



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 9, 2020

Members Present: Chip Coffey

Members Present telephonically: Kimberly Bailey, Robert Charles, Cedric Davis, Meaghan Kramer, Heidi Quinlan, Mark Shen, Antwan Trotter

Members Absent: Mary Coonrod, Gerald Szymanski

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

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

1. Call to Order

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 9, 2020 at 9:01 a.m. with Mr. Coffey presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. September 11, 2020, telephonic general meeting minutes

Dr. Davis moved, seconded by Ms. Kramer, to approve the telephonic general meeting minutes for the September 11, 2020 meeting as submitted. The motion passed unanimously.

B. September 11, 2020, telephonic executive session minutes/agenda item 7E

Dr. Davis moved, seconded by Mr. Shen, to approve the telephonic executive session minutes/agenda item 7E for the September 11, 2020 meeting as submitted. The motion passed unanimously.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2020-0049, Heather Bates, LISAC-10482, LPC-13075
2. 2020-0126, Anthony Bratko, LPC-14567, LISAC-11892
3. 2020-0068, Carah Elizabeth, LPC-16518
4. 2020-0086, Angela Fischer, LPC-11727
5. 2021-0017, Heidi Quinlan, LPC-13084, LISAC-11071
6. 2020-0091, Derek Reece, LMSW-17205

Following discussion, Dr. Davis moved, seconded by Ms. Kramer, to approve the consent agenda items 4(A)(1-4, 6). The motion passed unanimously.

5. 2021-0017, Heidi Quinlan, LPC-13084, LISAC-11071
 Ms. Zavala summarized the results of the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

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

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

1. 2021-0121, Debra McMahan, LPC-11185, LISAC-10442

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

C. Cases recommended for release from consent agreements.

1. 2019-0011, Tiffany O’Connor, LAC-12798
2. 2019-0074, Mary Serlin, LPC-0456 (active-restricted)

Following discussion, Dr. Davis moved, seconded by Mr. Shen, 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 disciplinary consent agreement.

1. Caitlyn Meaney, LMFT-15158

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

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

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

1. 2020-0138, Jamie McGrath, LAC-16566

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

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	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.

1. 2020-0125, Ryan Young, LMSW-16774

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

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).

N/A

6. Formal Interviews

N/A

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

A. 2020-0089, Jane Baker, LCSW-0733, LISAC-0718

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

The complainant was properly noticed, but failed to appear.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis 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)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health as it relates to:
 - A.R.S. § 32-3211, Protocol for Storage, Transfer and Access of Records
- 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. R4-6-1104, Financial and Billing Records

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Ms. Bailey, to offer the professional a consent agreement for the professional to agree not to practice and not to renew their license and a consent agreement for the voluntary surrender of the professional’s license, and if neither are accepted to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

B. 2020-0037, Russell Beazer, LMFT-10047
 Tabled.

C. 2020-0047, Anthony Bratko, LPC-14567, LISAC-11892

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

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Shen, 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)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1103, Client Record
 - A.A.C. R4-6-1105, Confidentiality

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Ms. Bailey, 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 a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 3 clock hours of pre-approved continuing education in HIPAA law
- The professional shall complete the 3 clock hour Arizona Statutes/Regulations Tutorial
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent

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	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

D. Tammy Brewer, LPC-16724

Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

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

E. 2020-0123, Roger Daniels, LAC-18751

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

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Mr. Trotter, 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:
 - A.10.a – Self-Referral
 - D.1.g – Employer Policies

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 of pre-approved continuing education in client rights
- 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 ACA Code of ethics, client rights, Board statutes and rules and the administrative and logistic skills needed for private practice

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	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

F. 2020-0036, Nicole Heim, LPC-13503

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

The complainant was properly noticed, but failed to appear.

The professional appeared telephonically and addressed the Board.

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

- 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
- 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

The motion passed unanimously.

Following further discussion, Ms. Quinlan moved, seconded by Mr. Shen, 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 of pre-approved continuing education in behavioral health ethics
- The professional shall complete 3 clock hours of pre-approved continuing education in working with personality disorders
- 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 once monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on countertransference, documentation, Board statutes and rules and the administrative and documentation skills needed for private practice

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	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

G. 2021-0001, 2021-0007, 2021-0009, Kristin Jimenez, LAMFT-10543

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

The complainants were properly noticed, but failed to appear.

The professional and her attorney, Charles Hover, appeared telephonically and addressed the Board.

Following review and 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)(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.

The motion passed unanimously.

Following further discussion, Ms. Bailey moved, seconded by Mr. Trotter, to consolidate complaint numbers 2021-0001, 2021-0007 and 2021-0009. The motion passed unanimously.

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

- The professional’s license 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 pre-approved continuing education in dual relationships
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall receive therapy twice monthly with a pre-approved behavioral health professional.
- Therapy shall focus on issues identified in the Board’s report and conflict resolution

- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on documentation, Board statutes and rules, countertransference, conflict resolution, and a review of entire caseload

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	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

The Board took a break at 10:48 a.m., reconvening its public meeting at 10:59 a.m.

H. 2020-0043, Drew Pease, LMFT-15257

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

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Ms. Bailey moved, seconded by Mr. Trotter to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice. The motion passed unanimously and the Board went into executive session at 12:29 p.m., reconvening its public meeting at 12:36 p.m..

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, 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 discussion, Ms. Bailey moved, seconded by Mr. Shen, 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 12 clock hours of pre-approved continuing education in legal and ethical concerns in clinical supervision which may be used towards clinical supervision education requirements
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent

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	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

I. 2020-0147, Gyann Phillips, LPC-16259

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

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Jeffrey Hunter, appeared telephonically and addressed the Board.

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

J. 2020-0146, Kristen Ray, LPC-15305

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

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Jeffrey Hunter, appeared telephonically and addressed the Board.

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

K. 2020-0070, Jennifer Walker, LPC-13665

Ms. Zavala summarized the proposed, signed interim consent agreement.

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to accept the proposed, signed interim consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X		X	X	X	X		X
NAY										
Absent				X					X	

The Board took a break at 12:49 p.m., reconvening its public meeting at 1:12 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. Bailey, to deny 2 applications based on a failure to meet minimum requirements and 8 applications based on a failure to take the required examination. The motion passed unanimously.

Marriage and Family Therapy

Ms. Bailey moved, seconded by Mr. Trotter, 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.

Social Work

Dr. Davis moved, seconded by Ms. Kramer, to deny 2 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.

Substance Abuse

Ms. Quinlan moved, seconded by Ms. Bailey, to deny 3 applications 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.

12. Report from the Treasurer

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

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

13. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Review, consideration, and possible action regarding the definition of direct client contact pursuant to A.R.S. § 32-3251(3)

Board members revisited the discussion started at the June 10, 2020 Board meeting regarding a review of the interpretation of “in the presence of a client” pursuant to A.R.S. § 32-3251(3). Since its inception, the Board has interpreted “in the presence of a client” to mean the client and clinician are physically in the same location.

Ms. Zavala is requesting that the members reconsider this interpretation to include telehealth sessions as long as the client can be seen. Ms. Zavala shared that the Board has received a number of letters supporting this interpretation, which were uploaded to the member portal.

Following review and discussion, Mr. Coffey moved, seconded by Dr. Davis, to interpret “in the presence of, one or more clients” to include videoconference in the definition of direct client contact. The motion passed unanimously. Ms. Bailey abstained.

C. Discussion regarding the Association of Social Work Boards annual meeting

Ms. Zavala shared with members that the Association of Social Work Boards annual meeting would be held virtually this year, and as such could be attended by additional Board members if requested. Ms. Zavala and Dr. Davis will be attending as Board delegates.

D. Discussion regarding interstate compact for counselor licensure

Ms. Zavala shared with members a proposed draft compact for counselor licensure.

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

N/A

15. Future agenda items

N/A

16. Call for public comment

Tamara Brazil Christian, LMSW addressed the Board regarding accepting telephonic treatment and telehealth as direct client contact during and after the pandemic.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, November 13, 2020, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Trotter moved, seconded by Dr. Davis, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:14 p.m.

Cedric Davis
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - October 9, 2020 meeting

COUNSELING -10

Failure to take the required exam - 8

Angeliki Valerou-Cooper
Deborah Hoiland
Josselyn Lopez
Alexandrea Pilgrim
Christie Orona
Elena Matus McDonald
Brittany Elliott
Lindsay Stewart

Failure to meet minimum requirements - 2

Karen Mavrikos
Shira Klayman

SOCIAL WORK - 5

Failure to pass the required exam - 2

Adriana Lopez
Wilfred Andrade

Failure to take the required exam - 3

Shannon Evans
Jennifer Murphy
Abril Lopez

SUBSTANCE ABUSE COUNSELING - 3

Failure to take the required exam - 3

Steven Barash
Linda Ransom
Natalie Cantrell

MARRIAGE & FAMILY THERAPY - 2

Failure to pass the required exam - 1

Edgar Lopez Ortiz

Failure to take the required exam - 1

Erica McCullough