



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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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 November 15, 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 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
Cedric (Doc) Davis, LCSW, Secretary/Treasurer
Kimberly Bailey, LMFT
Robert Charles, Public Member
Mary Coonrod, Public Member
Gary Goodwin, LCSW
Meaghan Kramer, Public Member
Heidi Quinlan, LISAC, LPC
Mark Shen, LPC
Gerald Szymanski, LISAC, LPC
Antwan Trotter, Public Member
Vacant, LMFT 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. October 25, 2019, general meeting minutes

B. October 25, 2019, executive session minutes/agenda item 7D

C. October 25, 2019, executive session minutes/agenda item 7E

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. 2019-0069, Kimberly Nielsen, LCSW-10299

2. 2019-0136, Kenneth Richardson, LISAC-0593 (suspended)

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):

1. 2019-0092, Mitzi Mackenzie, LCSW-13908

2. 2019-0103, Kathy Sexton, LPC-13346

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. 2019-0068, Roy Chukwuemeka, LPC-16983

2. 2019-0008, Susan Love, LAC-17716

D. Cases recommended for opening a complaint and 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. Carisa Favela, LAC-17130

E. 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):

N/A

F. 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

G. 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).

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

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. 2019-0100, Lisa Hamilton-Clark, LCSW-13674

Initial review, consideration, and possible action regarding complaint.

B. 2019-0139, Hayley Hansen, LPC-16371

Initial review, consideration, and possible action regarding complaint.

C. 2018-0096, Erin McNeilly, LMSW Applicant

Review, consideration and possible action regarding applicant's request for a formal hearing.

D. 2019-0152, Rochel Murnighan, LISAC-10686 (suspended)

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

E. 2019-0050, William Murnighan, LISAC-10531

Initial review, consideration, and possible action regarding complaint.

F. 2019-0153, William Murnighan, LISAC-10531

Initial review, consideration, and possible action regarding complaint.

G. 2019-0101, Jennifer Putnam, LMSW-17355

Initial review, consideration, and possible action regarding complaint.

H. 2019-0099, Carolyn Settle, LCSW-0708

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).

A. 2019 Legislative Update

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

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

Names are posted for review in the building lobby of the 1st 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 October 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 R4-6-1106

C. Review, consideration and possible action regarding the Board's DUI processing policy

D. Update regarding the 2019 ASWB Annual Meeting of the Delegate Assembly

E. Update on Board 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. Tanya Alvarez, LPC-14418 (inactive)

B. Geraldine Whaley, LMFT-10232 (inactive)

15. Future agenda items

N/A

16. 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.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, December 13, 2019, at 9:00 a.m., at 1740 W. Adams St., Room C.

18. Adjournment

November 7, 2019



Tobi Zavala
Executive Director