



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

MICHAEL SALAZAR  
Board Chair

DEBRA RINAUDO  
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
September 10, 2004

Members Present: Michael Salazar, Cedric Davis, Dan Wright, Steve LeGendre, Laura Waterman, Jose Herrera, Ruth Lee (left at 10:30 a.m.)

Members Absent: Kathleen Phillips

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Jason Martin, Mary Wilson

Public by telephone: Michael Wolver

Public Present: Marguerite Dickey, Kathleen Driscoll, Doug Collins, Elizabeth Tilousi, Mary Black, Tim Martinson, Patricia Rzonca

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on September 10, 2004, at 9:05 a.m. with Michael Salazar presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. LeGendre moved, seconded by Dr. Davis, to table the general meeting and executive session minutes from July 9, 2004, and the general meeting minutes from August 6, 2004.

4. **Administrative Hearings**

*A. Carole Rasco*

Mr. Harris reported that Ms. Rasco has withdrawn her request for a formal hearing. Dr. Davis moved, seconded by Mr. Wright, to accept the professional's request to withdraw her request for a formal hearing. The motion passed unanimously.

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

*A. David Lader, LPC-11067*

Ms. Thur summarized the facts of the complaint. The professional has pending federal charges for possession of child pornography. The Counseling Credentialing Committee has recommended an interim consent agreement that the professional has signed.

Following review and discussion by members, Ms. LeGendre moved, seconded by Mr. Wright, to accept the Counseling Credentialing Committee's recommendation to accept the interim consent agreement. The motion passed unanimously. See attached roll call.

Mr. LeGendre moved, seconded by Dr. Davis, to direct agency staff to provide the professional's behavioral health employer with a copy of the interim consent agreement. The motion passed unanimously.

*B. 2003-0044, Kathleen Driscoll, LPC-1653*

Mr. Martin summarized the facts of the complaint and the results of the investigation. The professional appeared in person.

Following review and discussion by members, Dr. Davis moved, seconded by Dr. Waterman, to approve the Counseling Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously.

*C. 2003-0033, Elizabeth Tilousi, LISAC-10422*

Mr. Martin summarized the facts of the complaint and the results of the investigation. The professional appeared in person.

Following review and discussion by members, Mr. Herrera moved, seconded by Mr. Wright, to approve the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously.

*D. 2003-0030, Jan Owens, LISAC-1288*

Mr. Martin summarized the facts of the complaint and the results of the investigation. Mr. Collins, attorney for the professional, appeared in person and addressed the Board.

Mr. Collins will advise his client that she cannot represent herself as a family therapist without the required license.

Following review and discussion by members, Mr. LeGendre moved, seconded by Dr. Davis, to approve the Substance Abuse Credentialing Committee's recommendation to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

*E. Patricia Rzonca, LISAC-10428*

Mr. Salazar recused himself from all matters involving Ms. Rzonca. Mr. Martin summarized the facts of the complaint and the professional's compliance with the terms of the consent agreement.

Ms. Rzonca appeared in person and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. LeGendre, to release the professional from the terms of the consent agreement. The motion passed unanimously.

*F. 2002-0012, Carol Brogna*

Mr. Martin summarized the facts of the complaint and the professional's compliance with the terms of the consent agreement. The professional's attorney, Michael Wolver, appeared telephonically and addressed the Board on her behalf.

Following review and discussion by members, Mr. LeGendre moved, seconded by Mr. Herrera, to release the professional from the terms of the consent agreement. The motion passed unanimously.

*G. NJ04-0009, Edwin Torrejon*

Mr. Martin summarized the facts of the complaint. Mr. LeGendre expressed concern regarding the multiple times the Board has received complaints with respect to Mr. Torrejon's practice. Members requested additional information regarding the nature of the services the professional provides and whether anyone else practices under his authority.

Mr. LeGendre moved, seconded by Dr. Waterman, to direct staff to send a letter to the professional questioning the nature of his work and to determine who provides the services the professional referred to in the letter he submitted to the Board. The motion passed unanimously.

Mr. LeGende moved, seconded by Mr. Wright, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*H. NJ04-0010, Sharon Smith*

Mr. Martin summarized the facts of the complaint.

Mr. LeGende moved, seconded by Mr. Wright, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

**6. Review, Consideration and Action on Applicants Recommended for Certification**

Mr. Salazar moved, seconded by Mr. LeGendre, to approve 33 applicants as Licensed Independent Substance Abuse Counselors. The motion passed unanimously.

Mr. LeGendre moved, seconded by Mr. Herrera, to approve Holly Williamson as a Licensed Independent Substance Abuse Counselor. The motion carried with Mr. Salazar recused.

Mr. Wright moved, seconded by Mr. Herrera, to approve 28 applicants as Licensed Professional Counselors and 20 applicants as Licensed Associate Counselors. The motion passed unanimously.

Mr. Salazar moved, seconded by Mr. Wright, to approve Mary Kelley as a Licensed Professional Counselor. The motion carried with Dr. Waterman recused.

Dr. Davis moved, seconded by Mr. Herrera, to approve one Licensed Baccalaureate Social Worker, seven Licensed Master Social Workers and twelve Licensed Clinical Social Workers. The motion passed unanimously.

**7. Report from the Chair and items for review, consideration and possible action**

*A. Marguerite Dickey*

Ms. Rinaudo reported that members have the materials regarding the Counseling Credentialing Committee's referral of this matter for discussion regarding filing a complaint against Dr. Dickey with the Board of Psychologist Examiner's.

Ms. Dickey appeared in person and addressed the committee. Ms. Black, Director, and Mr. Martinson, Director of Behavioral Health, of Black Child and Family Services, addressed the Board on behalf of Dr. Dickey.

Following review and discussion by members, it was agreed that this matter was a result of miscommunication and that no complaint will be filed.

**8. Report from the Treasurer and items for review, consideration and possible action**

*A. Monthly report*

Mr. LeGendre reported that the revenues continue to exceed expenses and the Board completed the fiscal year with a small percentage of its appropriation unspent.

*B. FY05 Budget*

Ms. Rinaudo presented a proposed FY05-07 budget for Board consideration. Members agreed that this is a responsible, responsive and prudent budget.

Dr. Davis moved, seconded by Mr. LeGendre, to approve the budget as presented. The motion passed unanimously.

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

*A. Agency operations*

No report.

**10. Committee Reports**

*A. Personnel Subcommittee*

Ms. Rinaudo reviewed the FY04 strategic plan outcomes and the proposed FY05 strategic plan.

Dr. Davis moved, seconded by Mr. Herrera, to accept the FY05 strategic plan as presented. The motion passed unanimously.

Ms. Rinaudo reviewed the revised mission and vision statements.

Mr. LeGendre moved, seconded by Mr. Wright, to accept mission and vision statements as presented. The motion passed unanimously.

**11. National and regional news regarding the profession**

None

**12. Future agenda items**

Potential dual relationships resulting from the move for mental health consumers to become peer counselors

**13. Call for public comment**

None

**14. Establishment of future meeting dates**

The next meeting is scheduled for Friday, October 1, 2004, at 9:00 a.m. in Room B-2.

**15. Adjournment**

Dr. Waterman moved, seconded by Mr. Herrera, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:20 p.m.

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Steve LeGendre  
Secretary/Treasurer

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Date