



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

December 22, 2015

Mr. Sean Frankie
[REDACTED]

Dear Mr. Frankie:

On December 3, 2015, the Board reviewed your application for licensure as an associate counselor 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:

- A. A.R.S. § 32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession;
- B. A.R.S. § 32-3251(12)(c)(i), any oral or written misrepresentation of a fact by an applicant or licensee to secure or attempt to secure the issuance or renewal of a license; and
- C. A.R.S. § 32-3251(16)(n), failing to comply with or violating, attempting to violate or assisting in or abetting the violation of any provision of this chapter, any rule adopted pursuant to this chapter, any lawful order of the board, or any formal order, consent agreement, term of probation or stipulated agreement issued under this chapter.

These violations were based on the following findings:

1. In 10/06, you were arrested for DWI.
2. You failed to report that information on your 06/13 Licensed Associate Counselor application.
3. On 03/25/12, you were arrested for extreme DUI.
4. Your blood alcohol content was .219% approximately one hour after being stopped by police.
5. On 05/07/15, the Board reviewed your LAC application and voted to open a complaint against you and find the violations indicated in (A.) and (B.) above.
6. The Board ordered you to complete an evaluation by a Medical or Osteopathic Doctor certified in addictions within 60 days of the order.
7. Board staff mailed you the executed order for evaluation on 05/28/15.
8. You requested additional time to complete the evaluation, and on 08/06/15, the Board granted you an additional 60 days.
9. The 60 day extension expired on 10/18/15 and to date, Board staff has received no information regarding your compliance with the Board order.
10. On 12/03/15, the Board voted to deny your application based on the violations found on 05/07/15 in addition to the violation indicated in (C.) above.

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 January 26, 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 professional counseling 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,

A handwritten signature in black ink, appearing to read "Tobi Zavala", with a long horizontal flourish extending to the right.

Tobi Zavala
Executive Director