



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

MISSION STATEMENT

To establish and maintain standards of qualifications and performance for licensed behavioral health professionals in the fields of counseling, marriage and family therapy, social work and substance abuse counseling and to regulate the practice of licensed behavioral health professionals for protection of the public.

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for January 19, 2018 at 9:00 AM
1740 West Adams Street, Room C, Phoenix, Arizona 85007
3rd Amended (January 16, 2018)

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Behavioral Health Examiners that the Board will hold a regular meeting open to the public on the date and at the time indicated above. (The meeting room is located on the 1st floor of the building.)

The Board reserves the right to change the order of items on the agenda, except for those matters set for a specific time. The formal hearings and formal interviews are scheduled to be heard during specific time blocks. The Board Chairperson, however, reserves the right to call cases in random order. Please note that the recommendations listed on the agenda are merely suggested Board actions. Those recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

The Board, upon a majority vote of a quorum of the members, may hold an Executive Session on any of the listed agenda items to discuss or consider records exempt by law from public inspection, including the receipt and discussion of information or testimony that is specifically required to be maintained as confidential by state and federal law, or to obtain legal advice. A.R.S. § 38-431.03(A)(2) and (3). Executive Sessions are not open to the public.

The Board usually allows 3 – 5 minutes per person for public comment on any agenda item: however, depending on the issue presented, the Board Chairperson has the discretion to expand that time.

Americans with Disabilities Act: Persons with a disability may request a reasonable accommodation, such as a sign language interpreter or a copy of this document in alternative format, by contacting Charlene Garcia at 602-542-1893 or the TDD number at 800-367-8939.

Board Members

Jerri Shields, LPC, Chairperson

Gerald Szymanski, LISAC, LPC, Secretary/Treasurer

Kimberly Bailey, LMFT

Bradley Barnett, LMFT

Peter (Chip) Coffey, LPC

Mary Coonrod, Public Member

Cedric (Doc) Davis, LCSW

Gary D. Goodwin, LCSW

Meaghan Kramer, Public Member

Heidi Quinlan, LISAC, LPC

Vacant, Public Member

Vacant, Public Member

If you need to speak to a member of the Board staff regarding an agenda item, please contact Charlene Garcia at 602-542-1893 or the TDD number at 800-367-8939.

The agenda for the meeting is as follows:

1. Call to order

2. Roll call (staff)

3. Minutes: review, consideration and action.

Pursuant to A.R.S. § 38-431.03(A)(2), any discussion of the executive session minutes will take place in executive session.

A. December 1, 2017, general meeting minutes

B. December 1, 2017, executive session minutes/agenda item 8A

C. December 1, 2017, executive session minutes/agenda item 8C

D. December 7, 2017, teleconference minutes

E. January 2, 2018, teleconference minutes

4. Notification of Deficiencies

Willis Beasley

Brian Dement

Freda Gittens

Shannon Gollner

Dorothy Granberry

Jennifer Israel

Michael Katz

Sharon Mikrut

Deanaha Romero

5. Consent Agenda:

Consent agenda items may be considered for approval as a single action unless a Board member or interested party wishes to remove an item for discussion.

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. Cases recommended for dismissal. The Board will review, discuss, and may vote to take action on the following case(s):

a. 2018-0015, Salina Hancock Abdul-Bari, LMSW-13868

b. 2018-0022, Esther Lopez-Moryl, LCSW-16959

c. 2018-0041, Lisa Ohrt, LPC-11122

d. 2018-0048, Heidi Quinlan, LPC-13084, LISAC-11071

e. 2018-0032, Debra Schiller, LISAC-1182

B. Cases recommended for dismissal with a letter of concern. The Board will review, discuss, and may vote to take action on the following case(s):

a. 2018-0036, Frank Lucas, LISAC-1595

C. Cases recommended for release from consent agreements. The Board will review, discuss, and may vote to take action on the following case(s):

a. 2017-0048, Kenneth Alva Brown, LMFT-0268

b. 2017-0045, Wen-Chi Chien, LAC-10361(active-restricted)

c. 2017-0144, Renee Cunningham, LMFT-10132

d. 2016-0088, Tatiana Fedotova, LPC-12230 (active-restricted) and LISAC-10776 (active-restricted)

e. 2017-0082, Mamta Gupta, LPC-1623

f. 2017-0028, Jenny Montague, LISAC-11583 and LCSW-1721

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

a. Jacqueline Armstrong, LAC Applicant

b. Zachary Clark, LMSW-15276

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

- a. 2018-0020, Mackenzie Fowler, LAC-16341
- b. 2018-0021, Brittainy Warne-Murphy, LCSW-12942

6. 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

7. Formal Interviews

Pursuant to A.R.S. § 32-3281, the Board will conduct a Formal Interview in the following matter(s). During a formal interview, 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

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

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).

Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed.

A. 2018-0049, Sabit Bojaj, LAC-15698

Initial review, consideration, and possible action regarding complaint.

B. 2012-0050, and 2013-0055, Donald Diebold, LISAC-11485

Initial review, consideration, and possible action regarding accepting revised proposed signed consent agreement in Case No. 2013-0055. Review, consideration and possible action regarding rescinding prior motion and taking alternative action in Case No. 2012-0050.

C. 2018-0004, Kathleen Exelby, LPC-0513 (active restricted)

Review, consideration, and possible action regarding accepting proposed signed interim consent agreement.

D. 2018-0046, Laura Lawrence, LAC-15916

Review, consideration, and possible action regarding accepting proposed signed consent agreement.

9. Assistant Attorney General's Report: Marc Harris, A.A.G.

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. *Update and discussion regarding Leanna Smith vs. Arizona State Board of Behavioral Health Examiners*

B. *Discussion regarding Open Meeting Law*

C. Discussion regarding question #9 on the Board's initial license and renewal applications

10. Temporary licenses: review, consideration and action

N/A

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

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

Names are posted for review in the building lobby of the 1st floor of 1740 W. Adams Street, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting.

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

Names are posted for review in the building lobby of the 1st floor of 1740 W. Adams Street, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting.

12. Report from the Chair

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. § 38-431.03(A)(1), 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. Summary of current events

By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.

B. Discussion regarding Board correspondence

13. Report from the Treasurer

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

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

14. 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. General Agency Operations

B. Discussion regarding HB2406

C. Update regarding Ms. Zavala's nomination of Executive Director representative for the American Association of State Counseling Boards

D. Update and discussion regarding the relocation of the Board's office

E. Discussion regarding email communication from Cynthia Potter LASAC-13184 (suspended)

F. Review, consideration, and possible action regarding adopting a revised compensation and expense reimbursement policy for Board and Committee Members

G. Discussion regarding Board fees

H. Review, consideration and possible action regarding clinical supervision exemption requests for size and geographic location pursuant to R4-6-212.01

I. Discussion regarding anticipated legislation

J. Discussion regarding applicants with background issues

- K. Review, consideration and possible action regarding the Association of Social Work Boards new board member training*
- L. Discussion regarding safety of the public vs behavioral health agency policies*
- M. Discussion regarding court appointed and therapeutic interventionist complaints*
- N. Discussion regarding Department of Health Services regulations in regards to practice restrictions and scope of practice*

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

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. Donna Halterman, LAC-12862 (inactive)

16. National and regional trends and news regarding the profession(s)

N/A

17. Future agenda items

A. Discussion regarding development of templates for treatment plans and progress notes

18. Call for public comment

Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any given public matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.01(H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further discussion at a later date.

19. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, February 02, 2018, at 9:00 a.m., at 1740 W. Adams St., Room C.

20. Adjournment

January 11, 2018

Tobi Zavala
Executive Director