



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

TOBI ZAVALA
Executive Director

AZBBHE 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 PUBLIC MEETING

Scheduled for April 6, 2018 at 9:00 AM

1740 West Adams Street, Board Room C, Phoenix, Arizona 85007

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. A full meeting agenda and list of applications to be considered can be found online at www.azbbhe.us or in the lobby of the Board's office building in the binder adjacent to the case displaying meeting notifications.

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. March 2, 2018, general meeting minutes

B. March 23, 2018, teleconference minutes

4. Notification of Deficiencies

Alana Brunacini

Bret Dorsett

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):

1. 2018-0062, Diana Vigil, LPC-0805

2. 2018-0067, Betty Wittels, LPC-0371

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):

N/A

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

1. 2016-0064, Elizabeth Fortune, LISAC-0694 (active-restricted)

2. 2013-0100, Anthony Rubin, LMFT-0202 (active-restricted) and LPC-0259 (active-restricted)

3. 2011-0108 and 2013-0014, Debra Shewey, LAC-13010 (active-restricted)

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):

N/A

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):

N/A

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 10:00 AM

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).

A. *2017-0132, Maureen Maxon, LPC-10172*

Board to conduct a formal interview.

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. *Marcie Edmonds, LPC applicant*

Initial review, consideration, and possible action regarding opening a complaint and possible disciplinary action based on background information.

B. *2018-0063, Jennifer Kirshner, LAC-16781*

Initial review, consideration, and possible action regarding complaint.

C. *2017-0081, Erick Lear, LMSW-12496 (interim suspension)*

Review, consideration, and possible action regarding request for release from interim consent agreement.

D. *2018-0060, Ronald Martin, LPC-14030*

Initial review, consideration, and possible action regarding complaint.

E. *Erin McNeilly, LMSW applicant*

Initial review, consideration, and possible action regarding opening a complaint and possible disciplinary action based on background information.

F. *2018-0005, Dan Newman, LPC-1885*

Initial review, consideration, and possible action regarding complaint.

G. *2018-0064, Renee Siegel, LISAC-0966*

Initial review, consideration, and possible action regarding complaint.

H. *2018-0050, David Stephensen, LCSW-11293*

Initial review, consideration, and possible action regarding complaint.

I. *Jeanette Vogan, LPC-13620*

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

J. *2018-0092, Nefertari White, LMSW-13881*

Review, consideration, and possible action regarding accepting the proposed signed consent agreement for the voluntary surrender of the professional's license.

K. Tara Wilson, LISAC-1119

Initial review, consideration, and action regarding opening a complaint and possible disciplinary action based on the licensee's renewal application.

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).

N/A

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 the Board's website

C. Discussion regarding the tutorials

D. Discussion regarding Regulation vs. Deregulation

13. Report from the Treasurer

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

B. Review, consideration, and possible action regarding March 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 HB2411

C. Discussion regarding SB1246

D. Discussion regarding Board member lunch

E. Discussion regarding presentation at the VA in Tucson

F. Discussion regarding the ASWB Board member conference

G. Discussion regarding the appointment of Doc Davis on the Regulatory Education and Leadership Committee for ASWB

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).

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*
- B. Discussion regarding life coaches*
- C. Discussion regarding court appointed and therapeutic interventionist complaints*
- D. Discussion regarding emails in client records*
- E. Discussion regarding Clinical supervision exemption requests for size and geographic location pursuant to R4-6-212.01*

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, May 4, 2018, at 9:00 a.m., at 1740 W. Adams St., Room C.

20. Adjournment

March 30, 2018

Tobi Zavala
Executive Director