally requested by
21 the board.

22 5. The Board unanimously moved to remand the matter to a formal hearing for the
23 revocation of Respondent's license.

24 6. On 05/08/20, the Board conducted a formal hearing.
25
26

1 A.R.S. § 41-1092.03(B). Service of this order is effective five (5) days after date of mailing. The
2 request must contain a concise statement of the reasons for the hearing. If Respondent requests a
3 hearing, pursuant to A.R.S. § 41-1092.06, Respondent has the additional right to request that the
4 Board conduct an informal settlement conference. To request an informal settlement conference,
5 Respondent must submit a written request to the Board no later than 20 days before the hearing
6 that may be scheduled in this matter. If a motion for rehearing is not filed, the Board's Order
7 becomes effective thirty-five (35) days after it is mailed to Respondent.

8 Respondent is further notified that the filing of a motion for rehearing is required to
9 preserve any rights of appeal to the Superior Court.
10

11 Dated this 15th day of Septemeber, 2020

12 

13 Tobi Zavala
14 Executive Director, Arizona State Board of
Behavioral Health Examiners

15 **ORIGINAL** filed this
16 15th day of September, 2020, with

17 Arizona State Board of Behavioral Health Examiners
18 1740 W. Adams Street, Suite 3600
Phoenix, Arizona 85007

19 **COPY** of the foregoing mailed by certified mail
20 No. 9489 0090 0027 6266 7552 85 this
15th day of September, 2020 to:

21 Amy S. King
22 Address of Record
Respondent

23 **COPY** of the foregoing mailed this
24 15th day of September, 2020 to:

25 Mona Baskin
26 Assistant Attorney General
2005 North Central Avenue
Phoenix, AZ 85004

1 **BEFORE THE ARIZONA STATE BOARD OF BEHAVIORAL HEALTH EXAMINERS**

2
3 **In the Matter of:**
4 **Amy S. King, LMFT-0469,**
5 **Licensed Marriage and Family Therapist,**
6 **In the State of Arizona.**

7 **Respondent.**

8 **COMPLAINT NO. 2020-0016**
9 **FINDINGS OF FACT, CONCLUSIONS OF**
10 **LAW AND ORDER OF REVOCATION**

11 On May 8, 2020, the Arizona Board of Behavioral Health Examiners ("Board") held a formal
12 hearing in the above matter. The State was represented by the Office of the Attorney General, Assistant
13 Attorney General Marc H. Harris. Assistant Attorney General Anne Froedge provided independent legal
14 advice to the Board. The Respondent did not appear.

15 After having considered all the testimony and evidence presented, the Board issues the following
16 Findings of Fact, Conclusions of Law and Order.

17 **FINDINGS OF FACT**

18 1. Respondent is the holder of License No. 0469 for the practice of marriage and family
19 therapy in the State of Arizona.

20 2. On July 22, 2019, the Board received a complaint against Respondent. The complainant
21 claims that she is the mother of Respondent's clients and that she shares joint legal custody with the father
22 of their children. Mother alleges, among other things, that Respondent failed to provide her with copies of
23 her children's records upon request.

24 3. The Board sent written notice of the complaint to Respondent who, in turn, timely
25 submitted her response.

4. As part of its investigation, the Board subpoenaed Respondent's clinical records. The
subpoena was mailed to Respondent's address of record. The subpoena was returned to the Board with
the notation "Attempted-Not Known, Unable to Forward."

5. Thereafter, the Board e-mailed Respondent. The e-mail requested the clinical records and

1 other documents. Attached to the e-mail was a copy of the subpoena.

2 6. Respondent did not reply to that e-mail.

3 7. Approximately two weeks later, the Board sent Respondent a follow-up e-mail. The
4 Board received a return e-mail that stated "your email message to the following address(es) could not be
5 delivered."

6 8. Over the course of the next couple of weeks, the Board made numerous attempts to
7 contact Respondent. These attempts included trying to reach Respondent by e-mail, regular mail and
8 telephone. All of these attempts were unsuccessful.

9 9. As a result of Respondent's lack of responsiveness, the Board subpoenaed Respondent to
10 appear for an investigative interview. The subpoena was mailed to both her home and work address. The
11 Board also e-mailed her the subpoena.

12 10. Respondent did not appear for her investigative interview. To date, only the subpoena
13 that was mailed to her work address was returned as "Attempted – Not Known, Unable to Forward."

14 11. Respondent's repeated failure to respond to the Board's request for information makes it
15 impossible for the Board to substantively investigate the complaint and raises concerns about her ability
16 to safely and competently practice as a behavioral health professional. In addition, the Board's inability to
17 timely investigate a complaint due to a licensee's failure to cooperate with the investigative process
18 imminently jeopardizes its ability to protect the public.

19 CONCLUSIONS OF LAW

20 1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.* and the
21 rules promulgated by the Board relating to Respondent's professional practice as a licensed behavioral
22 health professional.

23 2. The conduct and circumstances described in the Findings of Fact constitute a violation of
24 A.R.S. § 32-3251(16)(o), failing to furnish information within a specified time to the board or its
25 investigators or representatives if legally requested by the board.

ORDER

1 Based on the foregoing Findings of Fact and Conclusions of Law, the Board issues the following
2 order:

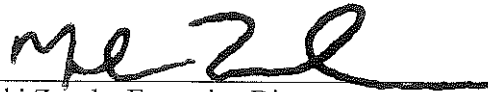
3 License No. LMFT-0469, issued to Amy S. King is hereby REVOKED.
4

RIGHT TO PETITION FOR REHEARING OR REVIEW

5 Respondent is hereby notified of the right to petition for a rehearing or review by filing a petition
6 with the Board's Executive Director within thirty (30) days after service of this Order. A.R.S. § 41-
7 1092.09. The petition must set forth legally sufficient reasons for granting a rehearing. A.A.C. R4-6-
8 1002. Service of this order is effective five (5) days after date of mailing. If a motion for rehearing is not
9 filed, the Board's Order becomes effective thirty-five (35) days after it is mailed to Respondent.
10

11 Respondent is further notified that the filing of a motion for rehearing is required to preserve any
12 rights of appeal to the Superior Court.
13

14 Dated this 15th day of May, 2020.

15 

16 Tobi Zavala, Executive Director
17 Arizona Board of Behavioral Health Examiners

18 **ORIGINAL** of the foregoing filed
19 This 15th day of May, 2020, with:

20 The Board of Behavioral Health Examiners
21 1740 W. Adams Street, Suite 3600
22 Phoenix, AZ 85007

23 **COPY** of the foregoing mailed via E-Mail, First Class Mail, and Certified Mail.

24 Certified mail no. _____
25 This 15th day of May, 2020, to:

Amy S. King
Address of Record
Respondent

COPY of the foregoing sent by mail

This 15th day of May, 2020 to:

Marc Harris
Assistant Attorney General
2005 North Central Avenue
Phoenix, AZ 85004
Attorney for the State of Arizona

COPY of the foregoing sent by mail

This 15th day of May, 2020 to:

Anne Froedge
Assistant Attorney General
2005 North Central Avenue
Phoenix, AZ 85004
Attorney for the Board of Behavioral Health Examiners