



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

CEDRIC DAVIS  
Board Chair

DEBRA RINAUDO  
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
April 4, 2008

**AMENDED**

Members Present: Cedric Davis, Jose Herrera, Julian Pickens, Ruth Lee, Laura de Blank, Kahryn Nix, Robert Evans (out at 12:30 p.m.)

Members Absent: Diane Brassea

Staff Present: Patricia Reynolds, Marc Harris, A.A.G., Tonya Shipman, Solicitor General's Office, Eleni Katerelos, Sherry Blatner, Kami Thur, Elma Brambila

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on April 4, 2008, at 9:12 a.m. with Dr. Davis presiding.

**2. Roll Call**

See above.

**3. Minutes: review, consideration and action**

Mr. Evans moved, seconded by Ms. de Blank, to approve the general meeting minutes from February 29, 2008, as amended. The motion passed unanimously. Dr. Davis and Ms. Lee abstained from the vote.

Mr. Evans moved, seconded by Ms. de Blank, to approve the general meeting minutes from March 7, 2008, as amended. The motion passed unanimously.

**4. Consent Agenda: review, consideration and action**

*A. 2008-0043, David Bromberg, LMSW applicant*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the signed consent agreement.

*B. 2006-0062, Awilda Dinon, LMSW-11340*

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to dismiss the complaint.

*C. 2006-0064, Christina Holt, LISAC-11755 (suspended)*

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

*D. 2005-0064 and 2007-0150, Arnold Jones, LPC-0169*

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaints.

*E. 2005-0033, Carolyn Leifson, LPC-10305 and LISAC-10459*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint.

*F. 2007-0162, Suzy Sartain, LPC applicant*

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint.

G. 2005-0019, Peter Berger, LPC-0206 and LISAC-0107

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaint.

Ms. Lee moved, seconded by Mr. Evans, to approve the consent agenda items A through G. The motion passed unanimously. See attached roll call vote.

**5. Administrative Hearings**

A. 2008-0063, William Riedel, LPC-10358 (suspended)

Dr. Davis reviewed the procedures for conducting a formal administrative hearing and introduced Board members and staff.

The professional was properly noticed, but did not appear.

Mr. Harris, A.A.G., appeared on behalf of the State and made an opening statement.

Kami Thur, Board Investigator, was sworn and testified on behalf of the State.

State's Exhibits 1 through 7 were admitted into evidence. All privileged and confidential information was redacted from the exhibits.

Ms. Lee moved, seconded by Mr. Herrera, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the Board went into executive session at 10:01 a.m., reconvening its public meeting at 10:15 a.m.

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

Following discussion by members, Mr. Evans moved, seconded by Ms. de Blank, to adopt Preliminary Findings 1 through 4 from the Emergency Order of Suspension as Findings of Fact. The motion passed unanimously.

Mr. Evans moved, seconded by Mr. Herrera, to adopt Preliminary Conclusions 1 and 2 from the Emergency Order of Suspension as Conclusions of Law. The motion passed unanimously.

Following further discussion, Mr. Herrera moved, seconded by Mr. Evans, to issue an order revoking the professional's license. The motion passed unanimously. See attached roll call.

B. Oscar Sanchez, LASAC applicant

Mr. Harris reported that the applicant has requested a continuance. Legislation is in process that, if passed, would allow the applicant to acquire a LSAT license without a formal hearing. If the legislation does not pass, the applicant can then exercise his right to a formal hearing.

Following discussion, Mr. Evans moved, seconded by Mr. Herrera, to grant the continuance as requested. The motion passed unanimously.

*The Board took a break at 10:30 a.m., reconvening its public meeting at 10:40 a.m.*

**6. Formal Interviews**

A. Rex Smyly, LISAC-10486

Dr. Davis reviewed the procedures for conducting a formal interview. Board members and staff were introduced.

Ms. Katerelos summarized the results of the Board's investigation.

Mr. Smyly was sworn in and addressed the Board.

Mr. Evans moved, seconded by Ms. Lee, to go into executive session to discuss confidential behavioral health and medical records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the Board went into executive session at 11:05 a.m., reconvening its public meeting at 11:12 a.m.

Following review and discussion by members, Mr. Evans moved, seconded by Ms. Lee, to dismiss the complaint. The motion passed unanimously. See attached roll call vote.

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

*A. 2007-0131, Elisabeth Davies, LPC-1584*

Ms. Reynolds summarized the results of the Board's investigation.

The professional and her attorney, Teresa Sanzio, addressed the Board.

Following review and discussion by members, Mr. Evans moved, seconded by Ms. Lee, to accept the proposed consent agreement. The motion passed unanimously. See attached roll call.

*B. 2004-0035 and 2008-0047, Martha Thompson, LPC-1062*

Ms. Thur addressed the Board.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Evans, to rescind Complaint No. 2008-0047 and add another possible violation to Complaint No. 2004-0035. The motion passed unanimously.

*C. 2006-0051, Paul Hudson, LPC-11611 and LISAC-10788*

Ms. Reynolds summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Mr. Evans moved, seconded by Ms. Nix, to accept the signed consent agreement. The motion passed unanimously.

*D. 2003-0008, Micki Kloss, LMFT-0157*

Ms. Reynolds summarized the results of the Board's investigation.

The professional and her attorney, Kelly McDonald, appeared in person and addressed the Board.

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

*E. 2007-0074, Abby Shamatha Hulser, LAC-11815*

Ms. Thur summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

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

*F. William Reidel, LPC-10358 (suspended)*

Ms. Thur summarized the results of her investigation.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Nix, to open a complaint to memorialize new information received regarding the professional's prior sexual harassment allegations and past criminal history and to dismiss the complaint based on the Board's revocation of the professional's license. The motion passed unanimously.

*G. Bradley Hudson, LPC-10645*

Dr. Pickens was recused from all matters involving Mr. Hudson.

Ms. Blatner summarized the results of the Board's investigation.

The professional was properly noticed, but did not appear.

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

Following further discussion, Mr. Evans moved, seconded by Ms. Nix, to accept the signed Interim Consent Agreement. The motion passed unanimously. Dr. Pickens was recused from the vote.

*H. 2005-0143, Laurie Lagemann, LPC-0233 (suspended)*  
Ms. Reynolds summarized the current status of the complaint.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Evans, to invite the professional to participate in a formal interview. The motion passed unanimously.

*I. 2005-0128, Laura Ann Chase, LAC-11289 and LISAC-11414*  
Ms. Reynolds summarized the current status of the complaint.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. de Blank, to invite the professional to participate in a formal interview. The motion passed unanimously.

*J. NJ07-0030, Chris Monaco*  
Mr. Harris, A.A.G., summarized the results of the Board's investigation.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Evans, to rescind the Board's previous motion to seek an injunction and to issue a cease and desist order against Ms. Monaco. The motion passed unanimously.

*K. NJ07-0035, Louis Tucker*  
Following review, Dr. Davis moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*L. NJ07-0036, Audrey Goldman*  
Following review, Dr. Davis moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*M. NJ07-0034, Jennifer Zimmerman*  
Following review, Dr. Davis moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*N. NJ07-0038, Elizabeth McMorran*  
Following review, Dr. Davis moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

## **8. Applications for licensure: review, consideration and action**

### *Social Work*

Dr. Davis moved, seconded by Ms. de Blank, to approve 7 applicants as Licensed Clinical Social Workers and 10 applicants as Licensed Master Social Workers and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. de Blank, to approve one applicant as a Licensed Master Social Worker. The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Evans, to deny 6 applicants for social work licensure based on failure to pass the required exam, 2 applicants based on failure to establish that they meet minimum requirements in supervised work experience and/or education and one applicant based on a finding of unprofessional conduct. The motion passed unanimously.

### *Counseling*

Ms. de Blank moved, seconded by Mr. Herrera, to approve 11 applicants as a Licensed Associate Counselors and 9 applicants as Licensed Professional Counselors. The motion passed unanimously.

Ms. de Blank moved, seconded by Mr. Herrera, to deny 2 applicants based on failure to establish that they meet minimum requirements in supervised work experience and/or education. The motion passed unanimously.

*Substance Abuse*

Mr. Evans moved, seconded by Ms. Nix, to approve 6 applicants as Licensed Associate Substance Abuse Counselors and one applicant as a Licensed Substance Abuse Technician. The motion passed unanimously.

*Marriage & Family Therapy*

Dr. Pickens moved, seconded by Mr. Evans, to approve one applicant as a Licensed Marriage and Family Therapist. The motion passed unanimously.

**9. Report from Chair.**

*A. Chair report*

No report.

*B. Member reports*

No report.

*C. Discussion regarding disclosure of confidential records pursuant to A.R.S. §32-3206*

Members discussed whether to release confidential investigation material before timeframes required pursuant to A.R.S. §32-3206. The matter will be agendaized for the Board's May meeting.

*D. Review regarding investigative materials*

Following discussion members agreed to the following:

- Investigators will no longer redact investigative report attachments
- Investigative reports will be copied double-sided
- Members appreciated that investigative reports contain no inflammatory or biased information

**10. Report from Treasurer**

*A. Monthly financial report*

Ms. Reynolds reported regarding the monthly financial report.

Dr. Pickens moved, seconded by Ms. Nix, to accept the monthly financial report as presented. The motion passed unanimously.

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

*A. General Agency Operations*

No report.

*B. Update regarding pending legislation*

Ms. Reynolds provided a brief update on the progress of HB2325.

*C. Discussion regarding background questions*

Tabled.

**12. Committee reports**

None

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

None

**14. Future agenda items**

May agenda – discussion of background questions on Board licensure and renewal applications.

May agenda – increased communication between the Board and other state agencies that terminate licensees for unprofessional conduct.

June agenda – development of a consistent process for licensees who self-report.

**15. Call for public comment**

None

**16. Establishment of future meeting dates**

The next meeting is scheduled for May 2, 2008, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**17. Adjournment**

Ms. Nix moved, seconded by Mr. Herrera, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:40 p.m.

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Julian Pickens  
Secretary/Treasurer

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Date