

1 **BEFORE THE ARIZONA BOARD**

2 **OF BEHAVIORAL HEALTH EXAMINERS**

3 **In the Matter of:**

4 **Nancy L. DeLoera, LISAC-15099**
5 **Licensed Independent Substance Abuse**
6 **Counselor,**
7 **In the State of Arizona.**

CASE NO. 2020-0119

CONSENT AGREEMENT
FOR VOLUNTARY SURRENDER

8 **RESPONDENT**

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

15 **RECITALS**

16 Respondent understands and agrees that:

17 1. Any record prepared in this matter, all investigative materials prepared or
18 received by the Board concerning the allegations, and all related materials and exhibits may be
19 retained in the Board's file pertaining to this matter.

20 2. Respondent has the right to a formal administrative hearing at which Respondent
21 can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably
22 waives their right to such formal hearing concerning these allegations and irrevocably waives
23 their right to any rehearing or judicial review relating to the allegations contained in this Consent
24 Agreement.

25 ...

1 3. Respondent has the right to consult with an attorney prior to entering into this
2 Consent Agreement.

3 4. Respondent acknowledges and agrees that upon signing this Consent
4 Agreement and returning it to the Board's Executive Director, Respondent may not revoke their
5 acceptance of this Consent Agreement or make any modifications to it. Any modification of this
6 original document is ineffective and void unless mutually approved by the parties in writing.

7 5. The findings contained in the Findings of Fact portion of this Consent Agreement
8 are conclusive evidence of the facts stated herein between only Respondent and the Board for
9 the final disposition of this matter and may be used for purposes of determining sanctions in any
10 future disciplinary matter.

11 6. This Consent Agreement is subject to the Board's approval, and will be effective
12 only when the Board accepts it. In the event the Board in its discretion does not approve this
13 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,
14 nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except
15 that Respondent agrees that should the Board reject this Consent Agreement and this case
16 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its
17 review and discussion of this document or of any records relating thereto.

18 7. Respondent understands that once the Board approves and signs this Consent
19 Agreement, it is a public record that may be publicly disseminated as a formal action of the
20 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

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

22 **FINDINGS OF FACT**

23 1. Respondent is the holder of License No. LISAC-15099 for the practice of
24 substance abuse counseling in Arizona.

25 ...

1 2. From 10/16-11/18, Respondent was employed as a Behavioral Health
2 Professional at a behavioral health agency ("Agency").

3 3. From 03/18 – 02/20, an adult male client ("Client") received behavioral health
4 services from Agency.

5 4. Respondent admitted to providing services to Client in group therapy sessions for
6 a few months at Agency.

7 5. Over one year after terminating services, Respondent and Client began a sexual
8 relationship.

9 6. Respondent acknowledges engaging in a sexual conduct with a former Client.

10 **CONCLUSIONS OF LAW**

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

14 2. The conduct and circumstances described in the Findings of Fact constitute a
15 violation of A.R.S. § 32-3251(16)(v), engaging in any sexual conduct between a licensee and a
16 client or a former client.

17 **ORDER**

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

20 1. Respondent's license, LISAC-15099, shall be surrendered to the Board, effective
21 from the date of entry as signed below.

22 2. The surrender shall be considered a revocation of Respondent's license.

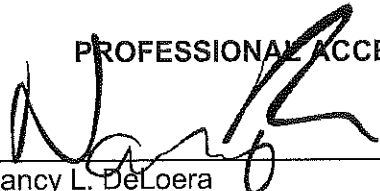
23 ...

24 ...

25 ...

1 PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

7/5/20

2 

3 Nancy L. DeLoera

Date

4 BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

5 By: 

6 TOBI ZAVALA, Executive Director
7 Arizona Board of Behavioral Health Examiners

07/13/20

Date

8 ORIGINAL of the foregoing filed 07/13/20
9 with:

10 Arizona Board of Behavioral Health Examiners
11 1740 West Adams Street, Suite 3600
12 Phoenix, AZ 85007

13 EXECUTED COPY of the foregoing sent electronically 07/13/20
14 to:

15 Mona Baskin
16 Assistant Attorney General
17 2005 North Central Avenue
18 Phoenix, AZ 85004

19 Nancy L. DeLoera
20 Address of Record
21 Respondent

22 Kraig J. Marton
23 Jaburg & Wilk, P.C.
24 3200 N. Central Ave., Ste 2000
25 Phoenix, AZ 85012
26 Attorney for Respondent