



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

### 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 January 11, 2019 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](http://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 Donna Dalton at 602-542-1811 or the TDD number at 800-367-8939.

#### Board Members

Peter (Chip) Coffey, LPC, Chairperson  
Heidi Quinlan, LISAC, LPC, Secretary/Treasurer  
Kimberly Bailey, LMFT  
Bradley Barnett, LMFT  
Mary Coonrod, Public Member  
Cedric (Doc) Davis, LCSW  
Gary D. Goodwin, LCSW  
Meaghan Kramer, Public Member  
Jerri Shields, LPC  
Gerald Szymanski, 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 Donna Dalton at 602-542-1811 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. November 2, 2018, general meeting minutes*

*B. December 14, 2018, general meeting minutes*

*C. December 14, 2018, executive session minutes/agenda item 7G*

**4. 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. 2019-0040, Francesca Mirizio, LAMFT-5863T*

**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. 2018-0020, Mackenzie Fowler, LAC-16341*

*2. 2018-0028, David Jensen, LMSW-16918 (active-restricted)*

*3. 2019-0012, Joseph Meade, LMSW-12938*

*4. 2017-0118 and 2018-0007, Ruth Zum Mallen, LPC-10819 (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):

*1. Ashley Hartwell, LAC Applicant*

**E. Cases recommended for opening a complaint and dismissing with a letter of concern.** The Board will review, discuss, and may vote to take action on the following case(s).

*N/A*

**F. 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. *2019-0041, Michelle Mulnix, LAC-14010*

**5. Administrative Hearings 10:00 AM**

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. 2016-0102 and 2018-0006, Michael Latino, LASAC-15133 (suspended)*

Board to conduct a formal administrative hearing.

**6. 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*

**7. 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. 2019-0042, James Bissel, LPC-12794 and LASAC-13078*

Initial review, consideration, and possible action regarding complaint.

*B. 2015-0013, Gail Eaton, LCSW-11342*

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

*C. 2019-0061, Holly Fechtmeyer, LCSW-15547*

Initial review, consideration, and possible action regarding accepting the proposed signed consent agreement.

*D. 2019-0031, Karen Morse, LPC-10271*

Initial review, consideration, and possible action regarding complaint.

*E. 2018-0116 Kimberly Popkey, LPC-2248*

Initial review, consideration, and possible action regarding complaint.

*F. 2019-0032, Kenneth Richardson, LISAC-0593*

Initial review, consideration, and possible action regarding complaint.

*G. 2019-0044, Brian Shrum, LASAC-15231*

Initial review, consideration, and possible action regarding complaint.

**8. 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

**9. Temporary licenses: review, consideration and action**

N/A

**10. 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 1<sup>st</sup> floor of 1740 W. Adams Street, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting.

*1. Review, discussion and possible action regarding Ann Eberhardt's petition for review pursuant to A.R.S. § 41-1093.04*

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

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

**11. 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.

N/A

**12. Report from the Treasurer**

*A. Review, consideration, and possible action regarding December financial report*

**13. 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 audio recordings of meetings*

*C. Review, consideration and possible action regarding the April meeting date*

*D. Review, consideration and possible action regarding R4-6-211*

*E. Discussion regarding governor appointments*

**14. 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. *Brandon Dellario, LASAC-15122 (inactive)*

**15. 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.

**16. Establishment of future meeting date(s)**

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

**17. Adjournment**

January 4, 2019



Tobi Zavala  
Executive Director