

# STATE OF ARIZONA BOARD OF BEHAVIORAL HEALTH EXAMINERS 1740 WEST ADAMS STREET, SUITE 3600

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DOUGLAS A. DUCEY Governor TOBI ZAVALA Executive Director

# BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES February 8, 2019

Members Present: Kimberly Bailey, Bradley Barnett (in at 11:05 a.m.), Chip Coffey, Mary Coonrod,

Cedric Davis, Gary Goodwin, Meaghan Kramer, Heidi Quinlan, Jerri Shields (out at

2:58 p.m.), Gerald Szymanski

Staff Present: Tobi Zavala, Executive Director; Marc Harris, A.A.G.; Anne Froedge, A.A.G.;

Donna Dalton, Deputy Director; Joey Ordonez, Assistant Director; Stacey Jonas,

**Project Specialist** 

#### 1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on February 8, 2019 at 9:02 a.m. with Mr. Coffey presiding.

#### 2. Roll Call

See above.

### 3. Minutes: review, consideration and action

A. January 11, 2019, general meeting minutes

Ms. Shields moved, seconded by Dr. Davis, to approve the general meeting minutes for the January 11, 2019 meeting as submitted. Ms. Quinlan abstained.

### 4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

N/A

B. Cases recommended for dismissal with a letter of concern

N/A

- C. Cases recommended for release from consent agreements
  - 1. 2018-0070, Jacqueline Armstrong, LAC-17128
  - 2. 2017-0038, Kathleen Baker, LISAC-10663 (active-restricted)
  - 3. 2017-0043, Timothy Coates, Jr., LAC-16697
  - 4. 2016-0104, 2017-0049, Donald Miretsky, LPC-0144 (active-restricted)
  - 5. 2018-0053, Graham Reilly, LMSW-17089

Following discussion, Dr. Davis moved, seconded by Ms. Quinlan, 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 non-disciplinary consent agreement.

N/A

E. Cases recommended for opening a complaint and dismissing with a letter of concern.

N/A

- F. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.
  - 1. 2019-0047, Kathleen Bynum, LPC-2468
  - 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, Mr. Szymanski moved, seconded by Ms. Shields, to accept the proposed signed non-disciplinary consent agreement as presented. The motion carried with Mr. Goodwin opposed.

# 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).

- A. 2017-0066 and 2019-0026, Byron Watson, LAC-15804 (suspended)
- Mr. Harris, A.A.G., appeared on behalf of the state.
- Ms. Froedge, A.A.G., appeared to provide independent legal advice to the Board.

The professional was properly noticed, but failed to appear.

- Mr. Harris made an opening statement.
- Ms. Michaelsen, Senior Investigator, was sworn and testified.
- Mr. Coffey admitted State's Exhibits 1-16 into evidence, with exhibits 8 12 admitted under seal.
- Mr. Harris, A.A.G., made a closing statement.

Following review and discussion by members, Ms. Kramer moved, seconded by Mr. Barnett, to accept the factual allegations as findings of fact. The motion passed unanimously.

Following further discussion, Mr. Barnett moved, seconded by Ms. Coonrod, to accept the charges as conclusions of law. The motion passed unanimously.

Following further discussion, Ms. Coonrod moved, seconded by Ms. Kramer, to issue an Order of Revocation of the professional's license. The motion passed unanimously.

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

### **6.** Formal Interviews

N/A

The Board took a break at 10:06 a.m., reconvening its public meeting at 10:17 a.m.

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

- A. 2019-0056, Joseph Broussard, LISAC-11862, LPC-12927
- Ms. Zavala summarized the results of the Board's investigation.

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

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

- A.R.S. § 32-3251(16)(1), 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)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license

The motion carried with Ms. Bailey and Mr. Goodwin opposed.

Following further discussion, Dr. Davis moved, seconded by Ms. Shields, to find the following violation:

• A.R.S. § 32-3251(16)(o), failing to furnish information within a specified time to the board or its investigators or representatives if legally requested by the board

The motion carried with Mr. Szymanski and Mr. Goodwin opposed.

Following further discussion, Dr. Davis moved, seconded by Ms. Shields, 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 10 clock hours of pre-approved continuing education in legal, ethical and risk management issues related to providing clinical supervision

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. Goodwin abstained.

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

B. 2019-0019, Amy Davidson, LMSW-12812

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

The professional and her attorney, Jonathan Hupp, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Shields, 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. Mr. Coffey recused.

Following further discussion, Mr. Szymanski moved, seconded by Ms. Bailey, to order the professional to undergo a comprehensive psychological evaluation with a pre-approved licensed Psychologist pursuant to A.R.S. § 32-3281(B). The motion passed unanimously. Mr. Coffey recused.

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

C. 2015-0013, Gail Eaton, LCSW-11342

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

The professional appeared telephonically and the professional's attorney, Michael Ryan, appeared and addressed the Board.

Following review and discussion by members, Ms. Shields moved, seconded by Ms. Bailey, to accept the proposed, signed modified consent agreement as presented. 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
NAY										
Absent		X								

D. Maggie Franiuk, LAC applicant Tabled.

E. 2016-0081, 2017-0099, Salina Hancock Abdul-Bari, LMSW-13868

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

The complainants appeared telephonically and addressed the Board.

The professional's attorney, Michael Ryan, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Bailey, to rescind the Board's prior motion to consolidate complaints 2016-0081 and 2017-0099. The motion passed unanimously. Mr. Coffey and Ms. Quinlan recused.

F. 2017-0099, Salina Hancock Abdul-Bari, LMSW-13868

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

The complainant appeared telephonically and addressed the Board.

The professional's attorney, Michael Ryan, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to accept the proposed, signed modified consent agreement as presented. The motion passed unanimously. Mr. Coffey and Ms. Quinlan recused.

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

G. 2016-0081, Salina Hancock Abdul-Bari, LMSW-13868

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

The complainant appeared telephonically and addressed the Board.

The professional's attorney, Michael Ryan, appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to rescind the Board's prior motion remanding the matter to formal hearing and to dismiss the complaint without prejudice. The motion passed unanimously. Mr. Coffey and Ms. Quinlan recused.

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

The Board took a break at 12:08 p.m., reconvening its public meeting at 12:50 p.m.

#### H. 2019-0048, Kristina Murphy, LCSW-11626

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

Following review and discussion by members, Mr. Coffey moved, seconded by Ms. Quinlan, to dismiss the complaint without prejudice due to the passing of the licensee. The motion passed unanimously.

I. 2019-0046, Nicole Pryor, LPC-17182Tabled.

#### J. 2019-0001, Patrick Thomas, LMSW-17070

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

The complainant appeared and addressed the Board.

The professional and his attorney, Larry Cohen, appeared and addressed the Board.

Following review and discussion by members, Mr. Goodwin moved, seconded by Mr. Barnett, 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 2017 NASW Code of Ethics as it relates to:
  - o 2.06, Sexual Relationships

The motion passed unanimously.

Following further discussion, Mr. Goodwin moved, seconded by Mr. Barnett, 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

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

The Board took a break at 2:15 p.m., reconvening its public meeting at 2:24 p.m.

#### K. 2018-0113, Francesca Velez, LCSW-11532

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

The professional appeared telephonically and the professional's attorney, Larry Cohen, appeared and addressed the Board.

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

• A.R.S. § 32-3251(16)(1), 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 Ms. Shields, to offer a consent agreement that stipulates the following:

- The professional's license shall be placed on probation for 12 months
- The professional shall receive clinical supervision monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on expectations, laws and rules, scope of practice, and documentation relating to providing clinical supervision, and shall also include a chart audit

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

L. 2019-0060, 2019-0062, Joseph Whitwell, LPC-17055

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

One complainant appeared in person and addressed the Board.

One complainant appeared telephonically and addressed the Board.

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

Mr. Barnett moved, seconded by Ms. Shields 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 11:33 am, reconvening its public meeting at 11:50 am.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Shields, to table the matter for further investigation. The motion passed unanimously.

The Board took a break at 2:59 p.m., reconvening its public meeting at 3:07 p.m.

# 8. Assistant Attorney General's Report: Marc Harris, 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

Ms. Quinlan moved, seconded by Mr. Barnett, to approve 32 applicants as Licensed Associate Counselors, 3 applicants as Licensed Associate Counselors by endorsement, 18 applicants as Licensed Professional Counselors, and 15 applicants as Licensed Professional Counselors by endorsement. The motion passed unanimously.

Ms. Quinlan 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 meet minimum requirements. The motion passed unanimously.

Marriage and Family Therapy

Mr. Barnett moved, seconded by Ms. Bailey, to approve 1 applicant as a Licensed Associate Marriage and Family Therapist by endorsement, 3 applicants as Licensed Marriage and Family Therapists, and 9 applicants as Licensed Marriage and Family Therapists by endorsement. The motion passed unanimously.

Mr. Barnett moved, seconded by Ms. Bailey, to deny 1 application based on a failure to take the required examination. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Coonrod, to approve 17 applicants as Licensed Master Social Workers, 13 applicants as Licensed Clinical Social Workers, 16 applicants as Licensed Clinical Social Workers by endorsement, 1 applicant as a Licensed Master Social Worker by endorsement, and 1 applicant as a Licensed Baccalaureate Social Worker by endorsement. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Coonrod, to deny 8 applications based on a failure to pass the required exam, and 1 application based on a failure to take the required exam. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Quinlan, to approve 2 applicants as Licensed Independent Substance Abuse Counselors, 1 applicant as a Licensed Associate Substance Abuse Counselor, and 3 applicants as Licensed Independent Substance Abuse Counselors by endorsement. The motion passed unanimously.

Mr. Szymanski moved, seconded by Ms. Quinlan, to deny 1 application based on a failure to pass the required examination. The motion passed unanimously.

### 11. Report from Chair

A. Summary of current events

No Report.

#### 12. Report from the Treasurer

A. Review, consideration, and possible action regarding January financial report Following review and discussion by members, Ms. Quinlan moved, seconded by Dr. Davis, to accept the January monthly 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 HB2065

Ms. Zavala informed members that HB2065 was in regards to the E-Licensing appropriation.

C. Discussion regarding Executive Order 2019-01

Ms. Dalton informed members that the Governor's office issued Executive Order 2019-01 that extends the moratorium on rulemaking and in addition requires that agencies review their process related to alleged unlicensed practice.

D. Update on the Federation of Associations of Regulatory Boards conference

Ms. Zavala shared with members that she appreciated the ability to attend the conference as it was geared towards current information in the regulatory community.

E. Update on the leadership meeting for the American Association of State Counseling Boards
 Ms. Zavala shared with members that she attended a meeting in North Carolina in preparation of the NBCC/CCE and AASCB conference in August.

### F. Update regarding governor appointments

Ms. Zavala informed members that she has been in contact with the appointments office since August of 2018 in regards to the academic review committee member appointments that expire as of January 2019. To date, there are no appointments.

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

N/A

### 15. Call for public comment

None.

## 16. Establishment of future meeting dates

The next regular meeting is scheduled for Friday, March 8, 2019, at 9:00 a.m., at 1740 W. Adams St., Room C.

#### 17. Adjournment

Dr. Davis moved, seconded by Mr. Barnett, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:58 p.m.

TT ' 1' O ' 1	Date
Heidi Quinlan	

# Arizona Board of Behavioral Health Examiners Licenses recommended for approval - February 8, 2019 meeting

# COUNSELING

	Licensed A	Associate Counselor - 32	
Albertina Abouchar	Marcelene Camou	Bonnie Grossman	Lisette Li
Katharine Anthony	Lee Ann Cecil	Ashley Hartwell	Latisha Miner
Mark Anton	Andrea Cordoba	Ashley Hebert	Milica Ostojic
Jade Avery	Alexandra Daem	Amanda Higginbotham	Dawn Richmond
Arielle Bentley	Kelle Delano	Briah Hudson	Andrew Terech
Pamela Bonilla	Desyre Diaz	Erika Johnson	Brad Thayer
Susan Cahill	Elizabeth Giroux	Lucy Koerner	La Neesha Williams
Alin Calini	Kari Gorbous	Casey Leavenworth-Keenberg	Jade Zinser
	Licensed Associat	te Counselor by endorsement - 3	
Lisa Childs-Elkiwan	Kimberly Elliott	Tolana Murphy	
	Licensed Pi	rofessional Counselor - 18	
Blake Barney	Sara Flathers	Claire Karakey	Greta Shumway
Gabriela Becerra	Mackenzie Fowler	Anna Merkley	Cynthia Viera
Brent Conley	Elizabeth Jimenez	Kimberly Palmer	Amber White
Craig Dalton	Jennifer Jones	Loralynne Pavlicek	
Amanda Denbo	Julia Kannard	Kawena Seagle	
	Licensed Profession	nal Counselor by endorsement - 15	
Maria Arango Diaz	Ruthann Goozdich	Gayle Lukeman	Nancy Plouffe'
Michael Bryson	Natalia Granda	Kristen McFee	Steven Quintiliani
Karolee Bulak	Barbara Hanson	Vernona Munroe-Hardy	Mercy Stout
David Covington	Stephanie Hedgecock	Samuel Murphy	

# MARRIAGE AND FAMILY THERAPY

Licensed Associate Marriage and Family Therapist by endorsement - 1							
Beverly Drinkard							
Licensed Marriage and Family Therapist - 3							
Darcy Easley	Natalie Foster	Heather Scarbrough					
	Licensed Marriage and	Family Therapist by endorsement - 9					
Christopher Basten	Marny Nedlin	Kristine Suchan					
Gayle Lukeman	Steven Quintiliani	Ash Tahbaz					
Cattleya Natesiri	Helena Rouhe	Jeffrey Zeig					

# Arizona Board of Behavioral Health Examiners Licenses recommended for approval - February 8, 2019 meeting

# SOCIAL WORK

	Licensed M	Iaster Social Worker - 17	
Arijeta Ahmeti	Ashley Honey	Pedro Nunez Concepcion	Kira Vredenburg
Courtney Born	Shawn Kebker	Jennifer Ramsey	Latoya West
Bryan Brown	Debra Marcus	Billie Read	
Carla Giglio	Sandra Martinez	Anitra Sopronyi	
Demarie Holmes	Natasha McTaggart	Paige Swett	
	Licensed C	linical Social Worker - 13	
Danielle Connella	Michael Higgins	Jessica Perkins	Rachel Torry
Honor Duvall	Karri Macri	Ashley Pipes	
Jennifer Franco-Rodriguez	Nikia Meekins	Mahlon Roun Jr.	
Brandy Harden	Kimberly Murphy	Stephanie Tomaszewski	
	Licensed Clinical Se	ocial Worker by endorsement - 16	
Julie Dennis	Linda Herbert	Robert Ledermann	Diana Meier
Amanda Duncan	Mandy Kaufman	Michelle Lewis	Jeffrey Pollack
Daniel Edwards	Jennifer Kempner	Elaine Maher	Susan Reb
Rhonda Harris	Pamela Klancic	Dianne McGregor	Roxanne Rosemire
	Licensed Baco	calaureate Social Worker - 1	
Marina Kuznetsov			
	Licensed Master S	ocial Worker by endorsement - 1	
Julie Ramsey			

# SUBSTANCE ABUSE

Licensed Independent Substance Abuse Counselor - 2			
Vidal Garibay	Edith Twitchell		
Licensed Independent Substance Abuse Counselor by endorsement - 3			
Steven Elliott	Jane Nyby	Steven Quintiliani	
Licensed Associate Substance Abuse Counselor - 1			
Taylor Carsten			

# Arizona Board of Behavioral Health Examiners Licenses recommended for denial - February 8, 2019 meeting

# **COUNSELING - 3**

# Failure to pass the required exam - 1

Leonard Liebner

# Failure to meet minimum requirements - 2

Ashey Sprotberry Jason Willyerd

# **SOCIAL WORK - 9**

### Failure to pass the required exam - 8

Lerayne Begay Dante Thompson
Tsahai Dias Richard Wesley
Freda Gittens Richard Woodard Jr
Kathy-Ngoc Huynh Christian Zendejas

# Failure to take the required exam - 1

Gwendolyn Adakai

# **SUBSTANCE ABUSE COUNSELING - 1**

### Failure to pass the required exam - 1

Luis De Leon

# **MARRIAGE & FAMILY THERAPY - 1**

### Failure to take the required exam - 1

Francesca Mirizio