



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
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for August 3, 2007, at 9:00 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

Pursuant to A.R.S. Sec. 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Behavioral Health Examiners that the Board will hold a regular meeting open to the public on the date and at the time indicated above. (The meeting room is located on the 9th floor of the building.)

The Board reserves the right to change the order of items on the agenda, except for those matters set for a specific time. Please note that the recommendations listed on the agenda are merely suggested Board actions. Those recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

The Board, upon majority vote of a quorum of the members, may hold an Executive Session on any item on the agenda, where applicable, for purposes of reviewing and discussing confidential records, to obtain legal advice and/or to consider its position and instruct its attorneys pursuant to A.R.S. § 38-431.03(A)(2), (3) and (4). Executive Sessions are not open to the public.

Americans with Disabilities Act: Persons with a disability may request a reasonable accommodation, such as a sign language interpreter or a copy of this document in alternative format, by contacting Mary Wilson at 602-542-1832 or the TDD number at 800-367-8939.

The agenda for the meeting is as follows:

1. **Call to order** (AzBBHE Chair)
2. **Roll call** (staff)
3. **Minutes: review, consideration and action.**
Pursuant to A.R.S. §38-431(A)(2), any discussion of the executive session minutes will take place in executive session.
 - A. *June 29, 2007, general meeting minutes*
4. **Consent Agenda: review, consideration and action**
 - A. *2007-0164, Diane Aker, LPC-0051*
Review, consideration and action to approve the Counseling Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.
 - B. *2005-0021, Karl Bauer, LCSW-0083*
Review, consideration and action to approve the Social Work Credentialing Committee's recommendation to dismiss the complaint.
 - C. *2007-0130, Jodi Engel, LPC-10685*
Review, consideration and action to approve the non-disciplinary consent agreement and dismiss the complaint with a letter of concern.
 - D. *2007-0165, Gary Giangregorio, LPC-0111*
Review, consideration and action to approve the Counseling Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

E. 2005-0137, Rex Smyly, LISAC-10486

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

5. Administrative Hearings

Pursuant to A.R.S. §§32-3253(A)(10) and 41-1092.07, the Board will conduct administrative hearings in the following matter(s). During the administrative hearing, the Board may go into executive session to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

6. Formal Interviews

Pursuant to A.R.S. §32-3281, the Board will conduct a Formal Interview in the following matter(s). During a formal interview, the Board may go into executive session to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

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

The Board may go into executive session to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

A. 2007-0092, Richard Adams, LMSW-2866

Review, consideration and action regarding remanding the complaint to formal hearing.

B. 2004-0018, David Pillar, MFT-0374

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

C. 2006-0107, Elizabeth Dunn, LPC-10050

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed consent agreement.

D. 2007-0122, Malcolm Pavey, LISAC-1220

Review, consideration and action regarding the Substance Abuse Credentialing Committee's recommendation to accept the proposed consent agreement.

E. 2005-0001, Sondra Wilkening, LPC-1256

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to accept the proposed consent agreement.

F. 2007-0098, Brooks Gibson, LPC-10022

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed consent agreement.

G. 2008-0003, John Sprissler, LAMFT applicant

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to accept the proposed consent agreement.

H. 2004-0032, Richard Peck, LPC-1620

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

I. 2007-0131, Elisabeth Davies, LPC-1584

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to remand to formal interview.

J. NJ07-0023, Linda Tilton

Review, consideration and action to dismiss the complaint as non-jurisdictional.

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

Names are posted for review in the reception area of 3443 N. Central Avenue, Suite 1700, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting

9. Report from Chair

The Board may go into executive session to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

- A. *Chair report*
- B. *Member reports*

10. Report from the Treasurer

- A. *Monthly financial report*
- B. *Review, consideration and action regarding approval of the FY09 Board budget.*

11. Report from Executive Director and/or staff

The Board may go into executive session to discuss personnel matters pursuant to A.R.S. §38-431.03(A)(1), to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

- A. *General Agency Operations*
- B. *Review, consideration and action regarding appointment of delegates to CLEAR conference.*
- C. *Review, consideration and action regarding approval for Mr. Harris, A.A.G., to attend the October FARB attorney certification seminar.*
- D. *Review, consideration and action regarding development of a procedure for distributing information submitted for a case by a professional after the date to submit has passed.*

12. Committee Reports

The Board may go into executive session to discuss personnel records pursuant to §A.R.S. §38-431.03(A)(1), to discuss records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. §38-431.03(A)(3).

- A. *Personnel Subcommittee*
Review, consideration and action regarding approval of FY07 strategic plan outcomes and FY08 strategic plan.

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

14. Future agenda items

15. Call for public comment

Those wishing to address the Board do not need to request permission in advance; however, the Board may limit those persons speaking during this time to a reasonable number on any given public matter. In addition, each person wishing to address the Board will be given five (5) minutes to do so. Pursuant to A.R.S. § 38-431.02(H), the Board can only take action on matters listed on the agenda. Action on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or to schedule the matter for further discussion at a later date.

16. Establishment of future meeting date(s)

The next meeting is scheduled for September 7, 2007, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

June 30, 2007

Debra Rinaudo
Executive Director