

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

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

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11 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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

16 7. Respondent acknowledges and agrees that the acceptance of this Consent
17 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
18 other proceedings as may be appropriate now or in the future. Furthermore, and
19 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
20 preclude in any way any other state agency or officer or political subdivision of this state from
21 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
22 in the future relating to this matter or other matters concerning Respondent, including but not
23 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other
24 than with respect to the Board, this Consent Agreement makes no representations, implied or

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1 otherwise, about the views or intended actions of any other state agency or officer or political
2 subdivision of the state relating to this matter or other matters concerning Respondent.

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

6 9. Respondent further understands that any violation of this Consent Agreement
7 constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(16)(n) and may result in
8 disciplinary action pursuant to A.R.S. § 32-3281.

9 10. The Board therefore retains jurisdiction over Respondent and may initiate
10 disciplinary action against Respondent if it determines that they have failed to comply with the
11 terms of this Consent Agreement or of the practice act.

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

13 **FINDINGS OF FACT**

14 1. Respondent is the holder of License No. LPC-18252 for the practice of
15 counseling in the State of Arizona.

16 2. From 02/03/21 – 04/20/21, Respondent provided clinical supervision to an LAC
17 (“Supervisee”) in Private Practice.

18 3. On 04/16/21, the Board received a supervised private practice application from
19 Supervisee which listed Respondent as the proposed clinical supervisor.

20 4. Respondent did not meet the requirements to be Supervisee’s clinical supervisor
21 in accordance with A.A.C. R4-6-211 since Licensee did not have two years of independent
22 licensure at the time of Supervisee’s supervised private practice application.

23 5. When Respondent began providing clinical supervision to Supervisee, she
24 believed she was permitted to provide supervision to him since she was on the clinical
25 supervisor registry with the Board.

1 6. On 02/17/21, Supervisee showed Respondent proof of his LAC license.

2 7. Around 02/24/21, Respondent was granted access to Supervisee's Simple
3 Practice electronic health records system that had numerous progress notes in the queue for
4 Respondent to sign off on.

5 8. Respondent represented the following:

6 a. Respondent thought that since Supervisee's license was dated as effective
7 02/01/21, she could sign off on progress notes from that date on.

8 b. When signing off on Supervisee's progress notes, Respondent was under the
9 impression all of Supervisee's notes would be for services provided after his
10 effective licensure date.

11 c. It was a complete oversight to not pay attention to the psychotherapy notes
12 for dates prior to Supervisee's licensure date.

13 d. Around 04/14/21, Supervisee asked Respondent to initial and sign an
14 attestation regarding her qualifications as a supervisor, but Respondent did
15 not initial one statement about being independently licensed for at least two
16 years.

17 e. Respondent did not recall a 2-year requirement from her clinical supervision
18 training.

19 9. Once Board staff informed Respondent of concerns regarding Supervisee and
20 Respondent not qualifying to be Supervisee's supervisor in accordance with Board rules, she
21 contacted Supervisee to terminate the supervision relationship.

22 10. Once Licensee became aware she was not compliant with Board regulations,
23 she ceased the supervision of Supervisee.

24 11. Since the filing of this complaint, Respondent has taken continuing education
25 regarding clinical supervision and reviewed the Board's rules on supervision.

1 **CONCLUSIONS OF LAW**

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

5 2. The conduct and circumstances described in the Findings of Fact constitute a
6 violation of A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to
7 recognized standards of ethics in the behavioral health profession or that constitutes a danger
8 to the health, welfare or safety of a client, as it relates to the ACA Code of Ethics:

9 **I.1.a. Knowledge:**

10 Counselors know and understand the ACA Code of Ethics and other
11 applicable ethics codes from professional organizations or certification
12 and licensure bodies of which they are members. Lack of knowledge
13 or misunderstanding of an ethical responsibility is not a defense
14 against a charge of unethical conduct.

15 **ORDER of CENSURE**

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

18 1. Respondent is hereby censured, which is an official action against their license,
19 for their conduct as set forth in the Findings of Fact.

20 2. This Consent Agreement shall be effective on the date of entry below.

21 3. This Consent Agreement is conclusive evidence of the matters described herein
22 and may be considered by the Board in determining appropriate sanctions in the event a
23 subsequent violation occurs.

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