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BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANET NAPOLITANO
Governor

GAIL CHASE
Board Chair

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
August 1, 2003

Members Present: Gail Chase, Cedric Davis, Steve LeGendre, Karl Gauby, Roberta Gastineau, Dan Wright, Jose Herrera, Hank Peck, Jim Roth, Susan Allanson, Kirk Bowden

Members absent: Lisa Aumack, Kathleen Phillips, Marianne Clinch, Michael Salazar

Members by telephone: Milton Mattox

Staff Present: Debra Rinaudo, Patricia Reynolds, Marc Harris, A.A.G., Kami Thur, Tina Zepeda

Public Present: James Bloch, Sheila Babendir, Lee Scott, Lynette Evans

Public by telephone: Larry Patnode

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on August 1, 2003, at 9:02 a.m. with Gail Chase presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Gauby moved, seconded by Dr. Davis, to approve the general meeting minutes of July 11, 2003, as submitted. The motion carried with Ms. Allanson, Mr. Peck, and Mr. Roth abstaining.

4. **Review, Consideration and Action on Complaints and Other Disciplinary Matters**

A. 2003-0006, Donald Langford, CC-1598

Ms. Reynolds summarized the facts of the complaint and her investigation. The professional was noticed, but did not appear.

Following review and discussion by Board members, Mr. Bowden moved, seconded by Ms. Allanson, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously. See attached roll call.

B. 2003-0009, Sharon Praytor, SA applicant

Ms. Reynolds summarized the facts. The professional was noticed, but did not appear.

Following review and discussion by Board members, Mr. Bowden moved, seconded by Mr. Roth, to deny certification based on a violation of §32-3251(10)(1), as it relates to A.A.C. R4-6-205, based upon the professional's failure to notify the Board of changes in her mailing address after receipt of the complaint, and the professional's failure to meet certification requirements based upon her failure to take and pass the required certification examination within six months after receiving approval to test. The motion passed unanimously. See attached roll call.

C. 2002-0041, Diane Anderson, SW-09041

Ms. Reynolds summarized the facts of the complaint and her investigation. The professional was noticed, but did not appear. The complainant, Larry Patnode, appeared by telephone.

*Clients are referred to by initials only

Board members reviewed the professional's request to modify finding of fact 3 in the consent agreement to delete language indicating that she failed to obtain written consent to treatment for "A" from father. Members also reviewed the professional's request to modify conclusion of law 2 to delete language indicating a violation of §32-3251(10)(i) based upon finding of fact 3.

Following review and discussion by Board members, Dr. Davis moved, seconded by Ms. Allanson, to approve the signed consent agreement with the modifications requested by the professional. The motion passed unanimously. See attached roll call.

D. 2002-0047, David Baab, CC-10382

Ms. Reynolds summarized the facts of the complaint and her investigation. The professional was noticed, but did not appear.

Board members discussed the stipulation in the signed consent agreement that the professional submit to one year of clinical supervision after he returns to clinical practice. Mr. Harris explained that this stipulation becomes effective whenever the professional returns to clinical practice.

Following review and discussion by Board members, Mr. Roth moved, seconded by Mr. Wright, to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

E. 2003-0005, Sheila Babendir, CC-10664

Ms. Gastineau recused herself from all matters concerning Ms. Babendir.

Ms. Reynolds summarized the facts of the complaint and her investigation. The professional appeared in person.

Following review and discussion by Board members, Mr. Bowden moved, seconded by Ms. Allanson, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously. See attached roll call.

F. Donice Green, SA-1553

Ms. Reynolds summarized the facts of the renewal. The professional appeared by telephone.

Following review and discussion by Board members, Ms. Allanson moved, seconded by Mr. Gauby, to rescind the Board's prior motion to open a complaint and remand this matter to formal hearing. The motion passed unanimously. See attached roll call.

Ms. Allanson moved, seconded by Mr. Roth, to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

G. NJ03-0007, Robert Valdez, NJ03-0008, Janna Excell and NJ03-0002, Edwin Torrogon

Ms. Reynolds summarized the non-jurisdictional complaints.

Mr. Gauby asked if the agency provides referrals to complainants where the complaint indicates that another state agency may have jurisdiction over the subject matter of a non-jurisdictional complaint. Ms. Reynolds stated that the agency usually makes such referrals, but with regard to NJ03-0007 it appears the agency failed to refer the complainant to the Office of Behavioral Health Licensure (OBHL). Ms. Rinaudo indicated that the agency would contact OBHL directly with regard to this complaint. Ms. Reynolds indicated that the agency would send a revised letter to the complainant.

Following review and discussion by Board members, Ms. Allanson moved, seconded by Mr. Peck, to dismiss the complaints as non-jurisdictional. The motion passed unanimously. See attached roll call.

5. Review, Consideration and Action on Applicants Recommended for Certification

Substance Abuse

Mr. Roth moved, seconded by Ms. Allanson, to approve 14 applicants for Substance Abuse Counselor certification. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Allanson, to approve 4 applicants for Master Social Worker certification and 13 applicants for Independent Social Worker certification. The motion passed unanimously.

Counseling

Mr. Bowden moved, seconded by Ms. Allanson, to approve 3 applicants for Associate Counselor certification and 16 applicants for Professional Counselor certification. The motion passed unanimously.

Marriage and Family Therapy

Mr. LeGendre moved, seconded by Ms. Allanson, to approve 7 applicants for Associate Marriage and Family Therapist certification and 3 applicants for Marriage and Family Therapist certification. The motion passed unanimously.

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

Board members discussed whether to send a letter to the editor in conjunction with the Arizona Behavioral Health Professionals Coalition in response to a letter published in the Arizona Republic that was critical of Representative Gullett's support of HB 2206. Members suggested minor changes to the letter.

After review and discussion by members, Dr. Davis moved, seconded by Mr. Wright, to approve sending the proposed letter as amended with or without Coalition approval. The motion passed unanimously.

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

A. Monthly report

Mr. LeGendre reported regarding the Board's finances as of the end of FY2003.

8. Report from the Executive Director and/or staff

A. General Agency Operations

Ms. Reynolds introduced Kami Thur, new Board investigator, to members.

Members requested information regarding outstanding complaints. Ms. Rinaudo stated that the agency's monthly complaint tracking form would be added to the Board's meeting books beginning in September.

A. Development of licensure rules

Ms. Rinaudo reported that the credentialing committees continue their review of draft licensure rules.

B. Review of 2004 strategic plan

Ms. Rinaudo reviewed outcomes to the Board's FY2003 strategic plan. Mr. Gauby indicated that it might be easier for members when reviewing the outcome report if only exceptions or changes were noted. Members generally agreed to this format for use on all future strategic plan outcomes reports.

Dr. Mattox presented the FY2004 strategic plan approved by the Personnel Subcommittee.

After review and discussion by members, Ms. Allanson moved, seconded by Dr. Davis, to approve the FY2004 strategic plan as presented. The motion passed unanimously.

C. Review of FY2004 budget

Mr. LeGendre moved, seconded by Dr. Davis, to into executive session, for the purpose of reviewing agency personnel salaries pursuant to A.R.S. §38-431.03(A)(1). The motion passed unanimously and the Board went into executive session at 10:05 a.m., reconvening its regular meeting at 10:15 a.m.

Mr. LeGendre presented the proposed FY2004 Board budget and reviewed changes from the FY2003 budget.

After review and discussion by members, Mr. LeGendre moved, seconded by Mr. Roth, to approve the proposed FY2004 budget. The motion passed unanimously.

9. Committee Reports

No report

10. National and regional news regarding the profession

None

11. Future agenda items

None

12. Call for public comment

None

13. Establishment of future meeting dates

The next meeting is scheduled for September 5, 2003, at 9:00 a.m. in room B-2.

14. Adjournment

Dr. Davis moved, seconded by Mr. Wright, to adjourn. The motion passed unanimously and the meeting was adjourned at 10:55 a.m.

Steve LeGendre
Secretary/Treasurer

Date