



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 MEETING MINUTES
February 2, 2018

Members Present: Kimberly Bailey, Bradley Barnett, Chip Coffey, Mary Coonrod, Cedric Davis (in at 9:12 a.m.), Gary Goodwin, Meaghan Kramer (out at 11:39 a.m.), Heidi Quinlan, Jerri Shields, Gerald Szymanski

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

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on February 2, 2018 at 9:05 a.m. with Ms. Shields presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. December 7, 2017, teleconference minutes

Mr. Coffey moved, seconded by Ms. Coonrod, to approve the teleconference meeting minutes for the December 7, 2017 meeting as submitted. The motion passed unanimously. Mr. Barnett, Dr. Davis and Ms. Kramer abstained.

B. January 19, 2018, general meeting minutes

Mr. Coffey moved, seconded by Mr. Barnett, to approve the general meeting minutes for the January 19, 2018 meeting as submitted. The motion passed unanimously. Ms. Bailey abstained.

4. Notification of Deficiencies

No one from the list of 7 addressed the Board.

5. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2018-0033, Tandie Myles, LCSW-13527
2. 2018-0054, Janeen Wells, LPC-13389 (revoked)
3. 2018-0025, Robert Wilkinson, LPC-14535

Following discussion, Mr. Coffey moved, seconded by Mr. Barnett, to approve the consent agenda item 5(A)(2). The motion passed unanimously.

1. 2018-0033, Tandie Myles, LCSW-13527

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

The complainant appeared and addressed the Board.

The professional appeared and was available for questions.

Following discussion, Mr. Coffey moved, seconded by Ms. Kramer, to dismiss the complaint. The motion passed unanimously. Ms. Quinlan and Dr. Davis recused.

3. 2018-0025, *Robert Wilkinson, LPC-14535*

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

The complainant appeared and addressed the Board.

The professional appeared and addressed the Board.

Following discussion, Mr. Szymanski moved, seconded by Ms. Quinlan, to dismiss the complaint. The motion passed unanimously.

B. Cases recommended for dismissal with a letter of concern

1. 2018-0035, *Susan Hayes, LPC-15300*

Following discussion, Mr. Coffey moved, seconded by Ms. Coonrod, to approve the consent agenda item 5(B). The motion passed unanimously.

C. Cases recommended for release from consent agreements

1. 2016-0129, *Melissa Kinworthy, LASAC-13241 (active-restricted)*

2. 2017-0010, *Beth Stoddard, LISAC-10994 (active-restricted)*

3. 2016-0061, *Tiffany Tschantz, LAC-12772 (active-restricted)*

Following discussion, Mr. Coffey moved, seconded by Ms. Quinlan, to approve the consent agenda item 5(C). The motion passed unanimously.

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

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):

1. 2017-0083, *Rosa Lopez, LAC-15514*

Tabled.

The Board took a break at 10:25 a.m., reconvening its public meeting at 10:40 a.m.

6. **Administrative Hearings**

N/A

7. **Formal Interviews**

N/A

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

A. 2018-0029, *Josephine Ellsworth, LPC-2541*

Mr. Ordonez summarized the results of the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Kelly Williams, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to dismiss with a letter of concern addressing the importance of providing updated contact information to the Board.

The motion passed unanimously.

B. *Myrio Jones, LMSW Applicant*

Mr. Ordonez summarized the results of the Board's investigation.

The applicant appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Quinlan, to open a complaint and find the following violation:

- A.R.S. § 32-3251(16)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice

The motion passed unanimously.

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

- The license will be issued and placed on probation for 12 months subject to successful passage of exam
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in substance abuse
- The professional shall obtain a sponsor and attend recovery meetings once weekly
- The professional shall receive therapy twice monthly for six months with a dually licensed behavioral health professional holding a LISAC and additional independent level license. The frequency for the remaining time will be at the recommendation of the therapist
- Therapy shall focus on substance abuse, trauma, anger, and grief

and if not signed, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. § 32-3275(A)(6). The motion passed unanimously.

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

C. Rosa Lopez, LAC-15514

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

The professional could not be reached telephonically at the number provided.

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

D. Shannon McQuaid, LISAC-1596 and LMFT-10032

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

The professional was properly noticed, but failed to appear.

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

E. Deanaha Romero, LAC-15432

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

The professional appeared and addressed the Board.

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

F. 2018-0039, Jill Sena, LAC-16069

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

The complainant appeared and was available for questions.

The professional appeared and addressed the Board.

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

- A.R.S. § 32-3251(16)(k), 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 2014 ACA Code of Ethics
 - A.6.e. Nonprofessional Interactions or Relationships
- A.R.S. § 32-3251(16)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- 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.A.C. R4-6-205 Change of Contact Information

The motion passed unanimously.

Following further discussion, Mr. Barnett moved, seconded by Mr. Szymanski, 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 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall receive individual clinical supervision from a pre-approved independently licensed behavioral health professional
- The frequency of supervision will be weekly for the initial 12 months and at the recommendation of the clinical supervisor for the remaining time
- Clinical supervision shall focus on boundaries, co-dependence, and countertransference
- The professional shall receive therapy twice monthly for six months with a pre-approved behavioral health professional. The frequency for the remaining time will be at the recommendation of the therapist
- Therapy shall focus on co-dependence, boundaries, strengths, triggers and people pleasing

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	Brad Barnett	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Jerri Shields	Gerald Szymanski
AYE	X	X	X	X	X	X	X	X	X	X
NAY										
Absent										

G. 2018-0039 and 2018-0040, Jill Sena, LAC-16069

Ms. Zavala summarized information regarding consolidating complaint numbers 2018-0039 and 2018-0040.

Following further discussion, Mr. Barnett moved, seconded by Mr. Coffey, to consolidate complaints 2018-0039 and 2018-0040. The motion passed unanimously.

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

N/A

10. Temporary licenses: review, consideration and action

N/A

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

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

Counseling

Mr. Coffey moved, seconded by Mr. Barnett, to approve 19 applicants as Licensed Associate Counselors, 10 applicants as Licensed Professional Counselors and 2 applicants as Licensed Professional Counselors by endorsement. The motion passed unanimously.

Mr. Coffey moved, seconded by Mr. Barnett, to deny 2 applications based on failure to meet minimum requirements, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Mr. Coffey, to approve 3 applicants as Licensed Clinical Social Workers, 3 applicants as Licensed Clinical Social Workers by endorsement, 1 applicant as a Licensed Baccalaureate Social Worker, and 10 applicants as Licensed Master Social Workers. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Coonrod, to deny 1 application based on failure to pass the required exam. The motion passed unanimously.

Marriage and Family Therapy

Mr. Barnett moved, seconded by Mr. Coffey, to approve 2 applicants as Licensed Associate Marriage and Family Therapists. The motion passed unanimously. Ms. Bailey recused.

Substance Abuse

Mr. Szymanski moved, seconded by Mr. Coffey, to approve 1 applicant as a Licensed Associate Substance Abuse Counselor. The motion passed unanimously.

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

N/A

12. Report from Chair

A. Summary of current events

No report.

13. Report from the Treasurer

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

Tabled

14. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Discussion regarding HB2406

Ms. Zavala provided the Board with an update on the status of House Bill 2406. In her update, Ms. Zavala informed the Board that she heard from Representative Carter, Chair of the Health Committee, who advised Ms. Zavala that she was not going to schedule the bill for hearing nor would she support the repeal language if it were to show up in another bill. Board members recognized Ms. Zavala for her efforts in monitoring the bill and timely communicating its status. Board members discussed the role and importance the associations play in the legislative process.

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

Tabled

D. Discussion regarding SB1246

Ms. Zavala reminded the members that Senate Bill 1246 would allow an applicant from out of state a streamlined process to be licensed in Arizona. Ms. Zavala told the members that the bill was heard on January 31st and passed unanimously. In her update, she shared that Senator Bradley had many positive remarks regarding the Board and their continued improvements and lack of complaints.

E. Discussion regarding safety of the public vs behavioral health agency policies

Ms. Zavala reminded the Board that they had requested that this matter be agendaized for discussion. Board members discussed the challenge they face when trying to determine the appropriate action to take against a professional who, in complying with agency policy, violates the practice act. Board members noted that such determination should be made based on the facts of the underlying case.

F. Discussion regarding court appointed and therapeutic interventionist complaints

Tabled

G. Discussion regarding Department of Health Services regulations in regards to practice restrictions and scope of practice

Ms. Zavala advised the Board that they requested that this matter be agendaized for discussion. Board members discussed their lack of jurisdiction over persons employed by agencies licensed by the Department of Health Services. Board members further discussed that to have jurisdiction over employees of these agencies practicing social work, marriage and family therapy, substance abuse and counseling their statutes would have to be amended. It was noted that changes to the Board's statutes, especially those pertaining to jurisdiction, are initiated by entities other than the Board such as the behavioral health associations.

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

N/A

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

N/A

17. Future agenda items

- A. Development of templates for treatment plans and progress notes*
- B. Website*
- C. Emails in client records*
- D. Life coaches*

18. Call for public comment

Jeremy Arp addressed the Board regarding NASW-AZ working with legislation on HB2406. Amira Saldivar Smith addressed the Board regarding the mobility of a license.

19. Establishment of future meeting dates

The next meeting is scheduled for Friday, March 2, 2018, at 9:00 a.m.

20. Adjournment

Mr. Coffey moved, seconded by Mr. Barnett, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:10 p.m.

Gerald Szymanski
Secretary/Treasurer

Date