

1 BEFORE THE ARIZONA STATE BOARD OF BEHAVIORAL HEALTH EXAMINERS

2 In the Matter of:

3 Susan L. Jantzen, LPC-1034  
4 Licensed Professional Counselor,  
5 In the State of Arizona.

6 RESPONDENT

CASE NO. 2015-0010

RELEASE FROM  
7 CONSENT AGREEMENT AND ORDER

8 The Board received a request from Respondent to release him from the terms and  
9 conditions of the Consent Agreement and Order dated October 17, 2014. After consideration,  
10 the Board voted to release Respondent from the terms and conditions of the Consent  
11 Agreement and Order dated October 17, 2014.

12 ORDER

13 GOOD CAUSE APPEARING, IT IS THEREFORE ORDERED THAT:

14 Respondent is hereby released from all terms and conditions of the Consent Agreement  
15 and Order dated October 17, 2014.

16 Dated this 9<sup>th</sup> day of November, 2015.

17 By:



18 TOBÍ ZAVALA, Executive Director  
19 Arizona Board of Behavioral Health Examiners

20 ORIGINAL of the foregoing filed

This 9<sup>th</sup> day of November, 2015, with:

21 Arizona Board of Behavioral Health Examiners  
22 3443 N. Central Ave., Suite 1700  
23 Phoenix, AZ 85012

24 COPY of the foregoing mailed via

Certified mail no. 70142870000189573934  
This 9<sup>th</sup> day of November, 2015, to:

25 Susan L. Jantzen  
Address of Record  
Respondent



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 her  
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 and may be used for purposes of determining  
7 sanctions in any future disciplinary matter.

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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,  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

15           7.     Respondent understands that once the Board approves and signs this Consent  
16 Agreement, it is a public record that may be publicly disseminated as a formal action of the  
17 Board, and that it shall be reported as required by law to the National Practitioner Data Bank  
18 and the Healthcare Integrity and Protection Data Bank.

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

22           9.     The Board therefore retains jurisdiction over Respondent and may initiate  
23 disciplinary action against Respondent if it determines that she has failed to comply with the  
24 terms of this Consent Agreement or of the practice act.

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

1 **FINDINGS OF FACT**

2 1. Respondent is the holder of License No. LPC-1034 for the practice of counseling  
3 in Arizona.

4 2. In 08/12, Respondent's supervisee ("Applicant") submitted her first LPC  
5 application to the Board.

6 3. That application was found to be deficient and was subsequently closed out.

7 4. In 07/13, Applicant submitted a new LPC application to the Board.

8 5. In support of that application, Respondent provided copies of backdated clinical  
9 supervision forms ("Backdated Supervision Forms").

10 6. Respondent did not provide any information clarifying that she and Applicant had  
11 created this documentation shortly before Applicant submitted her second LPC application to  
12 the Board.

13 7. When questioned by Board staff about her creation and submission of backdated  
14 documents to the Board, Respondent indicated the following:

15 a. Respondent created the Backdated Supervision Forms after Applicant's first  
16 LPC application was closed because she understood that the Board required  
17 that clinical supervision be documented using the Board's supervision form.

18 b. Respondent created these forms by copying the content of her original  
19 supervision forms ("Original Supervision Forms") onto to the Backdated  
20 Supervision Forms.

21 c. Applicant and Respondent then backdated their signatures to reflect that the  
22 documents were signed on the date the supervision occurred rather than the  
23 date the documents were actually signed.

24 d. Respondent thought it was appropriate for she and Applicant to backdate  
25 their signatures on the Backdated Supervision Forms because they were only

1 transferring information from one supervision form to another supervision  
2 form.

3 8. Respondent's explanation that she believed it was acceptable to backdate  
4 signatures on the Backdated Supervision Forms because she was just transferred information  
5 from the Original Supervision Forms to the Backdated Supervision Forms lacks merit where:

6 a. There was no place on the Original Supervision Forms for Applicant or  
7 Respondent to date their signatures and they did not date any of their  
8 signatures on those forms.

9 b. By dating their signatures on the Backdated Supervision Forms, Respondent  
10 and Applicant added information that was not included in the Original  
11 Supervision Forms.

12 c. By adding their dated signatures onto the Backdated Supervision Forms,  
13 Respondent and Applicant corrected the only deficiency that would have  
14 been found on the Original Supervision Forms.

15 9. Respondent's conduct appears problematic based on the following:

16 a. Even if Respondent believed that use of the Board's supervision form was  
17 required, there would have been nothing to prevent her from transferring  
18 information from the Original Supervision Forms to new forms as long as she  
19 and Applicant dated their signatures to reflect the actual dates they signed  
20 these documents.

21 b. Instead of doing so, Respondent and Applicant backdated their signatures on  
22 the Backdated Supervision Forms to correspond with the date the supervision  
23 occurred.

24 c. The only reason that the Board was able to determine that the Backdated  
25 Supervision Forms were created after the fact and backdated is that

1 Respondent created this documentation by using a Board form that was not  
2 created until after the Applicant's clinical supervision was completed.

3 d. By backdating their signature on the Backdated Supervision Forms,  
4 Respondent and Applicant misrepresented that they signed those forms  
5 years before they actually signed them.

#### 6 CONCLUSIONS OF LAW

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

10 2. The conduct and circumstances described in the Findings of Fact constitute a  
11 violation of A.R.S. § 32-3251(12)(l), any conduct, practice or condition that impairs the ability of  
12 the licensee to safely and competently practice the licensee's profession.

#### 13 ORDER

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

16 1. Respondent's license, LPC-1034, will be placed on probation for 12 months,  
17 effective from the date of entry as signed below.

18 2. Respondent shall not practice under her license, LPC-1034, unless she is fully  
19 compliant with all terms and conditions in this Consent Agreement. If, for any reason,  
20 Respondent is unable to comply with the terms and conditions of this Consent Agreement, she  
21 shall immediately notify the Board in writing and shall not practice under her license until she  
22 submits a written request to the Board to re-commence compliance with this Consent  
23 Agreement. All such requests shall be pre-approved by the Board Chair or designee.

24 3. In the event that Respondent is unable to comply with the terms and conditions  
25 of this Consent Agreement, all remaining time frames shall be tolled and remain tolled until

1 such time as she is granted approval to re-commence compliance with the Consent  
2 Agreement.

### 3 Continuing Education

4 4. In addition to the continuing education requirements of A.R.S. § 32-3273, within  
5 12 months of the effective date of this Consent Agreement, Respondent shall take and pass a  
6 three semester credit hour graduate level behavioral health ethics course from an accredited  
7 college or university, pre-approved by the Board Chair or designee. Upon completion,  
8 Respondent shall submit to the Board an official transcript establishing completion of the  
9 required course.

10 5. Respondent shall take and pass a three semester credit hour graduate level  
11 documentation course from an accredited college or university, pre-approved by the Board  
12 Chair or designee. Upon completion, Respondent shall submit to the Board an official transcript  
13 establishing completion of the required course.

### 14 GENERAL PROVISIONS

#### 15 Provision of Clinical Supervision

16 6. Respondent shall not provide clinical supervision while subject to this Consent  
17 Agreement.

#### 18 Civil Penalty

19 7. Subject to the provisions set forth in paragraph 8, the Board imposes a civil  
20 penalty against the Respondent in the amount of \$1,000.00.

21 8. Respondent's payment of the civil penalty shall be stayed so long as Respondent  
22 remains compliant with the terms of this Consent Agreement. If Board staff determines that  
23 Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the  
24 exception of the tolling provision under Paragraph 3, the stay of the civil penalty payment shall  
25 be automatically lifted and payment of the civil penalty shall be made by certified check or

1 money order payable to the Board within 30 days after being notified in writing of the lifting of  
2 the stay.

3 9. Within 10 days of being notified of the lifting of the stay, Respondent may request  
4 that the matter be reviewed by the Board for the limited purpose of determining whether the  
5 automatic lifting of the stay was supported by substantial evidence. If the Board receives the  
6 written request within 10 days or less of the next regularly scheduled Board meeting, the  
7 request will not be heard at that meeting, but will be heard at the next regularly scheduled Board  
8 meeting. The Board's decision on this matter shall not be subject to further review.

9 10. The Board reserves the right to take further disciplinary action against  
10 Respondent for noncompliance with this Consent Agreement after affording Respondent notice  
11 and an opportunity to be heard. If a complaint is filed against Respondent for failure to comply  
12 with this Consent Agreement, the Board shall have continuing jurisdiction until the matter is final  
13 and the period of probation shall be extended until the matter is final.

14 11. Within 10 days of the effective date of this Order, if Respondent is working in a  
15 position where Respondent provides any type of behavioral health related services or works in a  
16 setting where any type of behavioral health, health care, or social services are provided,  
17 Respondent shall provide the Board Chair or designee with a signed statement from  
18 Respondent's employer(s) confirming Respondent provided the employer(s) with a copy of this  
19 Consent Agreement. If Respondent does not provide the employer's statement to the Board  
20 within 10 days of the effective date, the Board will provide Respondent's employer(s) with a  
21 copy of the Consent Agreement.

22 12. If Respondent is not employed as of the effective date of this Order, within 10  
23 days of accepting employment in a position where Respondent provides any type of behavioral  
24 health related services or in a setting where any type of behavioral health, health care, or social  
25 services are provided, Respondent shall provide the Board Chair or designee with a written



1 statement providing the contact information of her new employer and a signed statement from  
2 Respondent's new employer confirming Respondent provided the employer with a copy of this  
3 Consent Agreement. If Respondent does not provide the employer's statement to the Board  
4 within 10 days, as required, Respondent's failure to provide the required statement to the Board  
5 shall be deemed a violation of A.R.S. § 32-3251(12)(n) and the Board will provide Respondent's  
6 employer(s) with a copy of the Consent Agreement.

7 13. If, during the period of Respondent's probation, Respondent changes  
8 employment, resigns, is involuntarily terminated, resigns in lieu of termination, or goes on  
9 extended leave of absence for whatever reason that may impact her ability to timely comply with  
10 the terms of probation, Respondent shall, within 10 days of the aforementioned acts, inform the  
11 Board of her change of employment status. After the change and within 10 days of accepting  
12 employment in a position where Respondent provides any type of behavioral health related  
13 services or in a setting where any type of behavioral health, health care, or social services are  
14 provided, Respondent shall provide the Board Chair or designee a written statement providing  
15 the contact information of her new employer(s) and a signed statement from Respondent's new  
16 employer(s) confirming Respondent provided the employer(s) with a copy of this Consent  
17 Agreement. If Respondent does not provide the employer's statement to the Board within 10  
18 days, as required, Respondent's failure to provide the required statement to the Board shall be  
19 deemed a violation of A.R.S. § 32-3251(12)(n) and the Board will provide Respondent's  
20 employer(s) with a copy of the Consent Agreement.

21 14. Respondent shall practice counseling using the name under which she is  
22 licensed. If Respondent changes her name, she shall advise the Board of the name change as  
23 prescribed under the Board's regulations and rules.

24 15. Prior to the release of Respondent from probation, Respondent must submit a  
25 written request to the Board for release from the terms of this Consent Agreement at least 30

1 days prior to the date she would like to have this matter appear before the Board. Respondent  
2 may appear before the Board, either in person or telephonically. Respondent must provide  
3 evidence that she has successfully satisfied all terms and conditions in this Consent Agreement.  
4 The Board has the sole discretion to determine whether all terms and conditions of this Consent  
5 Agreement have been met and whether Respondent has adequately demonstrated that she has  
6 addressed the issues contained in this Consent Agreement. In the event that the Board  
7 determines that any or all terms and conditions of this Consent Agreement have not been met,  
8 the Board may conduct such further proceedings as it determines are appropriate to address  
9 those matters.

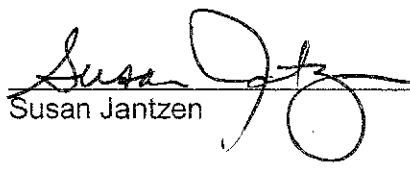
10 16. Respondent shall bear all costs relating to probation terms required in this  
11 Consent Agreement.

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

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

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


18 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

19   
20 Susan Jantzen

10-3-14  
Date

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

22 Dated this 17<sup>th</sup> day of October, 2014.

23 By:   
24 TOBIN ZAVALA, Executive Director  
25 Arizona Board of Behavioral Health Examiners

1 ORIGINAL of the foregoing filed  
This 17<sup>th</sup> day of October, 2014 with:


2 Arizona Board of Behavioral Health Examiners  
3 3443 N. Central Ave., Suite 1700  
4 Phoenix, AZ 85012

5 COPY of the foregoing mailed via Interagency Mail  
This 17<sup>th</sup> day of October, 2014, to:

6 Marc Harris  
7 Assistant Attorney General  
8 1275 West Washington  
9 Phoenix, Arizona 85007

10 COPY of the foregoing mailed via  
11 Certified mail no. 70447200000066830704  
12 This 17<sup>th</sup> day of October, 2014, to:

13 Susan L. Jantzen  
14 Address of Record  
15 Respondent

16   
17 \_\_\_\_\_  
18 Donna Dalton, Assistant Director  
19 602-542-1811  
20  
21  
22  
23  
24  
25