

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 his
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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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 8. Respondent further understands that any violation of this Consent Agreement
19 constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(16)(n) and may result in
20 disciplinary action pursuant to A.R.S. § 32-3281.

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

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

FINDINGS OF FACT

1
2 1. Respondent is the holder of License No. LCSW-13699 for the practice of social
3 work in Arizona.

4 2. From 02/12-11/14, Respondent worked at a behavioral health agency ("Agency")
5 as a family preservation therapist.

6 3. On 11/25/14, while on scheduled vacation, Respondent submitted his notice of
7 resignation indicating that he would not be returning.

8 4. Respondent did not take the following proper steps with his clients:

9 a. Inform them of his departure

10 b. Provide them closure

11 c. Inform them of their options for continuation of care

12 5. Despite Agency having a policy requiring prior authorization before the use of
13 social networking, Respondent acknowledges using Facebook to examine client profiles and
14 communicate with Agency clients.

15 6. Respondent did not request authorization to utilize social networking in this
16 fashion and there is no documentation to indicate he had received permission.

17 7. During his employment at Agency, Respondent provided clinical supervision to a
18 supervisee who was anticipating applying for independent licensure.

19 8. Respondent provided no notice to the supervisee that he was leaving the
20 Agency.

21 9. Respondent represents that his documentation of clinical supervision was saved
22 and left at Agency rather than maintained by Respondent for a minimum of 7 years as required
23 pursuant to A.A.C. R4-6-212.

24 10. Following his termination in 11/14, Respondent relocated out of state and took
25 employment there.

1. under his license.

2. Respondent's license, LCSW-13699, shall by rule, expire on 09/30/16.

3. Respondent agrees not to renew his license.

4. Respondent agrees not to submit any type of new license application to the Board for a minimum of five (5) years.

5. 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

Jay Dexter
Jay K. Dexter

4-6-16
Date

BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

Dated this 9th day of May, 2016.

By: Tobi Zavala
TOBI ZAVALA, Executive Director
Arizona Board of Behavioral Health Examiners

ORIGINAL of the foregoing filed
This 9th day of May, 2016 with:

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

COPY of the foregoing mailed via Interagency Mail
This 9th day of May, 2016, to:

Marc Harris
Assistant Attorney General

1 1275 West Washington
Phoenix, Arizona 85007

2 **COPY** of the foregoing mailed via

3 Certified mail no. 70142870 0001 8957 5884
4 This 9th day of May, 2016, to:

5 Jay K. Dexter
6 Address of Record
7 Respondent

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