



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
1740 WEST ADAMS STREET, SUITE 3600
PHOENIX, AZ 85007
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
TELECONFERENCE MEETING MINUTES
December 11, 2020

Members Present: Patricia Dobratz

Members Present telephonically: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Meaghan Kramer, Kasondra Parr, Heidi Quinlan, Mark Shen, Gerald Szymanski, Antwan Trotter

Members Absent: Leanette Henagan

Staff Present: Tobi Zavala, Executive Director; Sunita Krishna, A.A.G.; Donna Dalton, Deputy Director; Ian Hirmand, Assistant Director

1. Call to Order

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on December 11, 2020 at 9:06 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. November 13, 2020, telephonic general meeting minutes

Dr. Davis moved, seconded by Ms. Coonrod, to approve the telephonic general meeting minutes for the November 13, 2020 meeting as submitted. The motion passed unanimously. Ms. Parr abstained.

B. December 3, 2020, telephonic general meeting minutes

Dr. Davis moved, seconded by Mr. Trotter, to approve the telephonic general meeting minutes for the December 3, 2020 meeting as submitted. The motion passed unanimously. Mr. Charles and Mr. Szymanski abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2021-0014, Mark Anton, LAC-17818
2. 2020-0140, Justine Bond, LAMFT-10703
3. 2020-0145, Ewa Boxer, LISAC-11514, LPC-1495
4. 2020-0077, Mary Carr, LPC-1610
5. 2021-0004, Violeta Huerta, LPC-16733
6. 2021-0010, Mark Landolfi, LASAC-15181
7. 2020-0075, Angelina Renna, LAC-17142
8. 2020-0054, Kazimer Schwarz, LAC-6242T (suspended)

Following discussion, Dr. Davis moved, seconded by Mr. Shen, to approve the consent agenda items 4(A)(1-2, 4-8). The motion passed unanimously. Ms. Quinlan recused.

3. 2020-0145, Ewa Boxer, LISAC-11514, LPC-1495

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

The complainant appeared telephonically and addressed the Board.

The professional was properly noticed, but was unable to access the teleconference.

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

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

1. 2021-0021, Marco Cuyar, LPC-10810

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

C. Cases recommended for release from consent agreements.

1. 2020-0063, Carisa Favela, LAC-17130 (active-restricted)

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

D. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.

N/A

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

N/A

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

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. 2020-0093, Susan Barrette-Mozes, LPC-15210

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

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Mandi Karvis, appeared telephonically and addressed the Board.

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

- 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. § 13-3620, Duty to Report
- 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. R4-6-1103, Client Record

The motion passed unanimously.

Following further discussion, Mr. Shen moved, seconded by Ms. Kramer, 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 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete pre-approved continuing education including:
 - 3 clock hours in discharge planning and coordination of care
 - 3 clock hours in mandated reporting

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	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X	X	X	X	X	X
NAY												
Absent						X						

The Board took a break at 10:40 a.m., reconvening its public meeting at 10:52 a.m.

B. 2020-0114, Shadi Bastani, LPC-16954

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

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Flynn Carey, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to find the following violation:

- 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
- A.A.C. R4-6-1106, Telepractice

The motion passed unanimously.

Following further discussion, Mr. Szymanski 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 a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional for six months, and after that at the recommendation of the clinical supervisor, but not less than once monthly
- Clinical supervision shall focus on boundaries, role changes, Board statutes and rules, and documentation

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	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X	X	X	X	X	X
NAY												
Absent						X						

C. 2020-0037, Russell Beazer, LMFT-10047

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

The complainant appeared telephonically and addressed the Board.

The professional and his attorney, Flynn Carey, 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)(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. § 13-3620, Duty to Report
- 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.R.S. § 32-3251(16)(kk), failing to make client records in the licensee's possession promptly available to the client, a minor client's parent, the client's legal guardian or the client's authorized representative on receipt of proper authorization to do so from the client, a minor client's parent, the client's legal guardian or the client's authorized representative

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 pre-approved continuing education including:
 - 6 clock hours in high conflict families
 - 3 clock hours in mandated reporting
 - 3 clock hours in collateral documentation
 - 9 clock hours in forensically informed therapy
- 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 for six months and after that at the recommendation of the clinical supervisor
- Clinical supervision shall focus on working with high conflict cases, awareness of bias, mandated reporting, Board statutes and rules, and documentation

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	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X	X	X	X	X	X
NAY												
Absent						X						

The Board took a break at 11:31 p.m., reconvening its public meeting at 11:41 p.m.

D. 2020-0074, Lizbeth Plotkin, LPC-13990

Ms. Zavala summarized the background information.

The complainant was properly noticed, but failed to appear.

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

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Shen, to find the following violation:

- 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. § 13-3620, Duty to Report

The motion passed unanimously. Mr. Charles recused.

Following further discussion, Dr. Davis moved, seconded by Mr. Trotter, to offer the professional a consent agreement for a decree of censure, 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. Mr. Charles recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X	X	X	X	X	X
NAY												
Absent		recuse				X						

E. 2020-0135, Jill Sena, LPC-18709

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

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Kimberly Kent, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, to offer the professional a non-disciplinary consent agreement for completion of pre-approved continuing education including:

- 6 clock hours of the NASW Staying Out of Trouble course or its equivalent
- 6 clock hours in suicidal ideation
- 6 clock hours in ethics including mandated reporting
- 6 clock hours in documentation

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 failed with Ms. Bailey, Ms. Quinlan, Mr. Szymanski and Mr. Trotter in favor.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X								X		X	X
NAY		X	X	X	X		X	X		X		
Absent						X						

Following further discussion, Ms. Kramer moved, seconded by Ms. Coonrod, to find the following violation:

- 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. § 13-3620, Duty to Report

The motion carried with Ms. Bailey, Ms. Quinlan and Mr. Trotter opposed.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE		X	X	X	X		X	X		X	X	
NAY	X								X			X
Absent						X						

Following further discussion, Ms. Bailey moved, seconded by Dr. Davis, 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 6 clock hours of pre-approved continuing education in mandated reporting

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	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X	X	X	X	X	X
NAY												
Absent						X						

The Board took a break at 1:25 p.m., reconvening its public meeting at 1:36 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. Kramer, to deny 1 application based on a failure to pass the required examination and 2 applications based on a failure to take the required examination. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Bailey, to deny 8 applications based on a failure to pass the required examination and 7 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Mr. Trotter, to deny 2 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

C. Review, consideration, and possible action regarding rescinding the motion to deny Wilmer Soto Galindez’s LSAT application.

Dr. Davis moved, seconded by Ms. Kramer, to rescind the motion to deny the applicant’s LSAT application. The motion passed unanimously.

11. Report from Chair

A. Summary of current events

No Report.

B. Review, consideration, and possible action regarding the performance evaluation process for the Executive Director position

Ms. Dobratz shared with members that the personnel subcommittee met before the Board meeting and the committee is recommending a 5% salary increase and an annual evaluation review given by the Chairperson.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Bailey to adopt previous Chairperson Coffey’s evaluation of Ms. Zavala and proceed with recommending a 5% salary increase. The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Trotter, that annually the Board Chairperson will conduct an evaluation of the Executive Director with input from members for submission to the Personnel Subcommittee. The motion passed unanimously.

12. Report from the Treasurer

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

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to accept the November financial report as presented. The motion passed unanimously.

13. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Discussion regarding the National Practitioner Data Bank

Ms. Zavala informed members that the Board is going to begin running their own queries through the NPDB rather than having the applicant run a self-query. This will not only help streamline the process for the applicant but will eliminate any concerns of possible altered queries.

C. Information regarding Notice of Claim: Phillip Potter v. Arizona Board of Behavioral Health Examiners; State of Arizona; Tobi Zavala, Executive Director; John Does and Jane Does and other employees or directors or agents with the Arizona Board of Behavioral Health Examiners or other State of Arizona agencies, whose names are currently unknown

Ms. Zavala shared with members that Board staff received a Notice of Claim on December 1, 2020 and ADOA Risk Management was notified. The Notice of Claim was uploaded to the member portal for information only.

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

A. Doris Reichert, LMSW-11663 (inactive)

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to deny the request for extension of inactive status. The motion passed unanimously.

15. Future agenda items

Non-disciplinary Consent Agreements

Prior Board Actions

16. Call for public comment

None.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, January 15, 2021, 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 2:01 p.m.

Cedric Davis
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - December 11, 2020 meeting

COUNSELING - 3

Failure to pass the required exam - 1

Shelley Newman

Failure to take the required exam - 2

Kazimer Schwarz

Jennifer Govan

SOCIAL WORK - 15

Failure to pass the required exam - 8

Ashley Bailey

Kristine Andersen

Jamella Sanchez

Crystal Becenti

Cristina Delgado

Edwin Leuluai

Briana Martin

Vaneza Chavez

Failure to take the required exam - 7

Shayla Felix

Gabriela Caban

Roicia Banks

Brisa Enriquez

Sarah Hollow

Jamie Mahan

Brooke Brown

SUBSTANCE ABUSE COUNSELING - 2

Failure to take the required exam - 2

Esai Amaya

James Yewell