



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
October 25, 2019

Members Present: Kimberly Bailey, Chip Coffey, Mary Coonrod, Cedric Davis, Gary Goodwin, Heidi Quinlan, Mark Shen, Gerald Szymanski, Antwan Trotter

Members Absent: Meaghan Kramer

Staff Present: Tobi Zavala, Executive Director; Marc Harris, A.A.G.; Carrie Smith, A.A.G.; Donna Dalton, Deputy Director; Joey Ordonez, Assistant Director

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 25, 2019 at 9:01 a.m. with Mr. Coffey presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. September 13, 2019, general meeting minutes

Dr. Davis moved, seconded by Mr. Goodwin, to approve the general meeting minutes for the September 13, 2019 meeting as submitted. The motion passed unanimously. Mr. Shen abstained.

B. September 13, 2019, executive session minutes/agenda item 7F

Dr. Davis moved, seconded by Ms. Coonrod, to approve the executive session minutes for the September 13, 2019 meeting as submitted. The motion passed unanimously. Ms. Quinlan and Mr. Shen abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2020-0003, Brian Clarke, LAC-17185
2. 2019-0097, Douglas Huevo, LPC-15473
3. 2020-0007, Kathleen Miholich, LCSW-0762
4. 2019-0078, Jaime Vinck, LPC-13083

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(A)(1) and (3-4). The motion passed unanimously.

2. 2019-0097, Douglas Huevo, LPC-15473

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. Szymanski moved, seconded by Mr. Goodwin, to dismiss the complaint. The motion passed unanimously.

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

N/A

C. Cases recommended for release from consent agreements.

1. 2019-0085, *Kelly Hughes-Halpin, LMSW-14038*
2. 2019-0054, *Jenna Jarrold, LAC-15881*
3. 2018-0082, 2018-0088, 2019-0004, *Shannon McQuaid, LISAC-1596 (active-restricted), LMFT-10032 (active-restricted)*
4. 2019-0041, *Michelle Mulnix, LAC-14010*
5. 2018-0119, *Paul Newberry, LASAC-13196*

Following discussion, Ms. Coonrod moved, seconded by Mr. Szymanski, to approve the consent agenda item 4(C). The motion passed unanimously. Mr. Coffey recused.

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

1. *Maria Suarez, LMSW-17839*

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

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

E. Cases recommended for opening a complaint and acceptance of a proposed signed non-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. 2019-0079, *Jennifer Walker, LPC-13665*

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. Goodwin moved, seconded by Ms. Bailey, to accept the proposed signed non-disciplinary consent agreement as presented. The motion passed unanimously.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

The Board took a break at 10:34 a.m., reconvening its public meeting at 10:46 a.m.

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).

A. *2020-0009, 2020-0024, Craig Nelson, LAMFT-10564 (suspended)*
Marc Harris, A.A.G., appeared on behalf of the state.

Carrie Smith, A.A.G., appeared to provide independent legal advice to the Board.

The professional was properly noticed, but failed to appear.

Mr. Harris made an opening statement.

Jarett Carver, Investigator, was sworn and testified.

Mr. Harris admitted State’s Exhibits 1-10 into evidence, with Exhibits 5, 6 and 9 admitted under seal.

Mr. Harris, A.A.G., made a closing statement.

Following review and discussion by members, Mr. Goodwin moved, seconded by Ms. Bailey, to accept the factual allegations as findings of fact. The motion passed unanimously.

Following further discussion, Mr. Goodwin moved, seconded by Ms. Coonrod, to accept the charges as conclusions of law. The motion passed unanimously.

Following further discussion, Mr. Goodwin moved, seconded by Mr. Trotter, to issue an Order of Revocation of the professional’s license and impose a civil penalty for investigative costs. The motion passed unanimously.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

6. Formal Interviews

N/A

7. Complaints and other disciplinary matters: review, consideration and action

A. *Edward Ableser, LPC-13294*

Mr. Ordonez summarized the results of the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, 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.6.d – Role Changes in the Professional Relationship

- 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 discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The license 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 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 6 clock hours of pre-approved in person continuing education in each of the following:
 - Marriage and family
 - Couples work
 - Clinical supervision
- The professional shall notify the Nevada licensing Board of his disciplinary action within 30 days

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 | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

B. 2019-0137, Anabel Aguayo, LCSW-17004

Mr. Ordonez summarized the results of the Board’s investigation.

The complainant appeared and addressed the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Quinlan 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 NASW Code of Ethics:
 - 1.07 – Privacy and Confidentiality (a) and (q)

The motion passed unanimously.

Following further discussion by members, Ms. Quinlan moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The license shall be placed on probation for 24 months
- Stayed revocation

- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 6 clock hours of 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 ethics and documentation, responsibility and Board statutes/rules
- The professional shall receive therapy twice monthly for 12 months with a pre-approved behavioral health professional.
- Therapy shall focus on emotion regulation, high conflict management, self care, boundaries and distress
- The professional shall pay a \$1,000 civil penalty within 6 months

and if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

The Board took a break at 11:15 a.m., reconvening its public meeting at 11:19 a.m.

C. 2020-0019, Maria Armenta, LAC-16484 (inactive), LPC Applicant

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

Kirsten Nelson with Arizona Sign Language Interpreting for the Deaf, provided interpreting services.

The professional and her attorney, Cary Lackey, appeared and addressed the Board.

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

D. Linda Gansler, LCSW-17458

Ms. Zavala summarized the background information.

The professional appeared telephonically and addressed the Board.

Mr. Trotter moved, seconded by Ms. Quinlan 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 11:40 am, reconvening its public meeting at 11:50 am.

Following review and discussion by members, Mr. Szymanski moved, seconded by Mr. Coffey, to open a complaint for further investigation. The motion carried with Ms. Bailey, Ms. Coonrod, Dr. Davis and Mr. Shen opposed.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | | X | | | X | | X | | X | X |
| NAY | X | | X | X | | | | X | | |
| Absent | | | | | | X | | | | |

E. 2019-0089, Joseph Gaunt, LCSW-1291

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

The complainant appeared and addressed the Board.

The professional and his attorney, Tom Burke, appeared and addressed the Board.

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 10:18 am, reconvening its public meeting at 10:28 am.

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

F. 2019-0121, Daniel Krepps, LPC-16165, LISAC-15073 (inactive)

Ms. Zavala summarized the results of the substance abuse test.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to find the following violation:

- A.R.S. § 32-3251(16)(b), using fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter

The motion passed unanimously. Mr. Shen recused.

Following further discussion by members, Mr. Szymanski moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The license shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in substance use disorders
- The professional shall complete 6 clock hours of pre-approved in person continuing education in substance use disorders
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional with substance use disorder experience
- Clinical supervision shall focus on relapse prevention, triggers, power differential, being a role model, ethics and judgment
- 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. Mr. Shen recused.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | recused | | |

G. Jared McGrath, LPC-18163

Ms. Zavala summarized the results of the background information.

The professional’s attorney, Flynn Carey, appeared telephonically and addressed the Board.

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

H. Daniel Oakes, LPC-11233

Ms. Zavala summarized the results of the background information.

The professional appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Goodwin, to open a complaint for further investigation. The motion passed unanimously.

I. 2018-0097, Jeanette Vogan, LPC-13620 (interim suspension)

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

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to deny the professional’s request for release from the interim consent agreement.

The motion passed unanimously.

| | Kimberly Bailey | Chip Coffey | Mary Coonrod | Cedric Davis | Gary Goodwin | Meaghan Kramer | Heidi Quinlan | Mark Shen | Gerald Szymanski | Antwan Trotter |
|--------|-----------------|-------------|--------------|--------------|--------------|----------------|---------------|-----------|------------------|----------------|
| AYE | X | X | X | X | X | | X | X | X | X |
| NAY | | | | | | | | | | |
| Absent | | | | | | X | | | | |

The Board took a break at 11:56 p.m., reconvening its public meeting at 12:31 p.m.

8. Assistant Attorney General’s Report: Marc Harris, A.A.G.

A. 2019 Legislative Update

Tabled.

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

Dr. Davis moved, seconded by Ms. Bailey, to deny 5 applications based on a failure to pass the required examination, 1 application based on a failure to take the required examination and 2 applications based on a failure to meet minimum requirements. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Quinlan, to deny 11 applications based on a failure to pass the required examination, and 4 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Bailey, to deny 2 applications based on a failure to pass 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

11. Report from Chair

A. Summary of current events

No Report.

The Board took a break at 1:56 p.m., reconvening its public meeting at 2:07 p.m.

12. Report from the Treasurer

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

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

13. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Discussion regarding R4-6-1106

Tabled.

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

Tabled.

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

N/A

15. Future agenda items

None.

16. Call for public comment

None.

17. Establishment of future meeting dates

The next regular meeting is scheduled for Friday, November 15, 2019, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Trotter moved, seconded by Ms. Bailey, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:54 p.m.

Cedric Davis
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - October 25, 2019 meeting

COUNSELING - 8

Failure to pass the required exam - 5

Steve Bolay
Alysha Audis
Jessica Caballero-Welchert
Briaunna Guthrie
Deana Bledsoe

Failure to take the required exam - 1

Adam Lane

Failure to meet minimum requirements - 2

Jill Birt
Alicia Tucker

SOCIAL WORK - 15

Failure to pass the required exam - 11

| | |
|----------------|--------------------|
| Angie Amparan | Yvonne Giordano |
| Adrienne Chao | Ashley Dailey |
| Leslie Collier | Gabie Davenport |
| Elisa Castro | Amanda Valengavich |
| Tamara Tuia | Sharlia Chatman |
| Tessa Thibeaux | |

Failure to take the required exam - 4

Sara Bissen
Mari Grogan
Jonathan Hatch
Jacob Rundall

SUBSTANCE ABUSE COUNSELING - 3

Failure to pass the required exam - 2

Nicolette Parrish
Leslie Morrow

Failure to meet minimum requirements - 1

Ramsen Kasha