

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

2 **In the Matter of:**

3 **Karen L. Bruch, LCSW-10617,**
4 **Licensed Clinical Social Worker,**
5 **In the State of Arizona.**

CASE NO. 2015-0047

RELEASE FROM
CONSENT AGREEMENT AND ORDER

6 **RESPONDENT**

7 The Board received a request from Respondent to release him from the terms and
8 conditions of the Consent Agreement and Order dated January 6, 2015. After consideration, the
9 Board voted to release Respondent from the terms and conditions of the Consent Agreement
10 and Order dated January 6, 2015.

11 **ORDER**

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

13 Respondent is hereby released from all terms and conditions of the Consent Agreement
14 and Order dated January 6, 2015.

15 Dated this 5th day of February, 2016.

16
17 By:

Tobi Zavala
18 TOBI ZAVALA, Executive Director
19 Arizona Board of Behavioral Health Examiners

20 **ORIGINAL** of the foregoing filed

This 5th day of February, 2016, with:

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

23 **COPY** of the foregoing mailed via

Certified mail no. 70142870000189575181
24 This 5th day of February, 2016, to:

25 Karen L. Bruch
Address of Record
Respondent

1 **COPY** of the foregoing mailed via Mail
This 5th day of February, 2016 to:

2
3 Terrence P. Woods
4 Broening Oberg Woods & Wilson
5 P.O. Box 20527
6 Phoenix, AZ 85036
7 Attorney for Respondent
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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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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(15)(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. LCSW-10617 for the practice of social
3 work in Arizona.

4 2. On her 2013 renewal application, Respondent reported that on 02/24/13, she
5 was arrested for DUI.

6 3. Respondent's blood alcohol content was .137%.

7 4. In 11/10, Respondent was arrested for Criminal Trespassing.

8 5. Respondent failed to report the 2010 arrest on renewal applications submitted in
9 2011 and 2013.

10 **CONCLUSIONS OF LAW**

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

14 2. The conduct and circumstances described in the Findings of Fact constitute a
15 violation of A.R.S. § 32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an
16 applicant or licensee to secure or attempt to secure the issuance or renewal of a license.

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

20 **ORDER**

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

23 1. Respondent's license, LCSW-10617, will be placed on probation for a period of
24 24 months, effective from the date of entry as signed below.

25 ...

1 **Early Release**

2 7. After completion of 12 monthly M.A.D.D. meetings and the continuing education
3 requirements set forth in this Consent Agreement, and after 12 months, Respondent may
4 request early release from the Consent Agreement if all other terms of the Consent Agreement
5 have been met.

6 **GENERAL PROVISIONS**

7 **Provision of Clinical Supervision**

8 8. Respondent shall not provide clinical supervision while subject to this Consent
9 Agreement.

10 **Civil Penalty**

11 9. Subject to the provisions set forth in paragraph 10, the Board imposes a civil
12 penalty against the Respondent in the amount of \$1,000.00.

13 10. Respondent's payment of the civil penalty shall be stayed so long as Respondent
14 remains compliant with the terms of this Consent Agreement. If Board staff determines that
15 Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the
16 exception of the tolling provision under Paragraph 3, the stay of the civil penalty payment shall
17 be automatically lifted and payment of the civil penalty shall be made by certified check or
18 money order payable to the Board within 30 days after being notified in writing of the lifting of
19 the stay.

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

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

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

14 14. If Respondent is not employed as of the effective date of this Order, within 10
15 days of accepting employment in a position where Respondent provides any type of behavioral
16 health related services or in a setting where any type of behavioral health, health care, or social
17 services are provided, Respondent shall provide the Board Chair or designee with a written
18 statement providing the contact information of her new employer and a signed statement from
19 Respondent's new employer confirming Respondent provided the employer with a copy of this
20 Consent Agreement. If Respondent does not provide the employer's statement to the Board
21 within 10 days, as required, Respondent's failure to provide the required statement to the Board
22 shall be deemed a violation of A.R.S. § 32-3251(15)(n) and the Board will provide Respondent's
23 employer(s) with a copy of the Consent Agreement.

24 15. If, during the period of Respondent's probation, Respondent changes
25 employment, resigns, is involuntarily terminated, resigns in lieu of termination, or goes on

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

13 16. Respondent shall practice social work using the name under which she is
14 licensed. If Respondent changes her name, she shall advise the Board of the name change as
15 prescribed under the Board's regulations and rules.

16 17. Prior to the release of Respondent from probation, Respondent must submit a
17 written request to the Board for release from the terms of this Consent Agreement at least 30
18 days prior to the date she would like to have this matter appear before the Board. Respondent
19 may appear before the Board, either in person or telephonically. Respondent must provide
20 evidence that she has successfully satisfied all terms and conditions in this Consent Agreement.
21 The Board has the sole discretion to determine whether all terms and conditions of this Consent
22 Agreement have been met and whether Respondent has adequately demonstrated that she has
23 addressed the issues contained in this Consent Agreement. In the event that the Board
24 determines that any or all terms and conditions of this Consent Agreement have not been met,

25 ...

1 the Board may conduct such further proceedings as it determines are appropriate to address
2 those matters.

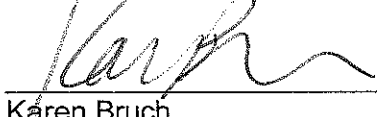
3 18. Respondent shall bear all costs relating to probation terms required in this
4 Consent Agreement.

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

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

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


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

12 
13 _____
Karen Bruch

12 12/27/14
13 _____
Date

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

15 Dated this 27 day of December, 2014.

16 By: 
17 _____
18 TOBI ZAVALA, Executive Director
19 Arizona Board of Behavioral Health Examiners

20 **ORIGINAL** of the foregoing filed
This 10th day of January, 2014¹⁵ with:

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

COPY of the foregoing mailed via Interagency Mail
24 This 10th day of January, 2014¹⁵, to:

25 Marc Harris
Assistant Attorney General

1 1275 West Washington
2 Phoenix, Arizona 85007

3 **COPY** of the foregoing mailed via

4 Certified mail no. 7014120020006483 8274

5 This 6th day of January, 2014, to:

6 Karen Bruch
7 Address of Record
8 Respondent

9 **COPY** of the foregoing mailed via Mail

10 This 6th day of January, 2014¹⁰ to:

11 Terrence Woods
12 PO Box 20527
13 Phoenix, AZ 85036
14 Attorney for Respondent

15 _____
16 Donna Dalton, Assistant Director
17 602-542-1811