



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
MEETING MINUTES
July 8, 2022

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Patricia Dobratz, Leanette Henagan, Polly Knape, Adalesa Meek, Diane Palacios, Antwan Trotter

Members Absent: Meaghan Kramer, Kasondra Parr

Staff Present: Tobi Zavala, Executive Director; Mona Baskin, A.A.G., Erin Yabu, Deputy Director; Jarett Carver, Investigations Manager

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on July 8, 2022 at 9:04 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. June 10, 2022, general meeting minutes

Mr. Davis moved, seconded by Ms. Meek, to approve the general meeting minutes for the June 10, 2022 meeting as submitted. The motion passed unanimously. Mr. Trotter abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2022-0067, Eloina Gallagher, LASAC-13318
2. 2022-0015, Nicolle Mueller, LMSW-13548
3. 2022-0115, Heidi Quinlan, LPC-13084, LISAC-11071
4. 2022-0016, Heather Wheeler, LCSW-16822

Following discussion, Mr. Davis moved, seconded by Ms. Henagan, to approve the consent agenda item 4(A)(1-2, 4). The motion passed unanimously.

3. 2022-0115, Heidi Quinlan, LPC-13084, LISAC-11071

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

The complainant appeared and addressed the Board.

The professional and her attorney, Faren Akins, appeared telephonically and addressed the Board.

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

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

1. 2022-0050, Rochelle Lowry, LAC-19935

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

The complainant appeared telephonically and addressed the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Palacios, to dismiss the complaint with a letter of concern. The motion passed unanimously.

2. *2022-0049, Brian Sillanpaa, LPC-18686*

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

The complainant appeared telephonically and addressed the Board.

The professional appeared in-person and his attorney, Bretton Barber, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Knape, to dismiss the complaint with a letter of concern. The motion passed unanimously.

C. Cases recommended for release from consent agreements.

1. *2021-0089, Juniper Campbell, LPC-15211 (active-restricted)*
2. *2021-0001, 2021-0007, 2021-0009, Kristin Jimenez, LMFT-15620 (active-restricted)*
3. *2021-0106, Tina Johnson, LCSW-17813 (active-restricted)*
4. *2020-0142, LaJuana Mitchell, LPC-16755 (active-restricted)*
5. *2021-0172, Victor Okorie, LPC-13418 (active-restricted)*
6. *2021-0061, Tara Pitts, LAC-15719 (active-restricted)*
7. *2022-0161, Debbie Ritterbush, LPC-14266 (active-Non-disciplinary Agreement)*
8. *2021-0137, Noel Welch, LPC-20032 (active-restricted)*

Following discussion, Mr. 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 acceptance of a proposed signed disciplinary consent agreement.

N/A

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

N/A

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

1. *2022-0048, Karen Bischoff, LPC-10614*

Following discussion, Mr. Davis moved, seconded by Ms. Knape, to approve the consent agenda item 4(G). The motion passed unanimously. Ms. Meek recused.

5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues 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).

N/A

6. Formal Interviews

N/A

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

A. 2022-0047, Celeste Cheatham, LPC-12683

Mr. Carver summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, 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 ACA Code of Ethics:
 - A.6.d. Role Changes in the Professional Relationship
 - A.8. Multiple Clients
 - B.6.e Client Access
- 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. R4-6-1101, Consent for Treatment
 - A.A.C. R4-6-1102, Treatment Plan
 - A.A.C. R4-6-1106, Telepractice

The motion passed unanimously.

Following further review, Ms. Bailey moved, seconded by Ms. Meek, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours each of pre-approved continuing education in:
 - NASW Staying Out of Trouble course or its pre-approved equivalent
 - Dual relationships
 - Multiple clients
 - Behavioral health ethics

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	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

B. 2022-0001, Carol Farmer, LPC-18275

Mr. Carver summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Andrew Breavington, appeared and addressed the Board.

Following discussion by members, Ms. Bailey moved, seconded by Ms. Henagan, to find the following violations:

- 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 ACA Code of Ethics:

- A.8. Multiple Clients
- 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. R4-6-1101, Consent for Treatment
 - A.A.C. R4-6-1103, Client Record
 - A.A.C. R4-6-1106, Telepractice
- A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity or professional judgment or create a risk of harm to the client. For the purposes of this subdivision, "dual relationship" means a licensee simultaneously engages in both a professional and nonprofessional relationship with a client that is avoidable and not incidental

The motion passed unanimously. Ms. Palacios recused.

Following further discussion, Ms. Bailey moved, seconded by Ms. Coonrod, to offer the professional a consent agreement for the voluntary surrender of the professional's license, and if not signed remand the matter to a formal hearing. The motion passed unanimously. Ms. Palacios recused.

Following further review, Ms. Bailey moved, seconded by Ms. Knape, to refer the case to the Arizona Medical Board. The motion passed unanimously. Ms. Palacios recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X		X
NAY												
Absent								X	X		recused	

C. 2021-0179, Shelley Geary, LCSW-18146, LPC-17768

Ms. Zavala summarized the Board's investigation.

The complainant appeared and addressed the Board.

The professional appeared telephonically and her attorney, Mandi Karvis, appeared in-person and addressed the Board.

Following discussion by members, Ms. Henagan moved, seconded by Ms. Palacios, to find the following violations:

- 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 sections:
 - NASW Code of Ethics: 1.06 (d) Conflicts of Interest
 - ACA Code of Ethics: A.2.d. Inability to Give Consent
- 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)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1101, Consent for Treatment
 - A.A.C. R4-6-1102, Treatment Plan
 - A.A.C. R4-6-1103, Client Record
 - A.A.C. R4-6-1105, Confidentiality
 - A.A.C. R4-6-1106, Telepractice

The motion passed unanimously.

Following further review, Ms. Henagan moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 24 months
- Stayed suspension
- The professional shall complete 3 semester credit hours each of pre-approved graduate level course in:
 - Family systems
- The professional shall complete 6 clock hours each of pre-approved continuing education in:
 - NASW Staying Out of Trouble course or its pre-approved equivalent
 - Family law
 - Telehealth
 - Family systems
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional with expertise in family systems for 12 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but not less than twice monthly
- Clinical supervision shall focus on behavioral health ethics, documentation, family law, family systems, suicidal risk and assessment, and telehealth

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	Leanette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

The Board took a break at 10:36 a.m., reconvening its public meeting at 10:46 a.m.

D. Rochelle Lowry, LAC-19935

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Meek, to open a complaint for further investigation. The motion passed unanimously.

E. 2022-0179, Michael Medley, LPC-13907

Ms. Zavala summarized the Board’s investigation.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Meek moved, seconded by Ms. Bailey, to find the following violation:

- 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 ACA Code of Ethics:
 - I.1.a. Knowledge

The motion passed unanimously.

Following further review, Ms. Meek moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete the 12-hour initial clinical supervision training pursuant to R4-6-214(A)(1)(a)

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	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

F. Deana Perry, LCSW Applicant

Ms. Zavala summarized the background information.

The applicant was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Knape, to open a complaint for further investigation. The motion passed unanimously.

G. 2022-0034, 2022-0066, Regina Sayegh, LAMFT-10679

Ms. Zavala summarized the Board's investigation.

The complainants were properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Palacios moved, seconded by Mr. Trotter, to find the following violations:

- A.R.S. § 32-3251(16)(b), using fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter
- 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)(s), terminating behavioral health services to a client without making an appropriate referral for continuation of care for the client if continuing behavioral health services are indicated

The motion passed unanimously. Ms. Dobratz and Ms. Knape recused.

Following further review, Ms. Palacios moved, seconded by Ms. Henagan, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- 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 weekly from a pre-approved independently licensed behavioral health professional for 12 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but not less than twice monthly
- Clinical supervision shall focus on behavioral health ethics, billing, and Arizona statutes and rules

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. Dobratz and Ms. Knape recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X		X				X	X	X
NAY												
Absent					recused		recused	X	X			

H. Brian Sillanpaa, LPC-18686

Ms. Zavala summarized the background information.

The professional appeared in-person and his attorney, Bretton Barber, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Charles moved, seconded by Ms. Palacios, to open a complaint for further investigation. The motion passed unanimously.

I. 2022-0055, Mariana Tademy, LAC-19072

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Knape moved, seconded by Ms. Bailey, to find the following violation:

- A.R.S. § 32-3251(16)(s), terminating behavioral health services to a client without making an appropriate referral for continuation of care for the client if continuing behavioral health services are indicated

The motion passed unanimously.

Following further review, Ms. Knape moved, seconded by Ms. Meek, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete the following pre-approved continuing education in:
 - 6 clock hours of the following of NASW Staying Out of Trouble course or its pre-approved equivalent
 - 3 clock hours in 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 unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

J. 2022-0172, Lindsay Taylor, LMSW-18558

Ms. Zavala summarized the Board’s investigation.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Meek moved, seconded by Ms. Henagan, to find the following violation:

- A.R.S. § 32-3251(16)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to:
 - A.A.C. R-4-6-210 Practice Limitations
 - A.A.C. R-4-6-211 Direct Supervision: Supervised Work Experience: General

The motion passed unanimously. Ms. Knape recused.

Following further review, Ms. Meek moved, seconded by Ms. Palacios, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete the following pre-approved continuing education in:

- 6 clock hours of the following of NASW Staying Out of Trouble course or its pre-approved equivalent
- 3 clock hours in opening up a private practice
- Arizona Statutes/Regulation Tutorial
- Clinical Supervision Tutorial on Arizona Statutes/Regulations

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. Knape recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X				X	X	X
NAY												
Absent							recused	X	X			

The Board took a break at 11:48 a.m., reconvening its public meeting at 11:55 a.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

1. Matthew Klepper- LAC Applicant

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Palacios, to rescind the 06/10/22 motion to deny Matthew Klepper’s LAC application.

Counseling

Ms. Meek moved, seconded by Ms. Palacios to deny 5 applications based on a failure to pass the required examination, 5 applications based on a failure to take the required examination, and 1 application based on a failure to meet the minimum requirements. The motion passed unanimously.

Social Work

Ms. Henagan moved, seconded by Mr. Davis, to deny 5 applications based on a failure to pass the required examination and 3 applications based on a failure to take the required examination. The motion passed unanimously.

Marriage and Family Therapy

Ms. Bailey moved, seconded by Ms. Palacios, to deny 1 application based on a failure to pass the required examination, 3 applications based on a failure to take the required examination, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

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

N/A

11. Report from Chair

A. Summary of current events

No report.

12. Report from the Treasurer

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

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Knape, to accept the May financial report as presented. The motion passed unanimously.

B. Review, consideration, and possible action regarding June financial report

Tabled.

13. Report from the Executive Director and/or staff

A. Update on Rulemaking process

Ms. Yabu provided an update on the rulemaking process. The Notice of Proposed Rulemaking and Notice of Docket Opening have been filed with the Secretary of State. Public feedback session has begun, with two oral proceedings scheduled in October. All information is posted on the Board's website.

B. Update on database

Ms. Yabu provided an update regarding the new database and public portals for applicant, licensees, and other requests. The release date has been changed to late August or early September and staff is currently working on customizations based on the Board's processes.

C. Update on state's 2023 budget

Ms. Zavala provided an update for the state's 2023 budget, in which funding for three additional positions has been appropriated, as well as 10% raises for all staff members.

D. Update on Newsletter

Ms. Zavala shared the newsletter that was sent to all licensees on July 1, 2022. This is the first edition of the quarterly newsletter that will contain important updates and reminders.

E. Update on email hack

Ms. Zavala shared that staff recently experienced an email hack, which is currently under investigation with the Arizona Department of Homeland Security. Confidential Board information has not been compromised, and an update was posted on the Board's website.

F. Update on Ms. Zavala's attendance at the National Conference of State Legislatures

Ms. Zavala shared her attendance at the conference to be beneficial.

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

N/A

15. Future agenda items

- Tutorial for private practice
- Court-appointed cases
- Roe v. Wade

16. Call for public comment

Dalia Murillo appeared and addressed the Board.

Crystal Nelson appeared and addressed the Board.

Cameron Michael appeared and addressed the Board.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, August 19, 2022 at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Trotter moved, seconded by Ms. Knape, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:16 p.m.

Kimberly Bailey
Secretary/Treasurer

Date