



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

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
TELECONFERENCE MEETING MINUTES
February 12, 2021

Members Present: Patricia Dobratz

Members Present telephonically: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Leannette Henagan, Meaghan Kramer, Kasondra Parr, Heidi Quinlan (in at 9:15 a.m.), Mark Shen, Gerald Szymanski, Antwan Trotter

Staff Present: Tobi Zavala, Executive Director; Donna Dalton, Deputy Director; Ian Hirmand, Assistant Director

Staff Present telephonically: Mona Baskin, A.A.G., Michael Raine, A.A.G.

1. **Call to Order**

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on February 12, 2021 at 9:02 a.m. with Ms. Dobratz presiding.

2. **Roll Call**

See above.

3. **Minutes: review, consideration and action**

A. *January 15, 2021, telephonic general meeting minutes*

Dr. Davis moved, seconded by Mr. Trotter, to approve the telephonic general meeting minutes for the January 15, 2021 meeting as submitted. The motion passed unanimously. Mr. Charles, Ms. Henagan and Ms. Parr abstained.

4. **Consent Agenda: review, consideration and action**

A. Cases recommended for dismissal

1. 2020-0128, Robyn Chance, LMSW-18363
2. 2021-0034, Lisa Dodd, LPC-10205
3. 2020-0149, Michael Haltenberger, LMSW-18936
4. 2020-0115, Nikole Hintz-Lyon, LPC-18886
5. 2021-0016, Annette Ruskin, LCSW-10157

Following discussion, Dr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(A). The motion passed unanimously.

B. Cases recommended for dismissal with a letter of concern.

N/A

C. Cases recommended for release from consent agreements.

1. 2020-0060, Katherine Crowley, LCSW-0625
2. 2020-0031, Lisa Peterson, LISAC-10191
3. 2020-0080, Jennifer Sayavan, LMSW-12700

Following discussion, Dr. Davis moved, seconded by Mr. Trotter, to approve the consent agenda item 4(C). The motion passed unanimously.

- D. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.

N/A

- E. Cases recommended for opening a complaint and dismissing with a letter of concern.

N/A

- F. Cases recommended for acceptance of a proposed signed consent agreement.

N/A

- G. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

N/A

5. Administrative Hearings

Pursuant to A.R.S. §§ 32-3253(A)(10) and 41-1092.07, the Board will conduct administrative hearings in the following matter(s). During the administrative hearing, the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

A. *Lorraine Land, LPC-18574*

Mona Baskin, A.A.G., summarized the amended factual allegations and the request for a continuance of the March 4, 2021 formal hearing.

The professional's attorney, Michael Goldberg, appeared telephonically and addressed the Board.

Michael Raine, A.A.G. appeared telephonically and was available to provide independent legal advice.

Following review and discussion by members, Ms. Dobratz moved, seconded by Dr. Davis, to amend the factual allegations and grant a continuance of the March 4, 2021 formal hearing.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X		X	X	X
NAY												
Absent									X			

The Board took a break at 10:22 a.m., reconvening its public meeting at 10:36 a.m.

6. Formal Interviews

N/A

7. Complaints and other disciplinary matters: review, consideration and action

A. *2021-0059, Francine Akins-Arbuckle, LPC-11723*

Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Bretton Barber, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Coonrod, to dismiss the complaint. The motion passed unanimously.

B. 2021-0020, Kimberly Buck, LPC-13747

Ms. Zavala summarized the results of the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Flynn Carey, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Quinlan moved, seconded by Ms. Kramer, to dismiss the complaint. The motion passed unanimously.

C. 2021-0042, Carol Carlyle, LASAC-15257

Mr. Hirmand summarized the results of the Board’s investigation.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Bailey, to find the following violations:

- A.R.S. § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession
- A.R.S. § 32-3251(16)(k), engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client as it relates to the following section of the NAADAC Code of Ethics:
 - I-10 – Boundaries

The motion passed unanimously. Ms. Parr recused.

Following further discussion, Dr. Davis moved, seconded by Mr. Szymanski, to offer a consent agreement that stipulates the following:

- The professional’s license shall be placed on probation for 24 months
- The professional shall work in an agency licensed by Department of Health Services
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision biweekly from a pre-approved independently licensed behavioral health professional for twelve months and after that at the recommendation of the clinical supervisor, but not less than once monthly.
- Clinical supervision shall focus on professional boundaries, documentation and adhering to agency policies

and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously. Ms. Parr recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X		X	X	X	X
NAY												
Absent								recuse				

D. 2021-0024, Floyd Godfrey, LPC-10466

Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and his attorney, Mandi Karvis, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Quinlan moved, seconded by Ms. Bailey, to dismiss the complaint. The motion passed unanimously.

E. 2020-0156, Randall Reynolds, LPC-0523

Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and his attorney, Mandi Karvis, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Kramer, to dismiss the complaint with a letter of concern addressing the importance of being factual, objective and within the professional's scope of practice when submitting letters to the court. The motion passed unanimously.

F. 2021-0038, Nancy Skocy, LPC-1851

Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Scott King, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Bailey, to find the following violations:

- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1102, Treatment Plan
 - A.A.C. R4-6-1103, Client Record
 - A.A.C. R4-6-1104, Financial and Billing Records
 - A.A.C. R4-6-1106, Telepractice
- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession

The motion passed unanimously.

Following further discussion, Mr. Shen moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The professional's license shall be placed on probation for 12 months
- The professional shall complete 3 clock hours in pre-approved continuing education in clinical documentation
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent

- The professional shall receive clinical supervision monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on documentation, letters to the court, and Board statutes and rules
- The professional shall have an audit of her practice and submit an audit plan for approval
- The professional shall obtain a practice monitor to carry out the audit plan with quarterly reports submitted to the Board
- Practice monitor to go in quarterly for the first six months. The frequency for the next six months will be at the recommendation of the practice monitor

and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X	X
NAY												
Absent												

G. 2021-0025, Gary Tupper, LMFT-15134 Tabled.

H. 2020-0136, Steven Wilson, LCSW-19151

Mr. Hirmand summarized the results of the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional and his attorney, Ronald Lehman, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Mr. Trotter, to offer the professional a non-disciplinary consent agreement for completion of 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent, and 15 clock hours in pre-approved continuing education in suicide risk assessment documentation, and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed carried with Ms. Dobratz opposed.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X		X	X	X	X	X	X	X
NAY					X							
Absent												

The Board took a break at 11:56 a.m., reconvening its public meeting at 12:11 p.m.

8. Assistant Attorney General’s Report: Mona Baskin, A.A.G.

N/A

9. Temporary licenses: review, consideration and action

N/A

10. Applications for licensure and educational programs: review, consideration and action

A. Review, consideration, and possible action regarding applications for licensure Counseling

Mr. Shen moved, seconded by Ms. Coonrod, to deny 1 application based on a failure to meet minimum requirements and 1 application based on a failure to pass the required examination. The motion passed unanimously.

Marriage and Family Therapy

Ms. Bailey moved, seconded by Ms. Dobratz, to deny 1 application based on a failure to pass the required examination. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Quinlan, to deny 5 applications based on a failure to pass the required examination and 4 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Quinlan, to deny 1 application based on a failure to meet minimum requirements. The motion passed unanimously.

B. Review, consideration, and possible action regarding applications for educational programs

1. *Divine Mercy University - Master of Science in Counseling, Clinical Mental Health*

Dr. Davis moved, seconded by Ms. Quinlan, to approve the academic program. The motion passed unanimously.

11. Report from Chair

A. Summary of current events

No Report.

12. Report from the Treasurer

A. Review, consideration, and possible action regarding January financial report

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to accept the January financial report as presented. The motion passed unanimously.

13. Report from the Executive Director and/or staff

A. Discussion regarding possible 2021 Legislation

Ms. Zavala informed members that part of her role is to track legislation that may affect the Board. Specifically, SB 1089 and HB2454 should be reviewed.

B. Discussion regarding staff's accomplishments and goals

Ms. Zavala gave a presentation regarding the Board's 2020 accomplishments and goals for 2021.

C. Review, consideration, and possible action regarding Ms. Zavala's appointment to the ASWB Regulatory Education and Leadership Committee

Ms. Zavala informed members that she had been appointed to the ASWB Regulatory Education and Leadership Committee pending approval by the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Dr. Davis, to approve Ms. Zavala's appointment to the ASWB Regulatory Education and Leadership Committee. The motion passed unanimously.

14. Request for extension of inactive status: review, consideration and action

N/A

15. Future agenda items

Licensees writing letters to the court

Mandated reporting laws

16. Call for public comment

None.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, March 12, 2021, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Dr. Davis moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:00 p.m.

Cedric E. Davis, LCSW

Cedric E. Davis, LCSW (Apr 25, 2021 15:37 PDT)

Cedric Davis
Secretary/Treasurer

Apr 25, 2021

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - February 12, 2021 meeting

COUNSELING - 2

Failure to pass the required exam - 1

Lily Cobham

Failure to meet minimum requirements - 1

Christine Gilbert

SOCIAL WORK - 9

Failure to pass the required exam - 5

Tania Hatathlie

Annette Baxter-Holland

Anacany Favela

Mariah Carter

Kevin Wilson

Failure to take the required exam - 4

Whitney Hess

RhondaThibodeaux

Alexandra O'Hannon

Margot Gaston

SUBSTANCE ABUSE COUNSELING - 1

Failure to meet minimum requirements - 1

Leanna Gendot

MARRIAGE & FAMILY THERAPY - 1

Failure to pass the required exam - 1

Jessica Luvshis