



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

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
MEETING MINUTES
May 13, 2022

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Patricia Dobratz, Leannette Henagan (out at 11:46 a.m., in at 1:44 p.m.), Polly Knape, Adalesa Meek, Diane Palacios, Antwan Trotter

Members Absent: Meaghan Kramer, Kasondra Parr

Staff Present: Mona Baskin, A.A.G., Tobi Zavala, Executive Director; Erin Yabu, Deputy Director; Jarett Carver, Investigations Manager

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 13, 2022 at 9:04 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. March 11, 2022, general meeting minutes

Board members were replaced since the March 11, 2022 Board meeting; therefore, a quorum could not be reached to approve the minutes. The March 11, 2022 general meeting minutes were reviewed and considered by the Board and will be maintained as draft minutes.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

- 1. 2022-0017, John Clarizio, LMSW-19527*
- 2. 2021-0178, Karen-Michelle Morrow, LPC-19637*

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(A). The motion passed unanimously.

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

- 1. 2021-0163, Jordan Helms, LCSW-19963*

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

C. Cases recommended for release from consent agreements.

- 1. 2020-0111, Marian Eberly, LCSW-4127 active-restricted*
- 2. 2021-0013, Carol Farmer, LPC-18275 active-restricted*
- 3. 2019-0070, Rocio Fonseca, LPC-20071 active-restricted*

4. 2021-0051, Irene Jacobs, LPC-13643
5. 2021-0146, Joshua Reish, LMFT-15553
6. 2022-0003, Vincent Ruzzo, LPC-18481, LISAC-15112
7. 2021-0038, Nancy Skocy, LPC-1851 active-restricted

Following discussion, Mr. Davis moved, seconded by Mr. Trotter, 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.

1. Molly Badilla, LMSW Applicant
2. Sydney Gonzales, LMSW Applicant
3. Tessa Grooms, LBSW Applicant
4. Irvin Nunez, LAC Applicant

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(D). The motion passed unanimously.

- 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.

1. 2021-0180, Tanja Haaland, LPC-17307
2. 2022-0022, Tanja Haaland, LPC-17307
3. 2022-0071, 2022-0092, Derek Reece, LCSW-19743

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

- H. Cases recommended for acceptance of a proposed signed disciplinary consent agreement. The Board will review, discuss, and may vote to take action on the following case(s).

1. 2022-0088, Basil Argento, LAC-20036

Following discussion, Mr. Davis moved, seconded by Ms. Meek, to approve the consent agenda item 4(H). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues 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. 2022-0116, Daed Ayala Penaloza, LCSW-17129

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Bailey, 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. § 32-517.02, Duty to Warn

The motion passed unanimously. Ms. Meek recused.

Following further review, Ms. Henagan moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours each of pre-approved continuing education in:
 - NASW Staying Out of Trouble course or its pre-approved equivalent
 - Duty to warn and mandated reporting
 - Behavioral health ethics
- The professional shall receive clinical supervision monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on duty to report, mandated reporting, and Arizona Statutes/Rules

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. Ms. Meek recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X				X	X
NAY												
Absent								X	X	recused		

B. Santos Gonzales, LCSW-19185

Ms. Zavala summarized the background information.

The professional and her attorney, Joey Hamby, appeared and addressed the Board.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Bailey, to open a complaint. The motion passed unanimously.

Following further review, Ms. Henagan moved, seconded by Ms. Bailey, to offer an interim consent agreement not to practice and if not signed, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

C. 2022-0124, 2022-0125, Bethany Grismore, LAC-19211

Ms. Zavala summarized the signed proposed interim consent agreement.

The complainants were properly noticed, but failed to appear.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to accept the signed proposed interim consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

D. 2022-0004, Cynthia Heath, LMFT-10073

Ms. Zavala summarized the signed proposed consent agreement.

The complainant appeared and addressed the Board.

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

Following review and discussion by members, Mr. Charles moved, seconded by Ms. Bailey, to accept the signed proposed consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

The Board took a break at 10:19 a.m., reconvening its public meeting at 10:32 a.m.

E. 2022-0013, Samuel Jean-Baptiste, LMSW-18185

Mr. Carver summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion, Ms. Bailey moved, seconded by Ms. Meek, to offer the professional a non-disciplinary consent agreement for completion of 6 clock hours each of pre-approved continuing education in:

- Behavioral health ethics and boundaries
- Sexual harassment
- Social media/technology
- Culture diversity
- Child and family systems

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 carried with Mr. Davis and Mr. Trotter opposed. Ms. Henagan abstained.

F. 2021-0154, Har Khalsa, LCSW-11307

Ms. Zavala summarized the signed proposed consent agreement.

The complainant and his attorney, Andrew Rahtz, appeared and addressed the Board.

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

Following review and discussion by members, Ms. Coonrod moved, seconded by Mr. Trotter, to accept the signed

proposed consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

G. Jacquelyn Montrie, LMFT Applicant

Ms. Zavala summarized the background information.

The applicant appeared telephonically and addressed the Board.

Following review and discussion, Ms. Bailey moved, seconded by Mr. Davis, to deny the request to withdraw the application.

Following further review, Ms. Bailey moved, seconded by Ms. Henagan, to open a complaint. The motion passed unanimously.

Following discussion by members, Ms. Bailey moved, seconded by Mr. Davis, 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)(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 AAMFT Code of Ethics:
 - 1.5 Sexual Intimacy with Former Clients and Others

Following further discussion, Ms. Bailey moved, seconded by Ms. Henagan, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

H. 2022-0094, Pamela Opper, LCSW-12398

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The attorney was properly noticed, but failed to appear.

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

Following further review, Ms. Henagan moved, seconded by Ms. Bailey, to open a complaint for the professional’s supervisor, Susie Hallowell, for further investigation. The motion passed unanimously.

I. Debbie Ritterbush, LPC-14266

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

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

J. 2021-0143, Patricia Turner, LMSW-18235

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Sara Stark, appeared and addressed the Board.

Ms. Bailey moved, seconded by Mr. Trotter to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) to review records exempt from public inspection. The motion passed unanimously and the Board went into executive session at 9:50 am, reconvening its public meeting at 10:03 am.

Following review and discussion, Ms. Bailey moved, seconded by Ms. Coonrod, to offer the professional a non-disciplinary consent agreement for completion of 6 clock hours of pre-approved continuing education in burnout, selfcare, and stress management, 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.

K. 2021-0150, Tamera Van Berkel, LPC-18663

Mr. Carver summarized the Board's investigation.

The complainant appeared and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Bailey, 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 ACA Code of Ethics:
 - D.1.G Employer Policies

The motion passed unanimously.

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Henagan, to order the professional to get a comprehensive psychological evaluation with a pre-approved licensed Psychologist within 60 days, and if not completed, to remand the matter back to the Board. The motion passed unanimously.

L. 2022-0140, Kristen Vasosaust, LPC-20627

Ms. Zavala summarized the signed proposed consent agreement.

The complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, to accept the signed proposed consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X	X	X			X	X	X
NAY												
Absent								X	X			

M. 2022-0156, Jolene Wallace, LMSW-17318

Ms. Zavala summarized the signed proposed interim consent agreement.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Ms. Dobratz moved, seconded by Mr. Trotter 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 11:29 am, reconvening its public meeting at 11:48 am.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Coonrod, to accept the signed proposed interim consent agreement. The motion carried with Ms. Trotter opposed. Ms. Henagan abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Kasondra Parr	Adalesa Meek	Diane Palacios	Antwan Trotter
AYE	X	X	X	X	X		X			X	X	
NAY												X
Absent						abstained		X	X			

The Board took a break at 11:51 a.m., reconvening its public meeting at 12:39 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

Ms. Dobratz moved, seconded by Ms. Coonrod to deny 6 applications based on a failure to pass the required examination, 6 applications based on a failure to take the required examination, 2 applications based on a failure to meet the minimum requirements, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

Marriage and Family Therapy

Ms. Bailey moved, seconded by Ms. Henagan to deny 3 applications based on a failure to pass the required examination, 2 applications based on a failure to take the required examination, and 3 applications based on a failure to meet the minimum requirements. The motion passed unanimously.

Social Work

Ms. Henagan moved, seconded by Mr. Trotter, to deny 29 applications based on a failure to pass the required examination, 9 applications based on a failure to take the required examination, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

Substance Abuse

Ms. Henagan moved, seconded by Ms. Bailey, to deny 1 application based on a failure to take the required examination and 1 application based on a failure to meet the minimum requirements. The motion passed unanimously.

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

N/A

11. Report from Chair

A. Summary of current events

No report.

12. Report from the Treasurer

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

B. Review, consideration, and possible action regarding March financial report

C. Review, consideration, and possible action regarding April financial report

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to accept the February, March, and April financial reports as presented. The motion passed unanimously.

The Board took a break at 2:44 p.m., reconvening its public meeting at 2:50 p.m.

13. Report from the Executive Director and/or staff

A. Update on Board member status

Ms. Zavala welcomed new Board members, Ms. Palacios, Ms. Meek, and Ms. Knape, who provided introductions to the members.

B. Review, consideration, and possible action regarding August meeting date change

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to change the date of the August Board meeting from the 12th to the 19th. The motion passed unanimously.

C. Discussion regarding quarterly newsletter

Ms. Zavala shared with members that beginning on July 1st, Board staff will be introducing a quarterly newsletter. It will include important updates, reminders, and other informational items that will be emailed to all licensees and posted on the website.

D. Update regarding the Association of Social Work Board's Board member training

Ms. Zavala, Mr. Trotter, and Ms. Henagan shared their experience at the training to be beneficial.

E. Update regarding the Association of Social Work Board's Educational Conference

Ms. Dobratz and Ms. Zavala shared their experience at the conference to be beneficial.

F. Review, consideration, and possible action regarding Board members' participation in the Center for Credentialing and Education conference

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to approve Ms. Dobratz, Ms. Zavala, and Ms. Kramer's participation in the Center for Credentialing and Education conference. The motion passed unanimously.

G. Update regarding Petition filed for rule R4-6-1106(B) pursuant to A.R.S. Section 41-1033(G)

Ms. Zavala shared that the Petition filed for rule R4-6-1106(B) pursuant to A.R.S. Section 41-1033(G) was rejected by the Governor's Regulatory Review Council.

H. Discussion regarding Board elections

Ms. Zavala announced that the annual election of Board Officers, Chairperson and Secretary Treasurer, will take place in June. It was requested that questions regarding the roles and time commitments be directed through Ms. Zavala.

I. Discussion regarding supervised private practice and possible rule modifications

A discussion regarding supervised private practice took place, and the members determined that policy and rules need to reflect the following:

- Supervised private practices shall only be located in Arizona.
- Supervisee must be physically in Arizona providing services.
- Clinical supervisor shall:
 - Oversee entire practice.
 - Be physically located in Arizona while providing supervision.
 - Attest to each review that thorough and regular reviews of documentation are completed.
- Only one clinical supervisor shall be approved for each supervised private practice at any given time.
- One clinical supervisor shall not be approved for more than five supervised private practices at any given time.
- Onsite clinical supervision requirement:
 - No exemptions.
 - Physically, in-person at the supervised private practice location.
- Verification of Supervision report:
 - After two non-compliant reports, both the supervisor and supervisee shall be brought to the Board.
 - Reports shall be submitted within 2 weeks from the due date.
- Advertising, marketing, and practice materials:
 - Prior to approval, shall indicate that clients are not being accepted.
 - Upon approval, shall include supervised private practice notice and clinical supervisor information.

- Supervised private practice owner shall be sole owner and not hire others to work in practice.
- For future rule modification proposal:
 - 3 supervised private practice continuing education units shall be required.
 - Clinical supervisor shall acquire two-year independent licensure minimum in Arizona.
 - Supervisee and supervisor shall meet individually for one hour for every 10 hours of direct client contact provided.

A comprehensive memo summarizing the discussion will be sent to all supervised private practice participants and posted on the website.

J. Discussion regarding Boardroom update

Ms. Yabu provided an update regarding the pending project to upgrade the audio and video equipment in Boardroom C. Due to global supply chain delays, new equipment is on backorder until 2023.

K. Update on the Board's new database

Ms. Yabu provided an update regarding the new database. Work is currently underway with the contractor to build individual web portals for applicants, licensees, and requests from the public.

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

A. Lisa Gielow, LMSW-17160 (inactive)

Following review and discussion by members, Mr. Trotter moved, seconded by Mr. Davis, to grant the request for extension of inactive status. The motion passed unanimously.

B. Joan Lisa, LAC-13962 (inactive)

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to grant the request for extension of inactive status. The motion passed unanimously.

15. Future agenda items

None.

16. Call for public comment

No one was present to respond to the call for public comment.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, June 10, 2022 at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Trotter moved, seconded by Ms. Coonrod, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:45 p.m.

Dr Cedric E Davis LCSW

Dr Cedric E Davis LCSW (Jun 18, 2022 11:14 PDT)

Cedric Davis
Secretary/Treasurer

Jun 18, 2022

Date