



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
June 10, 2022

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Patricia Dobratz, Leannette Henagan (in at 10:10 a.m.), Polly Knape, Meaghan Kramer, Adalesa Meek, Diane Palacios

Members Absent: Kasondra Parr, Antwan Trotter

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 June 10, 2022 at 9:01 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. May, 13 2022, general meeting minutes

Mr. Davis moved, seconded by Ms. Bailey, to approve the general meeting minutes for the May 13, 2022 meeting as submitted. The motion passed unanimously. Ms. Kramer abstained.

B. May, 13 2022, executive session minutes/agenda item 4. J.

Mr. Davis moved, seconded by Ms. Palacios, to approve the executive session minutes/agenda item 4. J. for the May 13, 2022 meeting as submitted. The motion passed unanimously. Ms. Kramer abstained.

C. May, 13 2022, executive session minutes/agenda item 4. M.

Mr. Davis moved, seconded by Ms. Palacios, to approve the executive session minutes/agenda item 4. M. for the May 13, 2022 meeting as submitted. The motion passed unanimously. Ms. Henagan and Ms. Kramer abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2022-0056, Theresa Kunnappilly, LMSW-16191
2. 2022-0065, Heather Lober, LMFT-0455
3. 2022-0046, Kathleen Miholich, LCSW-0762

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

Following discussion, Mr. Davis moved, seconded by Ms. Kramer, to approve the consent agenda item 4(A)(3). The motion passed unanimously.

2. 2022-0065, Heather Lober, LMFT-0455

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

The complainant appeared addressed the Board.

The professional’s attorney, Charles Hover, appeared and addressed the Board.

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

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

1. 2022-0032, Daniel Oakes, LPC-11233

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

C. Cases recommended for release from consent agreements.

1. 2021-0173, Anna Antonova, LAC-19381
2. 2022-0043, Anne McQuaid, LPC-12062 (active-restricted)
3. 2021-0152, Candace Quibell, LCSW-10838
4. 2021-0070, Richard Smith, LISAC-0442
5. 2021-0049, Katharina Von Rhau, LCSW-0285 (active-restricted)

Following discussion, Mr. Davis moved, seconded by Ms. Palacios, 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.

1. Michael Fitzpatrick, LAC Applicant

Following discussion, Mr. Davis moved, seconded by Ms. Kramer, to approve the consent agenda item 4(D). The motion passed unanimously.

E. Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement.

1. Lora Sayles, LAC-17707

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

	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			X

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. 2022-0033, Kevin Davis, LPC-18462
2. 2022-0161, Debbie Ritterbush, LPC-14266

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

2. *2022-0161, Debbie Ritterbush, LPC-14266*

Ms. Zavala summarized the proposed signed non-disciplinary consent agreement.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Henagan, to accept the proposed signed non-disciplinary consent agreement as presented. The motion passed unanimously.

H. Cases recommended for acceptance of a proposed signed disciplinary consent agreement. The Board will review, discuss, and may vote to take action on the following case(s).

N/A

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).

A. *2021-0025, Gary Tupper, LMFT-15134*

Mona Baskin, A.A.G., appeared on behalf of the state.

Ms. Baskin advised the Board that she has no objection to the request.

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Bailey, to vacate the hearing before the Board and to direct staff to schedule a hearing at the Office of Administrative Hearings regarding the Factual Allegations and Allegations of Unprofessional Conduct provided in the Complaint and Notice of Hearing. The motion passed unanimously.

	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			X

6. **Formal Interviews**

N/A

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

A. *2022-0169, Stacy Barkin, LPC-13173, LISAC-11684*

Ms. Zavala summarized the signed proposed consent agreement.

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. Kramer moved, seconded by Ms. Bailey, to accept the signed proposed consent agreement as presented. The motion passed unanimously.

	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			X

The Board took a break at 9:58 a.m., reconvening its public meeting at 10:10 a.m.

B. Karen Bischoff, LPC-10614

Ms. Zavala summarized the background information.

The professional's attorney, Mandi Karvis, appeared and addressed the Board.

Following review and discussion, members agreed to take no action.

C. Enockishad Burge, LISAC Applicant

Ms. Zavala summarized the background information.

The applicant was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Knape, to open a complaint and find the following violation:

- A.R.S. § 32-3251(16)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license

The motion passed unanimously.

Following further discussion, Ms. Henagan moved, seconded by Ms. Palacios, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). 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

D. Vincent Forleo, LPC Applicant

Mr. Carver summarized the background information.

The applicant appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Kramer, to open a complaint and 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)(v), engaging in any sexual conduct between a licensee and a client or former client
- 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.

Following further discussion, Ms. Coonrod moved, seconded by Ms. Palacios, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). 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

E. Bridgette Glade, LAC Applicant

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

Following discussion by members, Ms. Bailey moved, seconded by Ms. Kramer, to open a compliant and find the following violation:

- 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 review, Ms. Bailey moved, seconded by Ms. Henagan, 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 a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision once weekly in-person, individually from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on boundaries, selfcare related to triggers and trauma, substance use, and Arizona statutes and rules
- The professional shall attend recovery support meetings three times weekly
- The professional shall submit to random biological fluid testing. The frequency for the first 12 months shall be twice monthly, and the remaining time shall be once monthly

and if not signed, the application will be denied for unprofessional conduct. 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

F. 2022-0020, Andrew Henry, LPC-12990

Mr. Carver summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

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

Following further discussion, Mr. Davis moved, seconded by Ms. Coonrod, 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 6 clock hours in 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. Ms. Meek recused.

G. 2022-0038, Samantha Higgins, LPC-16841

Ms. Zavala summarized the Board's investigation.

The professional and her attorney, Sara Stark, appeared and addressed the Board.

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

- 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 review, Ms. Bailey moved, seconded by Ms. Kramer, to amend the motion to include and find the following violation:

- 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

The motion passed unanimously.

Following further review, Ms. Bailey moved, seconded by Ms. Knape, 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 twice monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on documentation, how to supervise, and Arizona statutes and rules
- The professional shall be complete 5 hours of clinical supervision shadowing

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	
NAY												
Absent						X			X			X

The Board took a break at 11:21 a.m., reconvening its public meeting at 11:53 a.m.

H. 2022-0132, Joshua Masterson, LMSW-18860

Ms. Zavala summarized the signed proposed consent agreement.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Kramer, to accept the signed proposed consent agreement as presented. 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

I. Michael Medley, LPC-13907

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

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

J. Melissa Piper, LPC Applicant

Ms. Zavala summarized the background information.

The applicant was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Bailey, to open a complaint and find the following violation:

- A.R.S. § 32-3251(16)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license

The motion passed unanimously.

Following further discussion, Ms. Henagan moved, seconded by Ms. Palacios, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). 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

K. Lindsay Taylor, LMSW-18558

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

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

L. Gary Tupper, LMFT-15134

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

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

M. 2022-0037, Anna Villarreal, LAC-14343

Ms. Zavala summarized the Board's investigation.

The professional and her attorney, Sara Stark, appeared and addressed the Board.

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

- A.R.S. § 32-3251(16)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license
- 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 review, Ms. Bailey 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 twice monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on documentation, behavioral health ethics, 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.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knappe	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

N. Anna Villarreal, LPC Applicant

Ms. Zavala summarized the background information.

The applicant and her attorney, Sara Stark, appeared and addressed the Board.

Following review and discussion, members agreed to take no action.

O. Carly Welch, LAC-16025

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

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

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. Sheena Anderson- LAC Applicant

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Meek, to rescind the 05/13/22 motion to deny Sheena Anderson's LAC application.

Counseling

Ms. Meek moved, seconded by Ms. Bailey to deny 5 applications based on a failure to pass the required examination, 3 applications based on a failure to take the required examination, and 2 applications based on a failure to meet the minimum requirements. The motion passed unanimously.

Social Work

Mr. Davis moved, seconded by Ms. Henagan, to deny 7 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

Ms. Henagan moved, seconded by Ms. Meek, to deny 1 application based on a failure to pass the required examination and 1 application based on a failure to take the required examination. 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.

B. Review, consideration and possible action regarding Ms. Zavala's annual performance review

Ms. Dobratz shared Ms. Zavala's performance evaluation draft. Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Henagan to accept the performance evaluation for Ms. Zavala as compiled and forward to the Governor's office. The motion passed unanimously.

12. Report from the Treasurer

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

Tabled.

The Board took a break at 1:15 p.m., reconvening its public meeting at 1:25 p.m.

13. Report from the Executive Director and/or staff

A. Review, consideration, and possible action regarding the annual election of Board Officers (Chairperson and Secretary Treasurer)

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Henagan, to elect Ms. Dobratz as Board Chairperson. The motion passed unanimously.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Knape, to elect Ms. Bailey as Board Secretary Treasurer. The motion passed unanimously. Members thanked Mr. Davis for his service.

B. Review, consideration, and possible action regarding electing another member to the Personnel Subcommittee
Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Knape, to elect Ms. Meek as a member of the Personnel Subcommittee. The motion passed unanimously.

C. Review, consideration, and possible action regarding 2023 Board meeting calendar

Following review and discussion by members, Ms. Palacios moved, seconded by Ms. Meek, to approve the 2023 Board meeting calendar as presented. The motion passed unanimously.

D. Discussion regarding supervised private practice training

A discussion regarding supervised private practice took place, and the members determined that training specific to supervised private practice shall be added to the current clinical supervision requirements.

E. Discussion regarding R4-6-1106 (A)

A discussion regarding R4-6-1106 (A) took place, and the members determined that licensure is not required for professionals residing in Arizona who are providing telehealth services exclusively to clients out-of-state. Jurisdiction shall remain in the state where the client is located.

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

N/A

15. Future agenda items

- AZDHS and private practice regulations in supervision.

16. Call for public comment

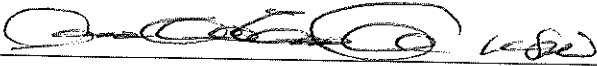
None.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, July 8, 2022 at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Davis moved, seconded by Ms. Meek, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:02 p.m.



Cedric Davis
Secretary/Treasurer



Date