

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

3 **In the Matter of:**

4 **Lindsey R. Jones, LPC-15408,**  
5 **Licensed Professional Counselor,**  
6 **In the State of Arizona.**

7 **RESPONDENT**

**CASE NO. 2022-0029**

**CONSENT AGREEMENT FOR  
VOLUNTARY SURRENDER**

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

14 **RECITALS**

15 Respondent understands and agrees that:

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

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

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

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.     Although Respondent does not agree that all the Findings of Fact set forth in this  
6 Consent Agreement are supported by the evidence, Respondent acknowledges that it is the  
7 Board's position that, if this matter proceeded to formal hearing, the Board could establish  
8 sufficient evidence to support a conclusion that certain of Respondent's conduct constituted  
9 unprofessional conduct. Therefore, Respondent has agreed to enter into this Consent  
10 Agreement as an economical and practical means of resolving the issues associated with the  
11 complaint(s) filed against her. Further, Respondent acknowledges that the Board may use the  
12 evidence in its possession relating to this Consent Agreement for purposes of determining  
13 sanctions in any further disciplinary matter.

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

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

25 ...

1 8. Respondent acknowledges and agrees that the acceptance of this Consent  
2 Agreement is solely to settle this Board matter and does not preclude the Board from instituting  
3 other proceedings as may be appropriate now or in the future. Furthermore, and  
4 notwithstanding any language in this Consent Agreement, this Consent Agreement does not  
5 preclude in any way any other state agency or officer or political subdivision of this state from  
6 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or  
7 in the future relating to this matter or other matters concerning Respondent, including but not  
8 limited to violations of Arizona’s Consumer Fraud Act. Respondent acknowledges that, other  
9 than with respect to the Board, this Consent Agreement makes no representations, implied or  
10 otherwise, about the views or intended actions of any other state agency or officer or political  
11 subdivision of the state relating to this matter or other matters concerning Respondent.

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

15 **FINDINGS OF FACT**

- 16 1. Respondent is the holder of License No. LPC-15408 for the practice of  
17 counseling in Arizona.  
18 2. From 03/23/20 – 09/17/20, an adult male client (“Client”) received behavioral  
19 health services from Licensee.  
20 3. Respondent admits to having a sexual relationship with a former client.

21 **CONCLUSIONS OF LAW**

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

25 ...

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

4 **ORDER**

5 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to  
6 the provision and penalties imposed as follows:

7 1. Respondent's license, LPC-15408, shall be surrendered to the Board, effective  
8 from the date of entry as signed below.


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

10  
11 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

12   
Lindsey Jones (Sep 9, 2021 09:19 PDT)  
\_\_\_\_\_  
Lindsey R. Jones

Sep 9, 2021  
Date

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

15 By:   
\_\_\_\_\_  
16 TOBI ZAVALA, Executive Director  
17 Arizona Board of Behavioral Health Examiners

Sep 13, 2021  
Date

18 **ORIGINAL** of the foregoing filed Sep 13, 2021  
19 with:

20 Arizona Board of Behavioral Health Examiners  
21 1740 West Adams Street, Suite 3600  
Phoenix, AZ 85007

22 **EXECUTED COPY** of the foregoing sent electronically Sep 13, 2021  
23 to:

24 Mona Baskin  
25 Assistant Attorney General  
2005 North Central Avenue  
Phoenix, AZ 85004  
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Lindsey R. Jones  
Address of Record  
Respondent

Flynn P. Carey  
One Renaissance Square  
2 North Central Avenue, Suite 1450  
Phoenix, AZ 85004  
Attorney for Respondent