



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

May 16, 2016

Ms. Dulce Encinas Tapia
[REDACTED]

Dear Ms. Encinas Tapia:

On May 6, 2016, the Board reviewed your application for licensure as a master social worker and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(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), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.
2. A.R.S § 32-3251(16)(b), use of fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter.

These violations were based on the following findings:

1. On 08/10/15, you were arrested for DUI.
2. The results of your blood draw measured your BAC at .224, which was drawn approximately 1 hour after being pulled over.
3. On 11/04/15, you pled guilty to Super Extreme DUI and had to complete various court requirements as a result of your conviction.
4. From 08/13 – 02/16, you worked at a behavioral health agency ("Agency") as a multistemic therapist.
5. In 08/13 and 01/15, you signed a job description form acknowledging that you understand you must maintain a valid Arizona driver's license and current auto insurance.
6. During an interview with your former supervisor at Agency, the following information was provided to Board staff:
 - a. In 02/16, it came to Agency's attention that you did not have valid auto insurance.
 - b. When questioned, you stated that you had not had auto insurance for the past couple months.
 - c. A check was done with the MVD and it was discovered that you had not had an active driver's license for the past several months.
 - d. You were placed on administrative leave while the auto insurance issue was being investigated.
 - e. On 02/29/16, you were asked to come back to discuss the situation.
 - f. On that same day, you submitted your resignation, effective immediately.
 - g. Agency had to find alternative therapists for the families on your caseload.

7. When questioned about this issue by Board staff, you indicated the following:
 - a. When asked what transportation you used while your driver's license was suspended, you indicated for the most part your mother drove you to/ from work, but that you drove 2 or 3 times.
 - b. If you had to go to a family's home, you would have your mother drop you off a few blocks away for privacy purposes.
 - c. Agency was not aware that your driver's license was suspended for 3 months.
 - d. You were very scared you would lose your job if Agency found out your driver's license was suspended so you withheld the information.
8. In addition to failing to inform Agency of your suspended driver's license as required, and in addition to abandoning your clients and place of employment when placed under investigation, your conduct appears further concerning when considering that your 02/29/16 Motor Vehicle Report shows that you have had other violations including Failure to Maintain Financial Responsibility and Suspension, during the timeframe you were employed by Agency.

Per A.R.S. §41.1092.03.B, you may request a Formal Hearing by notifying the agency in writing within thirty-five (35) days from the date of this letter. If you do request a Formal Hearing, you also have the right, pursuant to A.R.S. §41-1092.06, to request a settlement conference. If you do not request a Formal Hearing by the close of business on June 20, 2016, your file will be closed without further recourse to appeal and the licensure denial will be reported to the federal data banks that record this information. If you desire licensure at a later date, you must submit a new application and fee.

PLEASE BE FURTHER ADVISED that, pursuant to the Board's new licensure statute, as of July 1, 2004, only persons holding licenses to practice social work may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,



Tobi Zavala
Executive Director