

1 4. Respondent understands that this Interim Consent Agreement does not
2 constitute a dismissal or resolution of this matter or any matters that may be currently pending
3 before the Board and does not constitute any waiver, express or implied, of the Board's
4 statutory authority or jurisdiction regarding any other pending or future investigations, actions,
5 or proceedings. Respondent also understands that acceptance of this Interim Consent
6 Agreement does not preclude any other agency, subdivision, or officer of this State from
7 instituting civil or criminal proceedings with respect to the conduct that is the subject of this
8 Interim Consent Agreement. Respondent does not intend their acceptance of this Interim
9 Consent Agreement to constitute an admission of any fact or facts and they enter into this
10 agreement as an interim compromise of a pending matter. Respondent further does not
11 relinquish their rights to an administrative hearing, rehearing, review, reconsideration, judicial
12 review or any other administrative and/or judicial action, concerning the matters related to a
13 final disposition of this matter, unless they affirmatively does so as part of the final resolution of
14 this matter.

15 5. Respondent acknowledges and agrees that upon signing this Interim Consent
16 Agreement and returning it to the Board's Executive Director, Respondent may not revoke their
17 acceptance of this Interim Consent Agreement or make any modifications to it. Any
18 modification of this original document is ineffective and void unless mutually approved by the
19 parties in writing.

20 6. Respondent understands that this Interim Consent Agreement shall not become
21 effective unless and until it is adopted by the Board and signed by its Executive Director.

22 7. Respondent understands and agrees that if the Board does not adopt this
23 Interim Consent Agreement, they will not assert in any future proceedings that the Board's
24 consideration of this Interim Consent Agreement constitutes bias, prejudice, prejudgment, or
25 other similar defense.

1 8. Respondent understands that this Interim Consent Agreement is a public record
2 that may be publicly disseminated as a formal action of the Board, and that it shall be reported
3 as required by law to the National Practitioner Data Bank.

4 9. Respondent understands that this Interim Consent Agreement does not alleviate
5 their responsibility to comply with the applicable license-renewal statutes and rules. If this
6 Interim Consent Agreement remains in effect at the time Respondent's behavioral health
7 licenses come up for renewal, they must renew their license(s) if Respondent wishes to retain
8 their license(s). If Respondent elects not to renew their license(s) as prescribed by statute and
9 rule, Respondent's license(s) will not expire but rather, by operation of law (A.R.S. § 32-3202),
10 become suspended until the Board takes final action in this matter. Once the Board takes final
11 action, in order for Respondent to be licensed in the future, they must submit a new application
12 for licensure and meet all of the requirements set forth in the statutes and rules at that time.

13 10. Respondent understands that any violation of this Interim Consent Agreement
14 constitutes unprofessional conduct under A.R.S. § 32-3251(16)(n), violating a formal order,
15 consent agreement, term of probation or stipulated agreement, and may result in disciplinary
16 action under A.R.S. § 32-3281.

17 Respondent understands and agrees that:

18 **INTERIM FINDINGS OF FACT**

19 1. The Board is the duly constituted authority for licensing and regulating the
20 practice of counseling in the State of Arizona.

21 2. Respondent is the holder of License No. LAC-15804.

22 3. In 06/16, following a 6-year period of sobriety, Respondent acknowledges
23 relapsing and having ongoing alcohol issues.

24 4. In 11/16, Respondent self-reported that he was arrested for DUI.

25 5. Because there has not been sufficient time to assess what would be an

1 appropriate final disposition in this matter, the parties agreed to enter into this Interim Consent
2 Agreement. The Interim Consent Agreement is intended to protect the public and ensure that
3 Respondent is able to safely engage in the practice of behavioral health in Arizona.

4 INTERIM CONCLUSIONS OF LAW

5 1. The Board possesses subject matter and personal jurisdiction over Respondent
6 pursuant to A.R.S. § 32-3251 *et seq.*

7 2. The Board is authorized to enter into an interim consent agreement with an a
8 counselor to limit or restrict the professional's practice in order to protect the public and ensure
9 that the professional is able to safely engage in the practice of counseling pursuant to A.R.S. §
10 32-3281.

11 INTERIM ORDER

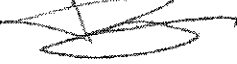
12 Based on the Interim Findings of Fact and Interim Conclusions of Law, and pursuant to
13 the authority granted to the Board under A.R.S. § 32-3281:

14 **IT IS HEREBY ORDERED** that Respondent shall not practice under their license until
15 such time as they submit a written request for the reinstatement of their license to the Board and
16 the Board affirmatively approves Respondent's request for reinstatement. The Board may, in its
17 discretion, require any combination of staff-approved physical, psychiatric, or psychological
18 examinations, or other types of examinations, evaluations or interviews it believes are
19 necessary to assist the Board in determining whether Respondent is able to safely and
20 competently return to the practice of counseling. The Board's affirmative approval to permit
21 Respondent to return to practicing under their license shall not preclude the Board from taking
22 any other action it deems appropriate based upon the conduct set forth in the Interim Findings
23 of Fact.

24 Respondent's agreement not to practice under License No. LAC-15804 will be
25 considered an interim suspension of their license.

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PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT




Byron G. Watson

2/8/17
Date

BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT

Dated this 7th day of March, 2017.

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

ORIGINAL of the foregoing filed
This 7th day of March, 2017, 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 7th day of March, 2017, to:

Marc Harris
Assistant Attorney General
1275 West Washington
Phoenix, Arizona 85007

COPY of the foregoing mailed via
Certified mail no. 70141200000060339837
This 7th day of March, 2017, to:

Byron G. Watson
Address of Record
Respondent