



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

TOBI ZAVALA
Executive Director

June 14, 2022

Mr. Vincent Forleo
[REDACTED]

Dear Mr. Forleo:

On June 10, 2022, the Arizona Board of Behavioral Health Examiners (“Board”) reviewed your application for licensure as a licensed professional counselor and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(A)(6). Specifically, the Board found that you engaged in conduct that had you been licensed would have constituted grounds for disciplinary action. The Board determined that the disciplinary action invoked the following violations that were based upon the conduct referenced thereafter:

1. A.R.S. § 32-3251(16)(v), engaging in any sexual conduct between a licensee and a client or former client.
2. A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could impair the licensee’s objectivity or professional judgement or create a risk of harm to the client. For the purposes of this subdivision, “dual relationship” means a licensee simultaneously engages in both a professional and nonprofessional relationship with a client that is avoidable and not incidental.
3. 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.

These violations were based on the following findings:

1. On Applicant’s 12/15/21 LPC application, he answered “yes” to a question regarding ever being the subject of any complaint, investigation or disciplinary action against his license, and to a question regarding ever being involuntarily terminated from any behavioral health position.
2. Applicant’s written explanation on his application indicated the following:
 - a. Applicant regretfully established a dual relationship that began a few months into treatment when a client (“Client”) emailed Applicant about changing an appointment.
 - b. Outside of the office, they engaged in separate communication that was non-professional and different from their clinical relationship.

- c. The slow erosion of therapeutic boundaries and lapse in professional judgement lead to one instance of meeting outside of session and one separate instance of texting Client.
 - d. At no time was there any physical or sexual contact with Client.
 - e. While Applicant does not blame Client, it was both a surprise and novel experience to have Client express their personal feelings for Applicant.
 - f. Applicant was aware his behaviors were unethical, yet he did not seek supervision or consultation.
 - g. The ethics consultation, therapy, and training has allowed him to reflect on his behaviors and make changes to prevent himself from ever making those poor choices again.
3. On 04/05/19, Applicant was sent a notice of complaint from the Rhode Island licensing board ("RI Board"), indicating Applicant had been engaging in unethical and unprofessional correspondences with Client.
 4. Examples included Applicant telling Client what he wants her to wear to sessions and sending Client pictures of him half naked.
 5. In a 04/01/19 email included with the complaint, Applicant told Client he wanted to "see it without the tights" and that he wanted to "see those legs."
 6. On 04/13/19, as a result of this conduct, Applicant was terminated from the agency ("Agency") effective 05/31/19 in order to allow him to provide referrals to his patients.
 7. Effective 10/01/19, Applicant's Rhode Island Mental Health Counselor license was suspended for one year.
 8. Applicant's Consent Order indicated the following:
 - a. On 01/04/19, Applicant began a professional counseling relationship with Client.
 - b. They began weekly sessions soon after Client engaged Applicant, although they had initially met less frequently than that.
 - c. Starting mid 02/19, though 03/19, Applicant and Client began to exchange communications via email and text that were initially administrative, but became sexually explicit.
 - d. In early 03/19, they met outside the office for drinks.
 - e. In 03/19, Applicant admitted to having sent Client inappropriate and sexually explicit images of himself and received inappropriate photographs from Client.
 - f. Applicant's conduct violates the ethical principles governing mental health counselors, breaching § 5-63.2-21(7) of the MHC Practice Act.
 - g. His conduct also departed from or failed to conform to the minimal standards of acceptable and prevailing practice of mental health counseling and adhere to the National Board of Certified Counselors Code of Ethics adopted by the board, as required by § 11.4.1 of the Mental Health Counselor Rules, including Directives 5, 7, 19, 24, and 55.
 9. Applicant attended ethics consultations and therapy as part of the Consent Order.
 10. From 02/13/19 – 02/01/21, Applicant received therapy services, which largely focused on his own personal relationship with his partner.
 11. In a 01/20/22 email from Applicant to Board staff, he indicated the following:
 - a. On one occasion, Client sent Applicant photographs of herself in a shirt and underwear.
 - b. On the same occasion, Applicant sent one photograph and it was of his penis.

Notice of Appealable Agency Action:

Pursuant to A.R.S. § 41.1092.03 (B), you may request a formal hearing by notifying the Board, in writing, within 35 days from the date of this letter. The hearing will be held within 60 days after the Board receives your request. (A.R.S. § 41-1092.05)(A)) At the hearing, you will have the burden of proof to demonstrate that you are qualified for licensure regarding the matters set forth above. The Office of the Attorney General will represent the State of Arizona at the hearing. In addition, if you request a hearing, you have the right to request a settlement conference. (A.R.S. § 41-1092.06) Please note that if you do not request a hearing by the close of business on **July 19, 2022**, your file will be closed without recourse to appeal. If you desire licensure in the future you will be required to submit a new application and fee. Please be further advised that pursuant to the Board's licensure statutes only persons holding licenses to practice behavioral health may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

Notice to Licensure Applicant:

Pursuant to A.R.S. § 41-1093.01, an agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to A.R.S. § 41-1093.02 and A.R.S. § 41-1093.03, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court of general jurisdiction to challenge the occupational regulation and to ensure compliance with A.R.S. § 41-1093.01.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,



Tobi Zavala
Executive Director