



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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KATIE HOBBS
Governor

TOBI ZAVALA
Executive Director

June 18, 2024

Karlee A. McCue
[REDACTED]

Dear Ms. McCue:

On June 14, 2024, the Arizona Board of Behavioral Health Examiners (“Board”) reviewed your application for licensure as a licensed associate counselor and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(A)(5) and A.R.S. § 32-3275(A)(6). Specifically, the Board found that you engaged in conduct that had you been licensed would have constituted grounds for disciplinary action pursuant to A.R.S. § 32-3275(A)(5). The Board determined that the disciplinary action invoked the following violations that were based upon the conduct referenced thereafter:

1. A.R.S. § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee’s profession.
2. A.R.S. § 32-3251(16)(c)(ii), making any oral or written misrepresentation of a fact in any statements provided during an investigation or disciplinary proceeding by the board.

These violations were based on the following findings:

1. Between 05/01/20 – 09/14/21, Applicant was licensed as an LAC.
2. From 03/20 – 06/21, Applicant was employed with a behavioral health agency (“Agency”) as a primary therapist.
3. In 06/21, Applicant was terminated from Agency due to messaging a patient through social media and making a purchase on behalf of the patient.
4. On 08/20/21 and 08/24/21, two complaints were submitted alleging Applicant was engaging in an inappropriate relationship with a former client (“Client”).
5. On 08/26/21, Applicant signed a consent agreement for the voluntary surrender of her license, admitting to having a sexual relationship with a former client to whom she previously provided behavioral health services.
6. In 07/23, Applicant submitted an LAC application.
7. Applicant answered “yes” to the background questionnaire relating to her previously surrendered license.
8. In her explanation for her affirmative answer, Applicant noted the following:
 - a. In 05/21, Applicant held the position of Intake Coordinator at Agency and she was not working in the capacity of a therapist.
 - b. During that time, Applicant assisted with Client, and her role involved coordinating with Client’s probation officer.
 - c. Applicant never had a therapeutic relationship with Client and was never present during any of Client’s therapy sessions.
 - d. Applicant reasoned that because she did not act as Client’s therapist and he had not been a client of Agency for several months, the risk of there being a dual relationship or harm was relatively low.
 - e. Although the relationship was not romantic or sexual at the time, Applicant contemplated whether she wanted to subject herself to a full investigation into the allegations.

9. A review of Client's clinical records showed he received services from Agency starting in 05/21 and was discharged in 07/21.
10. Applicant was documented as Client's primary therapist, and records show Applicant: completed Client's assessment, facilitated group sessions, and provided individual therapy sessions.
11. This can be seen in Client's biopsychosocial assessment signed by Applicant on 05/17/21.
12. On 05/24/21, Applicant and Client met for a psychotherapy session to discuss treatment goals and assignments.
13. On 06/02/21, Applicant facilitated a group session where Client attended.
14. On 06/08/21, Applicant and Client met for a psychotherapy session where Client discussed his plans, hopes for the future, and relationships.
15. Despite having provided documented therapy services, Applicant denied being Client's therapist and having a therapeutic relationship.
16. Furthermore, Applicant's own therapy records provide a timeline of her relationship with Client.
17. A 07/08/21 progress note indicates that Applicant went to California with Client.
18. A 07/30/21 progress notes mentions Applicant is adjusting to being in a new relationship with Client and they are together at her place.
19. Applicant's termination, Client's documented discharge, and the start of their romantic relationship occurred within the span of approximately one month.
20. Given this timeframe, it would appear Applicant misrepresented by stating there was a low risk of a dual relationship or harm because Client had not been a client of Agency for several months.
21. Following the revocation of her license, Applicant continued her relationship with Client, until approximately 01/23.
22. Applicant represented the following during her investigative interview:
 - a. After a complaint was made, it started to get more involved.
 - b. Applicant figured she had already lost her license.
 - c. Applicant now realizes the reason for the rules, and they are there not only to protect the clients, but to protect the people in this profession.
23. Additionally, Applicant also answered "no" to the application background questionnaire question regarding terminations despite having been terminated from Agency.
24. Applicant represented the following during her investigative interview:
 - a. Applicant did not remember providing individual therapy to Client.
 - b. Applicant understands how she was misrepresenting now, but she did not intentionally misrepresent.
 - c. She previously did not have evidence and went by what she thought and remembered.
 - d. Applicant can see how her response to the background questionnaire questions was inaccurate and she apologizes.
25. In addition to entering into a romantic relationship with a former client, and continuing that relationship for almost a year and a half, Applicant misrepresented herself in her application and during the investigation process.

Notice of Appealable Agency Action:

Pursuant to A.R.S. § 41.1092.03 (B), you may request a formal hearing by notifying the Board, in writing, within 35 days from the date of this letter. The hearing will be held within 60 days after the Board receives your request. (A.R.S. § 41-1092.05)(A)) At the hearing, you will have the burden of proof to demonstrate that you are qualified for licensure regarding the matters set forth above. The Office of the Attorney General will represent the State of Arizona at the hearing. In addition, if you request a hearing, you have the right to request a settlement conference. (A.R.S. § 41-1092.06) Please note that if you do not request a hearing by the close of business on **July 23, 2024**, your file will be closed without recourse to appeal. If you desire licensure in the future you will be required to submit a new application and fee. Please be further advised that pursuant to the Board's licensure statutes only persons holding licenses to practice behavioral health may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

Notice to Licensure Applicant:

Pursuant to A.R.S. § 41-1093.01, an agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to A.R.S. § 41-1093.02 and A.R.S. § 41-1093.03, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court of general jurisdiction to challenge the occupational regulation and to ensure compliance with A.R.S. § 41-1093.01.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,

A handwritten signature in black ink, appearing to read "Tobi Zavala", enclosed in a thin black rectangular border.

Tobi Zavala
Executive Director