



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

TOBI ZAVALA
Executive Director

January 28, 2020

Daniel Annett
[REDACTED]

Dear Mr. Annett:

On January 10, 2020, the Arizona Board of Behavioral Health Examiners ("Board") reviewed your applications for licensure as a licensed associate counselor and licensed associate substance abuse counselor 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)(v), engaging in any sexual conduct between a licensee and client or former client.
2. 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.
3. A.R.S. § 32-3251(16)(f), engaging in active habitual intemperance in the use of alcohol or active habitual substance abuse.

These violations were based on the following findings:

1. From 07/17 – 07/19, Daniel Annett ("Applicant") was employed by Invitation to Recovery as a therapist.
2. While employed there, Applicant was the primary therapist to an adult female client ("Client").
3. Client's clinical records from Invitation to Recovery demonstrate that Client was highly vulnerable and suffered from issues such as opioid use disorder, alcohol use disorder, unspecified depressive disorder, anorexia nervosa, and PTSD.
4. On 06/28/19, during Client's last session at Invitation to Recovery, the following was documented:
 - a. "Client appears to be in a very dangerous spiral of behavior which is impacting her life, her health and her job."
 - b. Client reports injecting drugs in her feet, drinking alcohol, and using pain killers.
5. Despite Client's serious and ongoing behavioral health issues, Applicant and Client engaged in a sexual relationship with each other, which also included the use of alcohol and drugs.
6. In early 07/19, the Board received information from multiple sources alleging that Applicant and Client engaged in a sexual relationship and drug use together.
7. Spring Board Recovery submitted a letter to the Board indicating:
 - a. Client reported she has been involved in a dual relationship with Applicant.

- b. Applicant engaged in sexual intercourse with Client while she was intoxicated.
 - c. Applicant administered IV drugs on numerous occasions including methamphetamine and cocaine.
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8. Client's mother submitted a letter to the Board indicating:
 - a. Applicant injected Client with IV drugs including methamphetamine and cocaine.
 - b. Client reported she and Applicant went to Las Vegas and they had sex.
 9. Applicant's Clinical Director from Invitation to Recovery submitted a letter to the Board indicating:
 - a. Clinical Director has reason to believe Applicant has relapsed and is currently impaired based on direct conversations with Applicant and direct reports from Applicant's wife.
 - b. Clinical Director has reason to believe Applicant is or was engaging in sexual relations and/or illegal drug use with Client due to reports from Client's mother.
 10. Lastly, Client's Sober Companion, who was hired by Invitation to Recovery, submitted a letter to the Board indicating:
 - a. On 06/28/19, Sober Companion was contacted for services as a sober companion for Client who was staying at a hotel.
 - b. Upon arrival to the hotel, Applicant met Sober Companion in the lobby who stated Client was refusing to let Sober Companion into the room.
 - c. Applicant went back to Client's hotel room.
 - d. On 06/29/19, at 1:14 a.m., Applicant texted Sober Companion stating Client would be ready for service the following day.
 - e. On the evening of 06/30/19, Applicant told Sober Companion he was worried about Client and wanted to take her to a movie.
 - f. Applicant arrived at the hotel around 9:30 p.m. to pick Client up.
 - g. When they did not return by 12:30 a.m., Sober Companion texted Applicant.
 - h. Applicant responded that they should be back soon and that Client drank when Applicant went to the bathroom and "walked off for a bit."
 - i. Applicant arrived back at the hotel at 2:45 a.m.
 - j. Client was intoxicated still wearing a wristband from a bar.
 - k. Several days later, Client reported that the following occurred on 07/02/19:
 - Applicant picked her up after she had a car accident and took her to a hotel in Las Vegas.
 - He purchased a 100 pack of needles and had a drug dealer come to the hotel.
 - Applicant injected Client with methamphetamine and cocaine.
 11. During the Board's investigation, Client's mother provided numerous screenshots of text messages between Client and Applicant.
 12. Client and Applicant's communications included multiple conversations about drug and alcohol use, and included several expressions of love toward one another.
 13. In example:
 - a. Applicant to Client:
 - "What's ur thoughts u want to be broke out and party one more night"
 - "Let me know if I should get you my buddy has coke and budget suites and is waiting for me"
 - b. Applicant to Client:
 - "Yeah they are going to the hotel they have access to my room in there is all my cards and the rest of my dope"
 - c. Client to Applicant:
 - "Welcome :) I love you to pieces"
 - d. Applicant to Client:
 - "I love you too!!!"
 - e. Applicant to Client:

- “Lol players on my basketball team have a bunch of molly weren’t we just talking about that!!!! They keep trying to get me to buy some they have no idea of my story lol [laughing face emoji]“
- f. Client to Applicant:
 - “Buy one and I will pay you back” [Smiley emoji]”
 - “We could roll and listen to techno music”
 - g. Applicant to Client:
 - “Okay sounds good. I’ll bring in some alcohol too. God I’m horrible lol”
 - h. Applicant to Client:
 - “There is no stopping it sucks that I have to do it alone and that im having to ask strangers to find me drugs”
14. Furthermore, hotel receipts and credit card statements reviewed by Board staff reveal the following:
 - a. On 07/01/19, Applicant checked into the Park MGM Hotel in Las Vegas, NV, for 1 night.
 - b. A charge of \$69.95 was charged to Client’s credit card for the 1 night stay by the Park MGM Hotel.
 15. In a letter submitted to the Board, Client relayed the following information:
 - a. Client is writing this letter because of a severe boundary violation by Applicant.
 - b. Client reached out to Applicant for help, but instead Applicant and Client engaged in sexual relations while Client was intoxicated.
 - c. On 06/30/19, Applicant purchased drugs for Client and took Client to a movie where they drank alcohol together.
 - d. Applicant drove to Las Vegas with Client after the movie where he got a hotel.
 - e. Applicant used illicit substances with Client and eventually began administering drugs to Client intravenously.
 - f. Client was involved in a car accident and reached out to Applicant for help.
 - g. Applicant picked Client up at the scene and returned to a hotel in Scottsdale where Applicant and Client used drugs together.
 16. In an attempt by Board staff to interview Applicant, Applicant invoked his right to remain silent.
 17. During an interview with Board staff, Client’s mother indicated the following:
 - a. These events have negatively impacted Client greatly.
 - b. Client is now inpatient at a facility in California due to a new diagnosis of PTSD and worsened substance abuse issues.
 - c. Client stated she cannot believe any of this happened and vaguely remembers any of it due to being under the influence with Applicant.
 18. In conclusion:
 - a. Client suffered from serious drug and alcohol issues and required the professional services of a sober companion to provider 24-hour monitoring.
 - b. While in a hotel together, Client reports having sex with Applicant.
 - c. In one instance, Applicant dropped Client off at the hotel at 2:45 a.m., intoxicated and still wearing the wristband from a bar.
 - d. Text messages between Client and Applicant included several expressions of love toward each other.
 - e. Also, their text messages discuss the use of drugs and alcohol with each other.
 - f. Records from the Park MGM Hotel place Applicant and Client together in a hotel on the night of 07/01/19.
 - g. Lastly, Applicant informed Clinical Director of relapsing, which further demonstrates Applicant’s active habitual intemperance in the use of alcohol and/or drugs.

In addition, pursuant to A.R.S. § 32-3321, the Substance Abuse Academic Review Committee determined that you did not establish eligibility for licensure based on the following:

1. You did not establish that you meet A.A.C. R4-6-704 (E).

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 March 3, 2020, 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 licensure statute, as of July 1, 2004, only persons holding licenses to practice counseling and substance abuse counseling 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,



Tobi Zavala
Executive Director

cc: Applicant's attorney