

BOARD OF BEHAVIORAL HEALTH EXAMINERS
MEETING MINUTES
October 11, 2024

Members Present: Adalesa Meek, Diane Palacios, Robert Charles, Kristina Groves, Leanette Henagan (out at 12:40), Crystal Krueger, Jose Luis Madera, Dominic Miller

Members Absent: Mark Shen

Staff Present: Tobi Zavala, Executive Director; Mona Baskin, A.A.G., Polly Knape, Deputy Director; Jarett Carver, Investigations Manager; Allison Taylor, Operations Manager

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 11, 2024 at 9:01 a.m. at 1740 West Adams Street, Boardroom C, Phoenix, Arizona 85007 with Ms. Meek presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. May 10, 2024, general meeting minutes

Based on the change in the composition of appointed Board members, there will not be a quorum to approve the minutes. The minutes will be maintained as draft minutes noting that there is not a statutory requirement for the Board to approve the minutes. A.R.S. § 38-431.01(C).

B. May 10, 2024, executive session minutes/ Agenda item 7 F

Based on the change in the composition of appointed Board members, there will not be a quorum to approve the minutes. The minutes will be maintained as draft minutes noting that there is not a statutory requirement for the Board to approve the minutes. A.R.S. § 38-431.01(C).

C. June 14, 2024, general meeting minutes

Based on the change in the composition of appointed Board members, there will not be a quorum to approve the minutes. The minutes will be maintained as draft minutes noting that there is not a statutory requirement for the Board to approve the minutes. A.R.S. § 38-431.01(C).

D. September 6, 2024, general meeting minutes

Ms. Henagan moved, seconded by Ms. Palacios, to approve the general meeting minutes for the September 6, 2024 meeting as submitted. The motion passed unanimously. Mr. Miller abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2024-0403, Maria Blair, LPC-21054
2. 2024-0145, Keith Brock, LIAC-11831
3. 2024-0333, Efron Hollis, LPC-18466
4. 2025-0014, 2025-0015, Joseph Jenkins, LPC-19761, LIAC-15209
5. 2024-0359, Dionne Spooner, LCSW-19395
6. 2024-0284, Danitza Valle, LCSW-18529

Following discussion, Ms. Palacios moved, seconded by Ms. Henagan, to approve the consent agenda item 4(A)(1-

6). The motion passed unanimously.

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

1. 2024-0296, Nicole Devito, LPC-18636
2. 2024-0269, Stacey Fielding, LAC-16494
3. 2024-0257, Madison Koza, LAC-21173

Following discussion, Ms. Palacios moved, seconded by Mr. Miller, to approve the consent agenda item 4(B)(1). The motion passed unanimously. Ms. Krueger recused.

Following discussion, Ms. Groves moved, seconded by Ms. Henagan, to approve the consent agenda item 4(B)(3). The motion passed unanimously.

2. 2024-0269, Stacey Fielding, LAC-16494
- Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Sue Crismon, appeared and addressed the Board.

Following discussion, Mr. Miller moved, seconded by Ms. Palacios, to approve the consent agenda item 4(B)2. The motion passed unanimously.

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

1. Shelley Newman, LAC Applicant

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

D. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

1. 2024-0250, Cheryl Congrove, LPC-16802
2. 2024-0396, Amanda Higginbotham, LPC-19151
3. 2023-0059, Esther Delpozo, LCSW-16700
4. 2024-0324, Laura Nunez, LPC-20664

Following discussion, Ms. Palacios moved, seconded by Mr. Madera, to approve the consent agenda item 4(D)(1,2,4). The motion passed unanimously.

Following discussion, Ms. Groves moved, seconded by Ms. Palacios, to approve the consent agenda item 4(D)(3). The motion passed unanimously. Ms. Krueger recused.

Mr. Madera disclosed he knows the licensee professionally, and stated this will not cloud or bias his judgement on the matter.

E. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.

N/A

F. Cases recommended for acceptance of a proposed signed disciplinary consent agreement.

1. 2024-0241, Thomas Wood, LAC-22163
2. 2024-0339, 2024-0325, Christopher David, LPC-20068

Following discussion, Ms. Palacios moved, seconded by Mr. Madera, to approve the consent agenda item 4(F)(1). The motion passed unanimously.

	Robert Charles	Kristina Groves	Leannette Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	

NAY									
Absent									X

2. 2024-0339, 2024-0325, Christopher David, LPC-20068

Following discussion, Ms. Henagan moved, seconded by Mr. Miller, to approve the consent agenda item 4(F)(2). The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

G. Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement.

1. Janet Hardin, LCSW-13061
2. Tiffany Jones, LCSW-12656
3. Kim McReynolds, LCSW-11566

Following discussion, Ms. Groves moved, seconded by Ms. Palacios, to approve the consent agenda item 4(G). The motion passed unanimously.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

H. Cases recommended for opening a complaint and denying for unprofessional conduct.
N/A

I. Cases recommended for release from consent agreements.

1. 2023-0205, Karina Chandler-Ziegler, LAMFT-10892 (active-restricted)
2. 2024-0002, Joe Ellis, LIAC-11805
3. 2021-0179, Shelley Geary, LCSW-18146 (active-restricted)
4. 2024-0205, Shelley Ireland, LAC-15879
5. 2024-0018, Kimberly Kriesel, LPC-19252
6. 2024-0070, Mischa Peck, LCSW-12742

Following discussion, Ms. Palacios moved, seconded by Ms. Henagan, to approve the consent agenda item 4(I)(1-6). The motion passed unanimously. Mr. Madera recused.

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. 2024-0272, Janice Allen, LAC-22193

Ms. Zavala summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Madera moved, seconded by Mr. Charles, 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)(cc), failing to take reasonable steps to inform potential victims and appropriate authorities if the licensee becomes aware during the course of providing or supervising behavioral health services that a client's condition indicates a clear and imminent danger to the client or others

The motion passed unanimously.

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

- The licensee shall be placed on probation for 24 months
- The licensee shall complete the ASIST (Applied Suicide Intervention Skills Training) 2 day course
- The licensee shall complete pre-approved continuing education in:
 - 3 clock hours in working with families
- The professional shall receive clinical supervision once weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on behavioral health ethics, safety planning, risk assessment, crisis intervention, Arizona statutes and rules, coordination of care working with families in crisis and limits of confidentiality
- After 12 months at the recommendation of the clinical supervisor, supervision can be decreased to no less than twice monthly

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.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

Following further review and discussion by members, Ms. Groves moved, seconded by Ms. Palacios, to open a complaint on the professional's clinical supervisor. The motion passed unanimously.

B. 2024-0183, Jacqueline Kaplan, LCSW-13492

Ms. Zavala summarized the Board's investigation.

The complainant appeared and addressed the Board.

The professional appeared and addressed the Board.

Ms. Meek moved, seconded by Ms. Palacios, 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 12:30 pm, reconvening its public meeting at 12:40 pm.

Following further review by members, Ms. Meek moved, seconded by Ms. Palacios, to order the professional to get a comprehensive psychological evaluation with a pre-approved licensed Psychologist within 60 days. The motion passed unanimously.

Following review and discussion by members, Mr. Meek moved, seconded by Ms. Palacios, to issue an interim order for the professional to submit to a 10-panel hair follicle complete panel drug test from a pre-approved laboratory within 10 days pursuant to A.R.S. § 32-3281(B). The motion passed unanimously.

C. 2024-0128, Inyang Udo-Ema, LPC-16539

Mr. Carver summarized the boards investigation.

The complainant was properly noticed, but failed to appear.

The professional and his attorney, Jennifer Wasserman, appeared and addressed the Board.

Following review and discussion by members, Mr. Miller moved, seconded by Ms. Palacios, to find the following violations:

- 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
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1103. Client Record

The motion passed unanimously.

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

- The licensee shall be placed on probation for 24 months
- Stayed suspension
- The licensee shall complete pre-approved continuing education in:
 - 3 clock hours in Arizona documentation
 - 3 clock hours in behavioral health ethics
 - 5 clock hours in attendance of a Board meeting
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on behavioral health ethics, Board statutes and rules, DHS rules, Arizona documentation, managing private practice
- Early release available after 12 months at the recommendation of the clinical supervisor

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.

	Robert Charles	Kristina Groves	Leannette Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

D. 2024-0306, Brenda Venegas, LAC-19949

Ms. Zavala summarized the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

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

Following review and discussion by members, Ms. Palacios moved, seconded by Mr. Miller, to dismiss the complaint with a letter of concern addressing the licensee’s professional responsibility to maintain professionalism in the workplace. The motion passed unanimously.

Ms. Zavala summarized the Board’s investigation.

The complainant appeared and addressed the Board.

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

Following review and discussion by members, Ms. Palacios moved, seconded by Ms. Groves, to find the following violations:

- A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity or professional judgment or create a risk of harm to the client
- 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 NASW Code of Ethics:
 - 1.13 (b) Payment for Services
- A.R.S. § 32-3251(16)(t), disclosing a professional confidence or privileged communication except as may otherwise be required by law or permitted by a legally valid written release
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1101. Consent for Treatment
 - A.A.C. R4-6-1102. Treatment Plan
 - A.A.C. R4-6-1103. Client Record
 - A.A.C. R4-6-1104. Financial and Billing Records

The motion passed unanimously.

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

- The licensee shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The licensee shall complete pre-approved continuing education in:
 - 3 clock hours in Arizona documentation
 - 3 clock hours in high conflict cases with couples and families
 - 3 clock hours in HIPAA
 - 3 clock hours in self-care
 - 5 clock hours in attendance of a Board meeting
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on behavioral health ethics, Board statutes and rules, self-care, high conflict couples and families, Christian ministry in working with clients, HIPAA, Arizona documentation
- Early release available after 12 months at the recommendation of the clinical supervisor

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.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

The Board took a break 10:40 a.m., reconvening its public meeting at 10:55 a.m.

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. Groves moved, seconded by Ms. Palacios, to find the following violations:

- 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:
 - A.8. Multiple Clients
- 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)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to:
 - A.R.S. § 13-3620. Duty to Report Abuse
- A.R.S. § 32-3251(16)(x), exploiting a client, former client or supervisee. For the purposes of this subdivision, "exploiting" means taking advantage of a professional relationship with a client, former client or supervisee for the benefit or profit of the licensee.
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1101. Consent for Treatment
 - A.A.C. R4-6-1102. Treatment Plan
 - A.A.C. R4-6-1103. Client Record
 - A.A.C. R4-6-1104. Financial and Billing Records

The motion passed unanimously.

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

- The licensee shall be placed on probation for 24 months
- Stayed suspension
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in family law and ethics
- The licensee shall complete the ASIST (Applied Suicide Intervention Skills Training) 2-day course
- The licensee shall complete, in person, pre-approved continuing education in:
 - 3 clock hours in behavioral health ethics
 - 3 clock hours in Arizona documentation
 - 3 clock hours in mandated reporting
 - 5 clock hours in attendance of a Board meeting
- The professional shall receive clinical supervision weekly, for the first 12 months, 2 of those 4 times per month must be in person. For the time remaining, upon recommendation by the clinical supervisor, clinical supervision can be decreased to no less than 2 times monthly.
- Clinical supervision shall focus on suicide, risk assessment, mandated reporting, boundaries, Board statutes and rules, Arizona documentation, multiple clients, discussion on required CEU's, and random chart audits.

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.

	Robert Charles	Kristina Groves	Leanne Henagan	Crystal Krueger	Jose Luis Madera	Adalesa Meek	Dominic Miller	Diane Palacios	Mark Shen
AYE	X	X	X	X	X	X	X	X	
NAY									
Absent									X

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

A. *Discussion regarding the 2024 Legislative update*
Tabled

9. Applications for licensure and educational programs: review, consideration and action

A. *Review, consideration, and possible action regarding applications for licensure*
Counseling

Ms. Palacios moved, seconded by Mr. Miller, to deny 6 applications based on a failure to pass the required examination, 5 applications based on a failure to take the required examination, and 3 applications based on a failure to meet minimum requirements. The motion passed unanimously.

Marriage and Family Therapy

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

Social Work

Ms. Palacios moved, seconded by Mr. Miller, to deny 10 applications based on a failure to pass the required examination and 2 applications based on a failure to take the required examination. The motion passed unanimously.

Addiction Counseling

Ms. Palacios moved, seconded by Ms. Krueger, to deny 3 applications based on a failure to take the required examination, 1 application based on a failure to take the required examination, and 1 application based on a failure to meet minimum requirements. The motion passed unanimously.

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

10. Report from Chair

A. *Summary of current events*
No report.

B. *Review, consideration, and possible action regarding Ms. Zavala's annual performance review*
Tabled

11. Report from the Treasurer

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

Following review and discussion by members, Mr. Miller moved, seconded by Ms. Palacios, to accept the July financial report as presented. The motion passed unanimously.

B. *Review, consideration, and possible action regarding August financial report*

Following review and discussion by members, Mr. Miller moved, seconded by Ms. Palacios, to accept the August financial report as presented. The motion passed unanimously.

C. *Review, consideration, and possible action regarding the September financial report*

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

12. Report from the Executive Director and/or staff

A. *Discussion regarding the Impaired Professional Program*

Ms. Zavala shared information on the Impaired Professional Program and noted that it will be added to the Board tutorial in the future.

B. *Discussion regarding conflict of interest for Board and committee members as well as staff*
Tabled

C. *Update on staff changes*

Ms. Zavala provided an update on onboarding of 4 new staff members, and the upcoming onboarding of the IT Generalist Position.

D. *Discussion regarding all licensee email*

Ms. Zavala provided an update on the most recent all licensee email, including information of expansion of scope for addiction counseling.

E. Discussion regarding website migration project

Ms. Zavala provided an update on the website migration project, upgrading the Boards website, informing the Board of the projected go live date of December 30th.

F. Discussion regarding the final Sunset Review

Ms. Zavala provided an update on the Sunset review informing that it is now a public document.

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

A. Kristen Moleski, LAC-17532 (Inactive Status Extension)

Following review and discussion by members, Ms. Palacios moved, seconded by Ms. Krueger, to grant the request for extension of inactive status. The motion passed unanimously.

14. Future agenda items

N/A

15. Call for public comment

N/A

16. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, November 1, 2024, at 9:00 a.m., at 1740 W. Adams St., Boardroom C.

17. Adjournment

Ms. Krueger moved, seconded by Mr. Miller, to adjourn. The motion passed and the meeting was adjourned at 12:57 p.m.

Diane Palacios
Secretary/Treasurer

Date