

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

2 **In the Matter of:**

3 **Christine M. Colburn, LPC-17895,**
4 **Licensed Professional Counselor,**
5 **In the State of Arizona.**

6 **RESPONDENT**

CASE NO. 2023-0026

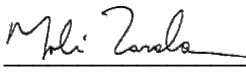
**RELEASE FROM
NON-DISCIPLINARY CONSENT
AGREEMENT AND ORDER**

7 The Board received a request from Respondent to release them from the terms and
8 conditions of the Non-Disciplinary Consent Agreement and Order dated March 16th, 2023. After
9 consideration, the Board voted to release Respondent from the terms and conditions of the
10 Non-Disciplinary Consent Agreement and Order dated March 16th, 2023.

11 **ORDER**

12 **GOOD CAUSE APPEARING, IT IS THEREFORE ORDERED THAT:**

13 Respondent is hereby released from all terms and conditions of the Non-Disciplinary
14 Consent Agreement and Order dated March 16th, 2023.

15 By: 
16 **TOBI ZAVALA, Executive Director**
Arizona Board of Behavioral Health Examiners

Nov 13, 2023
Date

17
18 **ORIGINAL** of the foregoing filed Nov 13, 2023
with:

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

22 **EXECUTED COPY** of the foregoing sent electronically Nov 13, 2023
to:

23 Christine M. Colburn
24 Address of Record
Respondent

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

3 **In the Matter of:**

4 **Christine M. Colburn, LPC-17895,**
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7 **Respondent**

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**NON-DISCIPLINARY CONSENT
AGREEMENT**

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(D)(3)
11 and 41-1092.07(F)(5), Christine M. Colburn (“Respondent”) and the Board enter into this Non-
12 Disciplinary Consent Agreement, Findings of Fact, Conclusions of Law and Order (“Consent
13 Agreement”) as a final 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. 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

25 ...

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 shall constitute a public record that may be disseminated as a formal action of the
5 Board.

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 the 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-17895 for the practice of
15 counseling in the State of Arizona.

16 2. Respondent owns and operates her own private practice ("Private Practice")
17 which is not licensed by the Arizona Department of Health Services.

18 3. From 07/20/21 – 03/15/22, Complainant held a temporary license with the Board.

19 4. From 09/16/20 – 05/15/21, Complainant was an intern at Private Practice with a
20 valid contract between the university and Private Practice.

21 5. From 05/15/21 – 07/20/21, Complainant continued providing behavioral health
22 services at Private Practice under Respondent's direct supervision without a license to do so.

23 6. After the expiration of Complainant's temporary license on 03/15/22,
24 Complainant could not lawfully provide behavioral health services.

25 ...

1 7. A 06/16/22 independent contract signed by Respondent and Complainant
2 included the following:

3 a. 05/30/22 – 05/30/23 is the term of the agreement.

4 b. Complainant agrees to provide counseling therapy services at Private
5 Practice and remain in compliance with all applicable laws and regulations.

6 c. Complainant shall provide a copy of valid Arizona licensure.

7 d. Complainant acknowledges and agrees they will maintain all professional
8 licenses in order to provide services under this agreement.

9 8. On 08/22/22, Respondent terminated Complainant's contract with Private
10 Practice.

11 9. From 03/15/22 – 08/22/22, Complainant was being supervised by Respondent
12 and unlawfully providing behavioral services without an active license or meeting any of the
13 Board's exemptions to licensure.

14 10. Respondent represented she thought is someone was actively working towards
15 licensure then they could provide psychotherapy services as long as they are being supervised
16 as well and was unaware of the exemptions to licensure statutes.

17 11. Respondent in fact allowed Complainant to practice unlawfully without a license
18 for at least 2 months in 2021 and 5 months in 2022.

19 12. Furthermore, Complainant provided Board staff a recording of a conversation
20 between her and Respondent in which Respondent made unprofessional remarks to
21 Complainant.

22 **CONCLUSIONS OF LAW**

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

1 matter presented before the Board. Respondent may appear before the Board, either in person
2 or telephonically. Respondent must provide evidence that they have successfully satisfied all
3 terms and conditions in this Consent Agreement. The Board has the sole discretion to
4 determine whether all terms and conditions of this Consent Agreement have been met and
5 whether Respondent has adequately demonstrated that they have addressed the issues
6 contained in this Consent Agreement. In the event that the Board determines that any or all
7 terms and conditions of this Consent Agreement have not been met, the Board may open up a
8 complaint which will be subject to the provisions of A.R.S. § 32-3281.

9 5. Respondent shall bear all costs relating to completion of all terms required in this
10 Consent Agreement.

11 6. Respondent shall be responsible for ensuring that all documentation required in
12 this Consent Agreement is provided to the Board in a timely manner.

13 7. This Consent Agreement shall be effective on the date of entry below.

14 8. This Consent Agreement is conclusive evidence of the matters described herein
15 and may be considered by the Board in determining appropriate sanctions in future cases.

16
17 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

18 Christine Colburn, LPC Mar 2, 2023
Christine Colburn, LPC (Mar 2, 2023 13:50 MST) _____
19 Christine M. Colburn Date

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

21 By: Meli Zavala Mar 16, 2023
22 TOBI ZAVALA, Executive Director Date
23 Arizona Board of Behavioral Health Examiners

24 **ORIGINAL** of the foregoing filed Mar 16, 2023
25 with: _____

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

EXECUTED COPY of the foregoing sent electronically Mar 16, 2023
to:

Mona Baskin
Assistant Attorney General
2005 North Central Avenue
Phoenix, AZ 85004

Christine M. Colburn
Address of Record
Respondent