



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
November 5, 2021

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Patricia Dobratz, Leanne Henagan, Meaghan Kramer, Kasondra Parr, Mark Shen, Gerald Szymanski, Antwan Trotter

Staff Present: Mona Baskin, A.A.G., Tobi Zavala, Executive Director; Erin Yabu, Deputy Director; Ian Hirmand, Assistant Director; Alissa Vander Veen, Operations Manager

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on November 5, 2021 at 9:00 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. September 10, 2021, general meeting minutes

Mr. Davis moved, seconded by Ms. Parr, to approve the general meeting minutes for the September 10, 2021 meeting as submitted. The motion passed unanimously. Ms. Kramer, Mr. Szymanski, and Ms. Henagan abstained.

B. October 8, 2021, general meeting minutes

Mr. Davis moved, seconded by Mr. Trotter, to approve the general meeting minutes for the October 8, 2021 meeting as submitted. The motion passed unanimously. Mr. Charles, Ms. Kramer, and Ms. Parr abstained.

C. October 8, 2021, executive session minutes/agenda item 4. A. 2

Mr. Davis moved, seconded by Mr. Trotter, to approve the executive session minutes/agenda item 4. A. 2 for the October 8, 2021 meeting as submitted. The motion passed unanimously. Mr. Charles, Ms. Kramer, and Ms. Parr abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2021-0142, Mitchell Blocker, LPC-19303, LISAC-15191
2. 2021-0167, Kristen Elliott, LASAC-15267
3. 2021-0162, Kristen Pulver, LASAC-15217
4. 2021-0141, Sonia Saberhagen, LCSW-15202

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(A)(2, 4). The motion passed unanimously.

Following further discussion, Mr. Davis moved, seconded by Mr. Trotter, to rescind the motion to approve the consent agenda item 4(A)(2). The motion passed unanimously.

1. 2021-0142, Mitchell Blocker, LPC-19303, LISAC-15191

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

The complainant appeared telephonically and addressed the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Parr, to dismiss the complaint. The motion passed unanimously.

2. *2021-0167, Kristen Elliott, LASAC-15267*

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

The complainant appeared and addressed the Board.

The professional and her attorney, Faren Akins, appeared telephonically and addressed the Board.

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

3. *2021-0162, Kristen Pulver, LASAC-15217*

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

The complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

Mr. Szymanski 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 9:19 a.m., reconvening its public meeting at 9:36 a.m.

Following review and discussion by members, Ms. Henagan moved, seconded by Ms. Coonrod, to dismiss the complaint. The motion carried with Mr. Charles, Ms. Dobratz, Mr. Szymanski, and Mr. Trotter opposed.

The Board took a break at 9:39 a.m., reconvening its public meeting at 9:44 a.m.

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

N/A

C. Cases recommended for release from consent agreements.

1. *2020-0106, Eloina Gallagher, LASAC-13318*

2. *2020-0036, Nicole Heim, LPC-13503 (active-restricted)*

3. *2021-0041, Shannon Martin, LMSW-18902*

4. *2019-0024, Rosa Ruales, LPC-15965 (active-restricted), LAMFT-10478 (active-restricted)*

Following discussion, Mr. Davis moved, seconded by Mr. Shen, 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. *Erica Ayala, LPC-19410*

Following discussion, Mr. Trotter 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.

N/A

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. 2019-0114, 2021-0156, Christina Aguilar, LPC-17472 (interim suspension)

Ms. Zavala summarized the Board's investigation.

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

Following review and discussion by members, Mr. Szymanski moved, seconded by Mr. Trotter, to approve the professional's request for release from the interim consent agreement subject to acceptance of a consent agreement that allows the licensee to practice subject terms.

Following discussion by members, Mr. Szymanski moved, seconded by Mr. Shen, 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.

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

- The professional shall be placed on probation for 24 months with a stayed suspension
- The professional shall complete 6 clock hours in the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on behavioral health ethics, integrity, documentation, and Board statutes and regulations
- The professional shall continue participation in The WellBeing Institute program for a minimum of 12 months, and if the professional stops participating within that 12 months, the Board must be notified within 10 days
- For the remaining time, the professional shall receive therapy from a pre-approved licensed independent substance abuse counselor. For the first three months, therapy shall be weekly, and then twice monthly the next nine months. Early release available after 12 months at the recommendation of the therapist
- Therapy shall focus on the issues identified in the report, as well as timeliness for each session
- The professional shall attend a recovery group twice weekly and obtain a sponsor within 30 days
- The professional shall submit to random drug testing twice monthly from a preapproved laboratory

and if not signed, the professional shall remain on the interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X
NAY											
Absent											

The Board took a break at 10:22 a.m., reconvening its public meeting at 10:31 a.m.

B. 2021-0172, Victor Okorie, LPC-13418

Ms. Zavala summarized the Board’s investigation.

The professional appeared in-person 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)(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.

Following further review, Mr. Davis 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 a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 12 clock hours of continuing education in clinical supervision training that meets requirements in R4-6-214

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	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X
NAY											
Absent											

C. Cynthia Wolcott, LCSW Applicant

Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

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

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

Following further review by members, Ms. Bailey moved, seconded by Mr. Shen, 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.

Following review, Ms. Bailey moved, seconded by Mr. Trotter, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6).

Following further review, Ms. Bailey moved, seconded by Ms. Henagan, to notify the applicant’s current employer of the unprofessional conduct.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X
NAY											
Absent											

8. Assistant Attorney General’s Report: Mona Baskin, A.A.G.

A. 2021 Legislative Update

Ms. Baskin provided the Board with an update on legislative changes from the 2021 session.

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

Mr. Shen moved, seconded by Ms. Bailey to deny 6 applications based on a failure to pass the required examination, 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.

Marriage and Family Therapy

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

Social Work

Mr. Davis moved, seconded by Ms. Henagan, to deny 7 applications based on a failure to pass the required examination, 2 applications based on a failure to take the required examination, and 1 application based on failure to meet the minimum requirements. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Bailey, to deny 1 application based on a failure to pass the required examination and 3 applications based on a failure to take the required examination. 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 September financial report

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to accept the September financial report as presented. The motion passed unanimously.

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

Tabled

13. Report from the Executive Director and/or staff

A. Discussion regarding all licensee letter emailed on September 24, 2021

Ms. Zavala provided an overview of the letter emailed to all licensees including important changes and reminders.

B. Update regarding Ms. Zavala's participation in the Council of State Governments for Social Work Compacts
Ms. Zavala shared her experience in the Council to be beneficial and collaborating for the social work profession.

C. Review, consideration and possible action regarding R4-6-214

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Henagan, that initial clinical supervision training must occur within the last three years. The motion passed unanimously.

D. Review, consideration and possible action regarding expired licenses and re-application

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Bailey, that expired licenses and re-application, an applicant must meet the current educational requirements, pass the required examination, and that judicial notice of the Board's records shall be taken related to supervised work experience and clinical supervision. The motion passed unanimously.

E. Discussion regarding staff update

Ms. Zavala provided an update regarding recent staff changes regarding Jacqueline Harris and Leah Gessel and thanked them for their service.

F. Discussion regarding HB2454 and registry

Tabled.

G. Discussion regarding court appointed cases

Members discussed the process for court appointed cases.

H. Discussion regarding database

Ms. Zavala provided an update about potential for a new database that would impact operations and how the public interfaces with the Board.

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

A. Rita Rogers, LCSW-2178 (inactive)

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

B. Selah Israel, LMSW-16973 (inactive)

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

15. Future agenda items

- Court appointed cases
- Telehealth registry

16. Call for public comment

Bradley Andrews appeared and addressed the Board.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, December 10, 2021, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Davis moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:53 a.m.



Dr Cedric E Davis, LCSW (Jan 14, 2022 11:30 MST)

Cedric Davis
Secretary/Treasurer

Jan 14, 2022

Date