

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

3 **In the Matter of:**

4 **Robert F. Lovett, Jr, LISAC-15050, LAC-**
5 **14148, Licensed Independent Substance**
6 **Abuse Counselor, Licensed Associate**
7 **Counselor,**

CASE NO. 2021-0046

INTERIM CONSENT AGREEMENT

8 **In the State of Arizona.**

9 **Respondent**

10 By mutual agreement and understanding, between the Arizona State Board of
11 Behavioral Health Examiners ("Board") and Robert F. Lovett, Jr ("Respondent"), the parties
12 enter into this Interim Consent Agreement, Findings of Fact, Conclusions of Law and Order
13 ("Interim Consent Agreement") as an interim disposition of this matter.

14 **RECITALS**

15 Respondent understands and agrees that:

16 1. The Board may adopt this Interim Consent Agreement, or any part thereof,
17 pursuant to A.R.S. § 32-3251 *et seq.* and A.R.S. § 41-1092.07(F)(5).

18 2. Respondent has read and understands this Interim Consent Agreement as set
19 forth herein, and has had the opportunity to discuss this Interim Consent Agreement with an
20 attorney or has waived the opportunity to discuss this Interim Consent Agreement with an
21 attorney. Respondent voluntarily enters into this Interim Consent Agreement and by doing so
22 agrees to abide by all of its terms and conditions.

23 3. By entering into this Interim Consent Agreement, Respondent freely and
24 voluntarily relinquishes all rights to an administrative hearing on the matters set forth herein, as
25 well as all rights of rehearing, review, reconsideration, appeal, judicial review or any other

1 administrative and/or judicial action, concerning the matters related to the Interim Consent
2 Agreement.

3 4. Respondent understands that this Interim Consent Agreement does not constitute
4 a dismissal or resolution of this matter or any matters that may be currently pending before the
5 Board and does not constitute any waiver, express or implied, of the Board's statutory authority
6 or jurisdiction regarding any other pending or future investigations, actions, or proceedings.
7 Respondent also understands that acceptance of this Interim Consent Agreement does not
8 preclude any other agency, subdivision, or officer of this State from instituting civil or criminal
9 proceedings with respect to the conduct that is the subject of this Interim Consent Agreement.
10 Respondent does not intend their acceptance of this Interim Consent Agreement to constitute
11 an admission of any fact or facts and they enter into this agreement as an interim compromise
12 of a pending matter. Respondent further does not relinquish their rights to an administrative
13 hearing, rehearing, review, reconsideration, judicial review or any other administrative and/or
14 judicial action, concerning the matters related to a final disposition of this matter, unless they
15 affirmatively does so as part of the final resolution of this matter.

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

20 6. Respondent understands that this Interim Consent Agreement shall not become
21 effective unless and until it is adopted by the Board and signed by its Executive Director.

22 7. Respondent understands and agrees that if the Board does not adopt this Interim
23 Consent Agreement, they will not assert in any future proceedings that the Board's consideration
24 of this Interim Consent Agreement constitutes bias, prejudice, prejudgment, or other similar
25 defense.

1 8. Respondent understands that this Interim Consent Agreement is a public record
2 that may be publicly disseminated as a formal action of the Board, and that it shall be reported
3 as required by law to the National Practitioner Data Bank.

4 9. Respondent understands that this Interim Consent Agreement does not alleviate
5 their responsibility to comply with the applicable license-renewal statutes and rules. If this Interim
6 Consent Agreement remains in effect at the time Respondent's behavioral health licenses come
7 up for renewal, they must renew their license(s) if Respondent wishes to retain their license(s).
8 If Respondent elects not to renew their license(s) as prescribed by statute and rule,
9 Respondent's license(s) will not expire but rather, by operation of law (A.R.S. § 32-3202),
10 become suspended until the Board takes final action in this matter. Once the Board takes final
11 action, in order for Respondent to be licensed in the future, they must submit a new application
12 for licensure and meet all of the requirements set forth in the statutes and rules at that time.

13 10. Respondent understands that any violation of this Interim Consent Agreement
14 constitutes unprofessional conduct under A.R.S. § 32-3251(16)(n), violating a formal order,
15 consent agreement, term of probation or stipulated agreement, and may result in disciplinary
16 action under A.R.S. § 32-3281.

17 Respondent understands and agrees that:

18 **INTERIM FINDINGS OF FACT**

19 1. The Board is the duly constituted authority for licensing and regulating the practice
20 of substance abuse counseling in the State of Arizona.

21 2. Respondent is the holder of License Nos. LISAC-15050 and LAC-14148.

22 3. Respondent agrees to voluntarily enter into this interim consent agreement while
23 they tend to their substance use recovery efforts.

24 **INTERIM CONCLUSIONS OF LAW**

25 1. The Board possesses subject matter and personal jurisdiction over Respondent
pursuant to A.R.S. § 32-3251 *et seq.*

1 2. The Board is authorized to enter into an interim consent agreement with a Licensed
2 Independent Substance Abuse Counselor and Licensed Associate Counselor to limit or restrict
3 the professional's practice in order to protect the public and ensure that the professional is able
4 to safely engage in the practice of counseling pursuant to A.R.S. § 32-3281.


5 **INTERIM ORDER**

6 Based on the Interim Findings of Fact and Interim Conclusions of Law, and pursuant to
7 the authority granted to the Board under A.R.S. § 32-3281:

8 **IT IS HEREBY ORDERED** that Respondent shall not practice under their license until
9 such time as they submit a written request for the reinstatement of their license to the Board and
10 the Board affirmatively approves Respondent's request for reinstatement. The Board may, in its
11 discretion, require any combination of staff-approved physical, psychiatric, or psychological
12 examinations, or other types of examinations, evaluations or interviews it believes are necessary
13 to assist the Board in determining whether Respondent is able to safely and competently return
14 to the practice of counseling. The Board's affirmative approval to permit Respondent to return to
15 practicing under their license shall not preclude the Board from taking any other action it deems
16 appropriate based upon the conduct set forth in the Interim Findings of Fact.


17 Respondent's agreement not to practice under License Nos. LISAC-15050 and LAC-
18 14148 will be considered an interim suspension of their licenses.

19
20 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

21 
Robert Lovett (Jul 8, 2020 09:22 PDT)
Robert F. Lovett, Jr

Jul 8, 2020
Date

23 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

24 By: 
25 TOBI ZAVALA, Executive Director
Arizona Board of Behavioral Health Examiners

Sep 14, 2020
Date

1 ORIGINAL of the foregoing filed Sep 14, 2020

with:

2 Arizona Board of Behavioral Health Examiners
3 1740 West Adams Street, Suite 3600
4 Phoenix, AZ 85007

5 EXECUTED COPY of the foregoing sent electronically Sep 14, 2020

to:

6 Mona Baskin
7 Assistant Attorney General
8 2005 North Central Avenue
9 Phoenix, AZ 85004

10 Robert F. Lovett, Jr
11 Address of Record
12 Respondent

13
14
15
16
17
18
19
20
21
22
23
24
25