



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
1740 WEST ADAMS STREET, SUITE 3600
PHOENIX, AZ 85007
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

KATIE HOBBS
Governor

TOBI ZAVALA
Executive Director

July 17, 2024

Ms. Emily Farabaugh
[REDACTED]

Dear Ms. Farabaugh:

On July 12, 2024, the Arizona Board of Behavioral Health Examiners (“Board”) reviewed your application for licensure as a licensed professional 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. 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.

These violations were based on the following findings:

1. From 10/01/20 – 04/16/23, Applicant was licensed as an LPC.
2. Applicant represents that from approximately 10/20 – 04/22, she provided behavioral health services to a client (“Client”).
3. On 03/27/24, a complaint was received alleging a dual relationship between Applicant and Client.
4. On 04/16/23, Applicant signed a consent agreement to voluntarily surrender her license due to her husband (“Husband”) and Client having a sexual relationship.
5. Applicant represented the following during her investigative interview:
 - a. Husband and Client were in a photography group in town.
 - b. Applicant did not know Client and she did not know Husband knew Client prior to providing therapy services.
 - c. In approximately 04/22, Client expressed having a crush and Applicant discovered it was Husband.
 - d. Upon finding out this information, Applicant terminated services and provided referrals.
 - e. A few months later, when Husband shared he was interested in dating Client, they tried an open marriage as Client was no longer under Applicant’s care.
6. Applicant appeared to be in support of Husband engaging in a relationship with Client, and allowed the interaction to take place.
7. As a result of Husband and Client’s relationship, Applicant also engaged a non-therapeutic relationship with her former client.
8. Applicant also represented the following during her investigative interview:
 - a. Husband and Client dated from 06/22 – 02/23.
 - b. There were moments when Applicant was present with Client and Husband because she lived there and she would not allow Husband and Client to go anywhere with her children without her consent.
 - c. Applicant was accepting of Husband and Client’s relationship, but she would not say there was a friendship.

9. Despite Applicant's representation that there was no friendship between her and Client, there was a 07/21 Facebook post in which Applicant tagged Client.
10. Applicant represented the following during her investigative interview:
 - a. Applicant believes Husband tagged Client in the post.
 - b. Applicant was Facebook friends with Client to share resources most of the time.
 - c. Applicant participated in vendor events with Client during the time they were engaging in therapy services.
 - d. Client tagged Applicant and purchased Applicant's product, and Applicant would get business this way.
 - e. She felt it was appropriate if Client was doing it of her own volition and making purchases through the website instead of directly through Applicant.
 - f. After therapy services ended, Applicant would show Client and her mother how to put on her product.
11. Applicant felt it was appropriate to befriend a client on social media and publicly tag her in posts.
12. Additionally, Applicant's representation would insinuate there was contact between Husband and Client during the time Applicant was providing services, and she was aware of it.
13. Applicant failed to maintain appropriate boundaries with Client during and after the termination of their therapeutic relationship, and allowed Client to become an integrated member of her family through Husband's relationship with her.

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 **August 21, 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,



Tobi Zavala
Executive Director