



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 their  
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10 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,  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 they have failed to comply with the  
23 terms of this Consent Agreement or of the practice act.

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1 The Board issues the following Findings of Fact, Conclusions of Law and Order:

2 **FINDINGS OF FACT**

3 1. Respondent is the holder of License No. LPC-15697 for the practice of  
4 counseling in Arizona.

5 2. In 07/15, Respondent became licensed as a Licensed Professional Counselor.

6 3. Around 05/17, Respondent helped open a behavioral health entity with two lower  
7 level licensees.

8 4. It is a violation of the Board's rules and regulations for lower level licensees to  
9 own, operate or manage the behavioral health entity where they provide behavioral health  
10 services.

11 **CONCLUSIONS OF LAW**

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

15 2. The conduct and circumstances described in the Findings of Fact constitute a  
16 violation of A.R.S. § 32-3251(16)(n), failing to comply with or violating, attempting to violate or  
17 assisting or abetting the violation of any provision of this chapter, any rule adopted pursuant to  
18 this chapter, any lawful order of the board, or any formal order, consent agreement, term of  
19 probation or stipulated agreement issued under this chapter as it relates to:

- 20 a. A.A.C. R4-6-210, Practice Limitations.  
21 b. A.A.C. R4-6-211(A), Direct Supervision, Supervised Work  
22 Experience: General.

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1 **ORDER of PROBATION**

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

- 4 1. Respondent's license, LPC-15697, will be placed on probation for 12 months.
- 5 2. Respondent shall not provide clinical supervision while subject to this Consent  
6 Agreement.

7 **ORDER of CENSURE**

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


- 10 1. Respondent is hereby censured, which is an official action against their license,  
11 for their conduct as set forth in the Findings of Fact.
- 12 2. This Consent Agreement shall be effective on the date of entry below.
- 13 3. This Consent Agreement is conclusive evidence of the matters described herein  
14 and may be considered by the Board in determining appropriate sanctions in the event a  
15 subsequent violation occurs.

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

18  \_\_\_\_\_ 11/10/17  
19 Victor A. Scozzarella Date

20  
21 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

22 Dated this 15<sup>th</sup> day of November, 2017.

23  
24 By:   
25 TOBI ZAVALA, Executive Director  
Arizona Board of Behavioral Health Examiners

1 ORIGINAL of the foregoing filed  
This 15th day of November, 2017 with:

2  
3 Arizona Board of Behavioral Health Examiners  
3443 N. Central Ave., Suite 1700  
4 Phoenix, AZ 85012

5 COPY of the foregoing mailed via Interagency Mail  
This 15th day of November, 2017, to:

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

9 COPY of the foregoing mailed via  
Certified mail no. 7017145000008089 0283  
This 15th day of November, 2017, to:

10 Victor A. Scozzarella  
11 Address of Record  
12 Respondent

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