



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

TOBI ZAVALA
Executive Director

December 15, 2022

Mrs. Gail Hopkins
[REDACTED]

Dear Mrs. Hopkins:

On December 9, 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)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.
2. 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. A.5.c. Sexual and/or Romantic Relationships With Former Clients

These violations were based on the following findings:

1. From 07/04 – 09/15, Applicant was licensed as an LPC with the Board until Applicant was placed under an Interim Consent Agreement for substance use then eventually voluntarily surrendered her license on 09/08/15.
2. On 06/14/22, the Board received Applicant’s LPC application and on 09/09/22, the Board received a complaint from a former client (“Client”) who is Applicant’s step-daughter.
3. The background information alleged the following in part:
 - a. In 2015, when Client was 16 years old, Applicant was her counselor for approximately six months.
 - b. A few months after Client stopped seeing Applicant, Client found out that Applicant had begun a romantic relationship with her father (“Father”).
 - c. In 2016, Applicant and Father got married and it was extremely traumatic for Client.
 - d. Applicant is still causing havoc for Client’s family and Client due to her rampant alcohol abuse.

4. Board staff forwarded the complaint to Applicant and on 10/31/22, Applicant provided a written response which included the following:
 - a. 09/11/22 is Applicant's current sobriety date.
 - b. In 2021, Applicant had been in treatment twice and completed a detailed relapse prevention plan while in treatment.
 - c. After completing treatment, Applicant was able to remain sober for many months and relapsed after decreasing her sobriety maintenance program.
 - d. On 09/08/22, Applicant found alcohol in Client's room and started drinking for two days until she voluntarily checked into treatment.
 - e. Since completing the 30-day program, Applicant has been attending meetings, seeing a sponsor, working the steps and is currently living in a sober living home.
 - f. Client was a former client of Applicant's from 01/14 – 08/14.
 - g. Two months after Applicant surrendered her license to the Board previously, Applicant and Father began dating after they randomly met at a mutual friend's gathering.
 - h. In 2016, Applicant and Father got married.
5. Applicant married Father within a year of services with Client concluding.
6. Applicant did not see any issues with marrying Father and represented Father asked Client for permission.
7. The ACA Code of Ethics strictly prohibits a counselor from entering into a relationship with a former client's family member.
8. Since 2015, Applicant continues to have issue with alcohol and relapsed on alcohol within 3 months of applying for licensure with the Board.

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 **January 19, 2023**, 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,

A handwritten signature in black ink, appearing to read "Tobi Zavala". The signature is fluid and cursive, with a long horizontal stroke at the end.

Tobi Zavala
Executive Director