



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
November 4, 2022

Members Present: Mary Coonrod, Cedric Davis, Patricia Dobratz, Leanne Henagan, Polly Knape, Meaghan Kramer, Adalesa Meek, Diane Palacios, Mark Shen, Antwan Trotter

Members Absent: Robert Charles, Kimberly Bailey

Staff Present: Tobi Zavala, Executive Director; Rob Pulver, 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 November 4, 2022 at 9:00 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. October 14, 2022, general meeting minutes

Mr. Davis moved, seconded by Ms. Palacios, to approve the general meeting minutes for the October 14, 2022 meeting as submitted. The motion passed unanimously.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2022-0110, Susan Maurer, LPC-15347
2. 2023-0012, Armando Moreno, LISAC-10176
3. 2022-0114, Dana Van Milligan Kim, LMSW-20317
4. 2023-0017, Julie Weiner-Dabda, LPC-13264

Following discussion, Mr. Davis moved, seconded by Ms. Palacios, to approve the consent agenda items 4(A)(1-3). The motion passed unanimously.

4. 2023-0017, Julie Weiner-Dabda, LPC-13264

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

The complainant appeared and addressed the Board.

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

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

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

1. 2022-0117, Melissa Joslyn, LCSW-17413

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

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

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

C. Cases recommended for release from consent agreements.

1. 2022-0167, Sydney Gonzales, LMSW-7373T

2. 2021-0169, Roshelle Johnson, LISAC-15130 (active-restricted), LPC-17747 (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.

1. Jessica Sanchez, LCSW Applicant

Following discussion, Mr. Davis moved, seconded by Ms. Palacios, 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. Brighton Brick, LMSW Applicant

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

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knappe	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE			X	X	X	X	X	X	X	X	X	X
NAY												
Absent	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.

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

Mr. Rob Pulver, A.A.G., appeared on behalf of the state.

The professional and his attorney, Janis Pelletier, appeared and addressed the Board.

Ms. Jeanne Galvin, A.A.G., appeared to provide independent legal advice to the Board.

The Board held a lengthy discussion regarding the proposed factual allegations and conclusions of law. As to the factual allegations, the Board asked the professional and his attorney whether they disagreed with any fact, as set forth in the proposed findings of fact. After discussion, the professional’s counsel conceded that the professional did not disagree with any fact, as proposed by the State and set forth in the Hearing Officer's order.

The Board then discussed that, since the parties agree to all material facts, the conclusions of law should be amended to reflect that the facts established met the standard of clear and convincing evidence, as they were highly or reasonably certain. During the discussion, the Chair reminded the Board that they are applying the same standard that the Board applies in all cases, clear and convincing evidence. The Board further agreed that the violations rose to the level of unprofessional conduct.

The Board further addressed the egregious nature of the findings of fact, and that in the Board's judgment, the professional could not be rehabilitated. Accordingly, the Board decided that it was legally appropriate to uphold the revocation of the professional’s license.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Coonrod, to accept the proposed factual allegations and to accept the amended proposed conclusions of law as presented. The motion passed unanimously.

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

Following a meet and confer pursuant to A.R.S. §41-1092.08(I) held by members, Ms. Kramer moved, seconded by Mr. Shen, to issue an Order of Revocation of the professional’s license. The motion passed unanimously.

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

The Board took a break at 9:34 a.m., reconvening its public meeting at 9:37 a.m.

6. Formal Interviews

N/A

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

A. 2022-0098, Kevin Christopher, LASAC-13280

Ms. Zavala summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

Following discussion by members, Mr. Trotter moved, seconded by Ms. Palacios, to accept the signed proposed consent agreement. The motion passed unanimously.

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

B. Liana Condello, LISAC-11765

Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

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

C. 2022-0166, Santos Gonzales, LCSW-19185 (interim suspension)

Mr. Carver summarized the Board’s investigation.

The professional and her attorney, Joey Hamby, appeared and addressed the Board.

Following discussion by members, Ms. Henagan moved, seconded by Mr. Trotter, to approve the request for release from the interim consent agreement. The motion passed unanimously.

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

- A.R.S. § 32-3251(16)(I), 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. 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
- The professional shall complete 3 clock hours of pre-approved continuing education in self-care
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional for 6 months. The frequency for the next 6 months will be at the recommendation of the clinical supervisor, but not less than monthly
- Early release available after 12 months at the recommendation of the clinical supervisor
- Clinical supervision shall focus on self-care, relapse prevention plan, work/life balance, and Board statutes and rules
- The professional shall identify a formal sponsor or 24-hour support person

and if not signed, the professional’s license shall remain suspended. The motion passed unanimously.

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

The Board took a break at 10:07 a.m., reconvening its public meeting at 10:15 a.m.

D. Lorene Jaquez, LISAC-10072

Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

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

E. 2022-0145, 2023-0015, 2023-0016, Timothy Kiernon, LMFT-15696

Ms. Zavala summarized the Board’s investigation.

A complainant appeared telephonically and addressed the Board.

A complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

Following discussion by members, Ms. Knape moved, seconded by Ms. Meek, to consolidate cases 2022-0145, 2023-0015, and 2023-0016. The motion passed unanimously.

Following further discussion by members, Ms. Knape moved, seconded by Ms. Meek, to accept the signed proposed interim consent agreement. The motion passed unanimously.

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

F. Jessica Martin, LCSW-16341

Ms. Zavala summarized the background information.

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

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

G. Kristen Nunley, LMSW-19144

Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

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

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

H. James Webb, LPC Applicant

Ms. Zavala summarized the background information.

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

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Henagan, to open a complaint. The motion passed unanimously. Ms. Meek recused.

Following discussion by members, Mr. Shen 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. Ms. Meek recused.

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

- The applicant shall be placed on probation for 24 months
- The applicant shall complete pre-approved continuing education in:
 - 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent

- 3 clock hours in therapeutic boundaries
- If in direct client contact, the applicant shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional for 6 months. The frequency for the next 6 months will be at the recommendation of the clinical supervisor, but not less than monthly
- Clinical supervision shall focus on therapeutic boundaries, dual relationships, and Board statutes and rules
- The applicant shall receive therapy twice monthly for six months, and after that at the recommendation of the therapist, but not less than monthly
- The focus shall be on the concerns listed in the report
- Cannot own or operate a private practice
- If professional does not go into direct client services during the probation period, may request release from consent agreement

and if not signed, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. § 32-3275 (A)(5). The motion passed unanimously. Ms. Meek recused.

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

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

N/A

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

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

Social Work

Ms. Henagan moved, seconded by Mr. Davis, to deny 5 applications based on a failure to pass the required examination, 4 applications based on a failure to take the required examination, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

Substance Abuse Counseling

Ms. Palacios moved, seconded by Ms. Knape, to deny 2 applications based on a failure to meet the minimum requirements. The motion passed unanimously.

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

N/A

10. Report from Chair

A. Summary of current events

No report.

11. Report from the Treasurer

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

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

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

Tabled.

12. Report from the Executive Director and/or staff

A. Review, consideration, and possible action regarding the February 10, 2023 Board meeting

Following review and discussion by members, Ms. Coonrod moved, seconded by Mr. Trotter, to reschedule the February Board meeting to February 17, 2023. The motion passed unanimously.

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

N/A

14. Future agenda items

None.

15. Call for public comment

None.

16. Establishment of future meeting date(s)

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

17. Adjournment

Mr. Trotter moved, seconded by Ms. Knappe, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:40 a.m.

Dr. Cedric E. Davis, LCSW

[Dr. Cedric E. Davis, LCSW \(Dec 22, 2022 08:44 MST\)](#)

Cedric Davis
Acting Secretary/Treasurer

Dec 22, 2022

Date