

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

3 **In the Matter of:**

4 **Sandra S. Anderson, LPC-0552,**
5 **Licensed Professional Counselor,**
6 **In the State of Arizona.**

7 **RESPONDENT**

CASE NO. 2016-0086

**CONSENT AGREEMENT
FOR VOLUNTARY SURRENDER OF
LICENSE**

8 In the interest of a prompt and speedy settlement of the above captioned matter,
9 consistent with the public interest, statutory requirements and responsibilities of the Arizona
10 State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(F)
11 and 41-1092.07(F)(5), Sandra S. Anderson ("Respondent") and the Board enter into this
12 Consent Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as
13 a final disposition of this matter.

14 **RECITALS**

15 Respondent understands and agrees that:

16 1. Any record prepared in this matter, all investigative materials prepared or
17 received by the Board concerning the allegations, and all related materials and exhibits may be
18 retained in the Board's file pertaining to this matter.

19 2. Respondent has the right to a formal administrative hearing at which Respondent
20 can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably
21 waives their right to such formal hearing concerning these allegations and irrevocably waives
22 their right to any rehearing or judicial review relating to the allegations contained in this Consent
23 Agreement.

24 3. Respondent has the right to consult with an attorney prior to entering into this
25 Consent Agreement.

1 3. As a result of her conduct, Respondent was ordered, in part, to complete a
2 graduate level behavioral health ethics course from an accredited college or university.

3 4. In 11/15, the Board received Respondent's official transcript from University of
4 the Rockies for her graduate level ethics course.

5 5. Upon review of the transcript, Board staff learned that Respondent earned a "U"
6 or Unsatisfactory grade.

7 6. Board staff informed Respondent that she had not satisfactorily met the
8 requirements of her consent agreement as she had not passed her ethics course.

9 7. On 11/20/15, Board staff received a letter, which appeared to be written by
10 Respondent, indicating the following:

11 a. Unfortunately, there have been some issues with my class from the very
12 beginning.

13 b. Respondent had completed and turned in all the required work prior to the
14 end of the class.

15 c. Shortly thereafter, Respondent was able to obtain an unofficial transcript,
16 which showed that she received an A- in the class.

17 d. However, Respondent has now been informed that, the official transcript that
18 the Board has, reflects her papers as not turned in.

19 e. At this juncture, Respondent is gathering all her work to send to the school to
20 plead her case of the technological issues within the class room.

21 8. While this issue was still pending, Board staff later discovered through a
22 complaint, that Respondent's behavioral health client not only completed the ethics course for
23 Respondent, but also composed the 11/20/15 letter that was submitted to Board staff.

24 ...

25 ...

1 9. On 02/04/16, the Board received a complaint with information and evidence
2 indicating that Respondent was engaged a dual relationship with her behavioral health client
3 (“Client”).

4 10. Email correspondence between Respondent and Client reflects the following:

5 a. 10/14/15 email from Client to Respondent:

- 6 • Attached is the letter with the updates. If you can, let me know if this will
7 work.
8 • **NOTE:** The email contained an attached letter entitled, “non return to
9 work 10.14.15.docx”

10 b. 10/14/15 email from Respondent to Client:

- 11 • Add LPC after my name in both places.

12 c. 10/14/15 email from Client to Respondent:

- 13 • Ok, got it!!!

14 d. 11/20/15 email from Client to Respondent:

- 15 • Attached is the letter you requested. They are not going to care about
16 details, just the resolution.
17 • You may change, add or delete as you see fit.
18 • I believe this will satisfy them until resolution with the school.
19 • **NOTE:** The email contained an attached letter entitled, “Board Letter.”

20 e. 11/20/15 email from Respondent to Client:

- 21 • Are you comfortable with this? I am leery that it’s too much information.
22 • I’m so afraid to do anything, say anything, or answer the phone.

23 f. 11/20/15 email from Client to Respondent:

- 24 • I think it gives a brief synopsis of the situation plus what you are doing to
25 resolve the issue.

- 1 • Short and sweet. I think it's good!

2 g. 11/29/15 email from Respondent to Client:

- 3 • When you think about me in the future, know that I will be history. I won't
4 have a job or a license.
- 5 • I guess you don't care anymore what happens to me.
- 6 • I don't know what I am getting into with the Board. My license will be
7 revoked.
- 8 • I don't know what else to say or do but sit back and watch my life fall
9 apart.

10 11. On 01/26/16, Client underwent a psychological evaluation with a clinical
11 psychologist, where the following was documented and recorded:

- 12 a. Client reported that Respondent kept asking her to do things for her.
- 13 b. Client has been to Respondent's home, fixed her air conditioner and wired
14 her electronics.
- 15 c. Client completed a continuing education course at University of the Rockies
16 for Respondent. The course was on ethics and professionalism.
- 17 d. Client pulled out her phone and shared dozens of texts and emails that she
18 received from Respondent.
- 19 e. "The general content of these emails appear to this examiner very
20 inappropriate for any kind of relationship, let alone one that reportedly
21 involves a therapist and a patient."
- 22 f. From the content of the emails it seems there is a possibility that this
23 dramatic contact had to do with the course material rather than any concern
24 for Client's condition.

1 g. During the interview, Client was able to utilize the password she had set up
2 and accessed Respondent's account at University of the Rockies.

3 h. Client stated, "I feel like an idiot. I am taking the fucking ethics class talking
4 about the boundaries."

5 12. On 03/29/16, the court accepted an Injunction of Harassment filed by Client
6 against Respondent.

7 13. The Injunction of Harassment specified that Respondent shall have no contact
8 with Client except through attorneys, legal process, or court hearings.

9 **CONCLUSIONS OF LAW**

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

13 2. The conduct and circumstances described in the Findings of Fact constitute a
14 violation of A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could
15 impair the licensee's objectivity or professional judgment or create a risk of harm to the client.
16 For the purposes of this subdivision, "dual relationship" means a licensee simultaneously
17 engages in both a professional and nonprofessional relationship with a client that is avoidable
18 and not incidental.

19 3. The conduct and circumstances described in the Findings of Fact constitute a
20 violation of A.R.S. § 32-3251(16)(x), exploiting a client, former client or supervisee. For the
21 purposes of this subdivision, "exploiting" means taking advantage or a professional relationship
22 with a client, former client or supervisee for the benefit or profit of the licensee.

23 4. The conduct and circumstances described in the Findings of Fact constitute a
24 violation of A.R.S. § 32-3251(16)(n), failing to comply with or violating, attempting to violate or
25 assisting in or abetting the violation of any provision of this chapter, any rule adopted pursuant

1 to this chapter, any lawful order of the board, or any formal order, consent agreement, term of
2 probation or stipulated agreement issued under this chapter.

3 5. The conduct and circumstances described in the Findings of Fact constitute a
4 violation of A.R.S. § 32-3251(16)(l), any conduct, practice or condition that impairs the ability of
5 the licensee to safely and competently practice the licensee's profession.

6 **SURRENDER ORDER**

7 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to
8 the provision and penalties imposed as follows:

9 1. Respondent's license, LPC-0552, shall be surrendered to the Board, effective
10 from the date of entry as signed below.

11 2. The surrender shall be considered a revocation of Respondent's license.

12 3. This Consent Agreement is conclusive evidence of the matters described herein
13 and may be considered by the Board in determining appropriate sanctions in the event a
14 subsequent violation occurs.

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

16 *Sandra S. Anderson*
17 Sandra S. Anderson

5-4-16
Date

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

19 Dated this 9th day of May, 2016.

20 By:

21 *Tobi Zavala*
22 TOBI ZAVALA, Executive Director
23 Arizona Board of Behavioral Health Examiners
24
25 ...

1 ORIGINAL of the foregoing filed
This 9th day of May, 2016 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 9th day of May, 2016, 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. 70142870000189576140
This 9th day of May, 2016, to:

12 Sandra S. Anderson
13 Address of Record
14 Respondent

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

16 Craig Penrod
17 301 West Warner Road, Suite 133
18 Tempe, AZ 85284
19 Attorney for Respondent
20
21
22
23
24
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