



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
October 10, 2017

Members Present
telephonically:

Kimberly Bailey (in at 8:10 a.m.), Bradley Barnett, Mary Coonrod, Cedric Davis, Gary Goodwin, Nikole Hintz-Lyon, Meaghan Kramer, Heidi Quinlan, Jerri Shields

Members Absent: Chip Coffey, Gerald Szymanski

Staff Present: Tobi Zavala, Executive Director; Marc Harris, A.A.G.; Donna Dalton, Deputy Director; Joey Ordonez, Assistant Director

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 10, 2017, at 8:05 a.m. with Ms. Shields presiding.

2. Roll Call

See above.

3. Report from the Executive Director and/or staff

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. § 38-431.03(A)(1), 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. *Review, consideration, and possible action regarding request to repeal or modify rules R4-6-210(3) and R4-6-211(A)*

Ms. Stanley appeared telephonically and was accompanied by her husband. Matt Miller of the Goldwater Institute was also present telephonically.

Ms. Zavala provided the Board with a brief summary of its discussion from its September 15th meeting regarding Ms. Stanley's petition. Ms. Zavala also directed the Board to the letter it received from the Goldwater Institute dated September 25th. Ms. Zavala reminded the Board that at its meeting on the 15th, the Board directed staff to draft language that would create an exemption to the work experience requirements for supervised work experience acquired outside of Arizona for its consideration.

Ms. Zavala informed the Board that since that meeting and the receipt of the letter from the Goldwater Institute, she along with Ms. Dalton and Marc Harris, A.A.G., met with Ms. Stanley and representatives of the Goldwater Institute. Ms. Zavala indicated that at that meeting she received clarifying information regarding Ms. Stanley's petition. In particular, Ms. Zavala stated that the discussion focused primarily on R4-6-211(A) and its effect on non-independent level licensees' abilities to earn a living since the rule currently prohibits them from, among other things, having an ownership interest in an entity.

Board members discussed whether it would be possible to modify the regulation that requires non-independent level licensees to practice under the requirements currently set forth in A.A.C. R4-6-211(A) while preserving the integrity of the supervisor/supervisee relationship. Board members also expressed concerns about the impact any modification may have on its ability to protect the public. While sharing those concerns, Ms. Zavala suggested that there may be ways to modify the rule for purposes of allowing master level non-independent licensees to have an ownership interest in an entity while preserving the public protection safeguards that are currently in place. Board members were receptive to this idea and discussed continuing this matter to its November meeting in order to give Board staff time to draft proposed language to that effect for its consideration.

Ms. Shields moved, seconded by Ms. Coonrod, to direct staff to draft language modifying R4-6-211(A) to allow master level non-independent licensees to work in a private practice setting while practicing under supervision for the Board’s consideration at its November meeting. The motion passed unanimously.

	Kimberly Bailey	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Nikole Hintz-Lyon	Meaghan Kramer	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X		X	X	X	X	X	X	X	
NAY											
Absent			X								X

Following further discussion, Dr. Davis moved, seconded by Ms. Quinlan, to direct staff to also draft language that would create an exemption to the work experience requirements for supervised work experience acquired outside of Arizona for its consideration. The motion carried with Mr. Goodwin and Ms. Shields opposed.

	Kimberly Bailey	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Nikole Hintz-Lyon	Meaghan Kramer	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X		X	X		X	X	X		
NAY						X				X	
Absent			X								X

4. Future agenda items

N/A

5. Call for public comment

None.

6. Establishment of future meeting dates

The next meeting is scheduled for Friday, November 3, 2017, at 9:00 a.m., at 3443 North Central Avenue, Room 1705.

7. Adjournment

Dr. Davis moved, seconded by Mr. Barnett, to adjourn. The motion passed unanimously and the meeting was adjourned at 8:39 a.m.

 Gerald Szymanski
 Secretary/Treasurer

 Date