



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

CEDRIC DAVIS  
Board Chair

DEBRA RINAUDO  
Executive Director

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BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
May 5, 2006

Members Present: Diane Brassea, Ruth Lee, Del Worley, Laura Waterman, Jose Herrera, Barbara Freeman  
Members Absent: Cedric Davis, Dan Wright  
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Victoria Mangiapane, Solicitor Generals Office, Sherry Blatner, Amy Shelton, Kami Thur, Mary Wilson, Elma Brambila

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 5, 2006, at 9:11 a.m. with Dr. Waterman presiding.

**2. Roll Call**

See above.

**3. Review and Approval of Minutes**

Dr. Waterman moved, seconded by Ms Worley, to approve the general meeting minutes from the April 7, 2006, meeting, as submitted. The motion passed unanimously.

**4. Administrative Hearings**

None

**5. Review, consideration, and action of complaints and other disciplinary matters**

*A. 2005-0098, Sheila Eiseman, LASAC applicant*

Board members and staff were introduced.

Dr. Waterman reviewed the process for Board consideration of a request for review or rehearing.

Ms. Mangiapane, Solicitors General Office, appeared telephonically.

The professional appeared in person and addressed the Board regarding the basis for her request for a review or rehearing of the Board's denial of her LASAC application.

Mr. Harris, A.A.G., addressed the Board and requested that the Board deny the request for review or rehearing.

Following review and discussion by members, Ms. Worley moved, seconded by Mr. Herrera, to deny the applicant's request for a review or rehearing. See attached roll call.

*The Board took a break at 10:36 a.m., reconvening its public meeting at 10:41 a.m.*

*B. 2003-0072 and 2004-0030, Patricia Telford, LPC-0067*

Ms. Rinaudo reported that the professional is deceased.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Brassea, to dismiss the pending complaints without investigation due to the professional's death. The motion passed unanimously.

*C. 2005-0012, Luciano De La O, LISAC-0569*

Ms. Shelton summarized the facts of the case.

Mr. De La O appeared in person and addressed the Board.

Following review and discussion, Ms. Worley moved, seconded by Ms. Brassea, to accept the Substance Abuse Credentialing Committee's recommendation and dismiss the complaint. The motion passed unanimously.

*D. 2004-0003, Ralph Earle, LMFT-0002*

Ms. Shelton summarized the facts of the case.

Mr. Earle was noticed, but did not appear.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to accept the Marriage and Family Therapy Credentialing Committee's recommendation and dismiss the complaint. The motion passed unanimously.

*E. 2006-0097, Benjamin Tyau, LAC applicant*

Ms. Blatner summarized the facts of the case.

Mr. Tyau addressed the Board telephonically.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Lee, to accept the signed consent agreement. The motion passed unanimously.

*F. 2006-0056, Melissa McCrum, LCSW applicant*

Ms. Blatner summarized the facts of the case.

Ms. Mazzeo appeared in person and addressed the Board.

Following review and discussion, Ms. Worley moved, seconded by Ms. Brassea, to amend the consent agreement to require attendance at the relapse prevention program every other week. The motion passed unanimously.

*G. 2006-0082, Caryn Attianese, LAC applicant*

Ms. Thur summarized the facts of the case and reported that the applicant has not signed the consent agreement offered by the credentialing committee.

The applicant and her attorney, Ms. Sanzio, appeared in person and addressed the Board.

Ms. Worley moved, seconded by Ms. Lee, to go into executive session to consider confidential client information pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the Board went into executive session at 9:34 a.m., reconvening its public meeting at 10:00 a.m.

Ms. Thur continued her summary of the case in open meeting.

Dr. Waterman moved, seconded by Ms. Worley, to go into executive session to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the Board went into executive session at 10:41 a.m., reconvening its public meeting at 11:02 a.m.

Following discussion by members, Dr. Waterman moved, seconded by Mr. Herrera, to approve the license subject to the terms of a modified consent agreement that finds a violation of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession, with the terms of the original consent agreement and, if not accepted by the applicant, to deny the license. The motion passed unanimously. See attached roll call.

*H. 2005-0044, Terry Brown-Kehl, LPC-1030*

Ms. Shelton summarized the facts of the case and reported that the applicant has not signed the consent agreement offered by the credentialing committee.

Ms. Brown-Kehl appeared in person and addressed the Board.

Following discussion by members, Dr. Waterman moved, seconded by Mr. Herrera, to offer the professional a consent agreement finding violations of the ACA Code of Ethics A.5.a and A.6.a. and, if not signed by the professional, to remand this matter to formal hearing. The motion passed unanimously.

*I. 2006-0104, Delbert Thomas, LISAC-0142*

Ms. Blatner summarized the facts of the case.

The professional was noticed, but did not appear.

Following discussion by members, Dr. Waterman moved, seconded by Ms. Lee, to find a violation of A.R.S. §32-3251(10)(b) and A.R.S. §32-3251(12)(b), the use of fraud or deceit in connection with establishing qualifications pursuant to this chapter, and to request that the professional respond in writing to the questions previously submitted by the Board investigator and to attend the June meeting of the Board. The motion passed unanimously.

*J. David Sherwood, LPC-2035*

Ms. Rinaudo summarized the facts of the case and indicated that the request for release from the consent agreement was approved by the Chair of the Counseling Credentialing Committee.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Lee, to release the professional from the terms of the consent agreement. The motion passed unanimously.

*K. NJ06-0002, Marianne Vangalio*

Tabled

*L. NJ06-0008, William Love*

Ms. Rinaudo summarized the facts of the case.

Following discussion, Dr. Waterman moved, seconded by Ms. Worley, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*M. NJ06-0009, Cinda Drescher*

Ms. Rinaudo summarized the facts of the case.

Following discussion, Dr. Waterman moved, seconded by Ms. Brassea, to dismiss the complaint as non-jurisdictional, and to authorize staff to get information from the professional regarding how she meets an exemption set forth in A.R.S. §32-3271 and establishing that she is under the purview of the church. The motion passed unanimously.

*N. NJ06-0010, Jaime Machicado*

Ms. Blatner summarized the facts of the case.

Following discussion, Ms. Waterman moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional and to issue a cease and desist order. The motion passed unanimously.

**6. Review, consideration and action of applications for licensure.**

*Social Work*

Dr. Waterman moved, seconded by Ms. Brassea, to approve 10 applicants as Licensed Clinical Social Workers and 10 applicants as Licensed Master Social Workers. The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Brassea, to deny 8 applicants for social work licensure based on the applicants' failure to pass the required exam. The motion passed unanimously.

*Counseling*

Ms. Worley moved, seconded by Ms. Brassea, to approve six applicants as Licensed Professional Counselors and 13 applicants as Licensed Associate Counselors. The motion passed unanimously. Dr. Waterman was recused from the vote.

Dr. Waterman moved, seconded by Ms. Brassea, to approve one applicant as a Licensed Associate Counselor. The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Brassea, to deny 12 applicants for counseling licensure based on the applicants' failure to establish that they meet minimum licensure requirements in supervision and/or education. The motion passed unanimously.

*Substance Abuse*

Dr. Waterman moved, seconded by Ms. Brassea, to approve two applicants as Licensed Independent Substance Abuse Counselors. The motion passed unanimously. Ms. Worley was recused from the vote.

Ms. Worley moved, seconded by Dr. Waterman, to deny five applicants for substance abuse licensure based on the applicants' failure to establish that they meet minimum licensure requirements in supervision and/or education, two applicants based on the applicants' failure to pass the required exam and one applicant based on a finding of unprofessional conduct. The motion passed unanimously.

*Marriage & Family Therapy*

Ms. Worley moved, seconded by Dr. Waterman, to approve two applicants as Licensed Marriage & Family Therapists. The motion passed unanimously.

Ms. Worley moved, seconded by Dr. Waterman, to deny one applicant for marriage and family therapy licensure based on a finding of unprofessional conduct and failure to pass the required exam. The motion passed unanimously.

**7. Report from the Chair**

*A. Development of review process for executive director*

Ms. Rinaudo reported that the Personnel Subcommittee will be meeting to develop a process for review of the executive director and will report back to the Board.

**8. Report from the Treasurer**

*A. Monthly financial report*

Dr. Waterman reported regarding the agency's revenues and expenditures.

**9. Report from Executive Director and/or staff.**

*A. General Agency Operations*

Ms. Rinaudo reported that the on-line verification of licensees and applicants will soon be operational. Data is being reviewed to ensure a smooth operating system.

*B. Proposed legislation*

Ms. Rinaudo reported regarding HB2780.

**10. Committee Reports.**

None

**11. National and regional trends and news regarding the profession(s)**

None

**12. Future agenda items**

Discussion regarding the presentation of investigative reports  
Review of the Board's draft budget at the August meeting

**13. Call for public comment**

None

**14. Establishment of future meeting date(s)**

The next meeting is scheduled for June 2, 2006, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**15. Adjournment**

Ms. Lee moved, seconded by Ms. Worley, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:50 p.m.

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Laura Waterman  
Secretary/Treasurer

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Date

