

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

In the Matter of:

**Taylor M. Posso, LIAC-155233,
Licensed Independent Addiction
Counselor,
In the State of Arizona.**

**CASE NO. 2024-0375
DECREE OF CENSURE**

RESPONDENT

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

RECITALS

Respondent understands and agrees that:

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

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

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13 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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 acknowledges and agrees that the acceptance of this Consent
19 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
20 other proceedings as may be appropriate now or in the future. Furthermore, and
21 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
22 preclude in any way any other state agency or officer or political subdivision of this state from
23 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
24 in the future relating to this matter or other matters concerning Respondent, including but not

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1 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other
2 than with respect to the Board, this Consent Agreement makes no representations, implied or
3 otherwise, about the views or intended actions of any other state agency or officer or political
4 subdivision of the state relating to this matter or other matters concerning Respondent.

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

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

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

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

15 **FINDINGS OF FACT**

16 1. Respondent is the holder of License No. LIAC-155233 for the practice of
17 addiction counseling in the State of Arizona.

18 2. Since 01/22, Respondent has been employed with Agency as a therapist
19 providing therapy to assigned clients.

20 3. From 09/23 – 03/24, Respondent provided individual and group behavioral health
21 services to Complainant at Agency.

22 4. A 09/15/23 assessment for Complainant included diagnoses of anxiety,
23 depression, psychosis, mania, and trauma and Complainant denied a history of substance use.

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1 5. A 09/15/23 treatment plan completed by Respondent included diagnoses of
2 Dissociative Disorder, panic disorder, and Generalized Anxiety Disorder with no mention of
3 substance use goals or concerns.

4 6. None of Complainant's progress notes completed by Respondent include
5 conversations around substance use or anything related to substance use.

6 7. Even a 09/26/22 psychological evaluation Agency obtained from a previous
7 provider failed to include any sort of substance use concerns and included mental health only
8 diagnoses with recommendations for EMDR and DBT to address mental health concerns.

9 8. Due to possible concerns with Respondent practicing outside the scope of her
10 license, Board staff subpoenaed Agency for a client list of clients Licensee has treated at
11 Agency which showed she has treated 44 clients in total and 7 of those clients failed to include
12 any sort of substance use diagnoses.

13 9. Board staff randomly subpoenaed three clinical records for 7 of those clients.

14 10. From 06/23 – 06/24, Respondent treated AR and AR's records showed the
15 following:

16 a. A 06/14/23 assessment where AR denies a history of substance use and was
17 diagnosed with PTSD, major depressive disorder, and generalize anxiety
18 disorder.

19 b. 06/23/23 and 05/01/24 treatment plans included diagnoses for mental health
20 only and despite the 05/01/24 indicating AR's family members had substance
21 use issues, substance use was not a goal within the treatment plan.

22 c. None of AR's progress note document conversations or a focus related to the
23 family members substance use.

24 11. From 01/24 – 10/24, Respondent treated BJ and BJ's records showed the
25 following:

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- a. A 01/03/24 assessment where BJ reported he was a sex addict and previous substance use but was not diagnosed with any sort of substance use disorder.
 - b. A 01/03/24 treatment plan indicated addictive behaviors but the goals were only related to the mental health diagnoses listed within the treatment plan.
 - c. None of BJ's progress notes include any conversations around substance use concerns.
12. From 07/23 – 07/24, Respondent treated HT and HT's records showed the following:
- a. A 07/18/23 assessment where HT reported anxiety, depression, and a history of trauma and denied a history of substance use, with no substance use disorder diagnosis.
 - b. 09/27/23 and 05/01/24 treatment plans include mental health only diagnoses and zero goals around substance use concerns.
 - c. None of HT's progress notes include any conversations around substance use concerns
13. Respondent represented the following during her investigative interview:
- a. Supervisor assigns Respondent clients.
 - b. Complainant presented with past trauma and anxiety and was previously seeing an outside therapist that diagnosed Complainant with DID.
 - c. Even though Complainant struggled with bingeing, she was not diagnosed with a substance use disorder.
 - d. Complainant did report previous substance use issues with alcohol and marijuana.

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- 1 e. Respondent is aware her scope of license recently changed and was made
2 aware a couple weeks prior to the interview by Supervisor.
- 3 f. Respondent was not aware she was possibly practicing outside the scope of
4 her license and thought that since she was working for a program at Agency
5 she was allowed to treat anyone as long as she had the training in those
6 areas.
- 7 g. Respondent thought the only limitations with her license was that she could
8 not operate her own practice.
- 9 h. Respondent had various trainings and certifications in certain areas to treat
10 mental health.
- 11 i. Respondent acknowledged treating clients with only mental health diagnoses
12 at prior employments as well.

13 14. Respondent felt since she was simply working for an agency or program under
14 someone's supervision, that she was able to treat any client as long as she was competent in
15 those areas.

16 15. Even though Respondent is trained and certified in certain modalities and areas,
17 this does not trump Respondent's scope of practice per her licensure.

18 16. By treating clients with no substance use or addiction diagnoses, Respondent in
19 fact has been practicing outside the scope of her license while employed at Agency and even
20 prior employers.

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.

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2. The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience.

ORDER of CENSURE

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

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

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

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

PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

Taylor M Posso
Taylor M Posso (Dec 17, 2024 14:58 MST)

Dec 17, 2024
Date

Taylor M. Posso

BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

By: M. Zavalala
TOBI ZAVALA, Executive Director
Arizona Board of Behavioral Health Examiners

Jan 13, 2025
Date

ORIGINAL of the foregoing filed 1-13-25
with:

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

1 EXECUTED COPY of the foregoing sent electronically 1-13-25

to:

2 Mona Baskin
3 Assistant Attorney General
4 2005 North Central Avenue
Phoenix, AZ 85004

5 Taylor M. Posso
6 Address of Record
Respondent

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