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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  
December 5, 2003

Members Present: Gail Chase, Kathleen Phillips, Jose Herrera, Michael Salazar, Cedric Davis, Karl Gauby, Roberta Gastineau, Jim Roth, Dan Wright, Lisa Aumack, Susan Allanson, Hank Peck

Members absent: Rudy Buchanan

Members by telephone: Milton Mattox, Steve LeGendre

Staff Present: Debra Rinaudo, Patricia Reynolds, Marc Harris, A.A.G., Mary Wilson, Doreen Romney

Public Present: Larry Cohen, Jim Krehbeil, Kathy Bynum, Rob Boland, Carolyn Vargas, Lorelei Jenkins, Pete Murphy, Kathleen Keil, Steve Kramer, Lydia Jones, Jackie Kahn, Valerie Kemper, Tim Hofmann, Ericha Scott, Catherine Martin, Arlene Carlson, Eric Cuestas-Thompson, Kay Fowler, Greg Stephens, Catherine Penn, Terry Hickey, Carol Stambaugh, Josefina Ahumada

Public by Telephone: W.S.\*, C.B.\*, Sondra Wilkening

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on December 5, 2003, at 9:04 a.m. with Gail Chase presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Roth moved, seconded by Mr. Gauby, to approve the general meeting minutes of November 7, 2003, as submitted. The motion carried with Mr. Peck, Ms. Aumack, Mr. Wright and Ms. Allanson abstaining.

Mr. Roth moved, seconded by Ms. Phillips, to approve the executive session minutes of November 7, 2003, as submitted. The motion carried with Mr. Peck, Ms. Aumack, Mr. Wright and Ms. Allanson abstaining.

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

A. *2003-0028, John Bodie, SA-0844*

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

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

B. *2003-0037, Kathleen Bynum, CC-2468*

Ms. Phillips recused herself from all matters involving Ms. Bynum.

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Ms. Bynum appeared in person. The complainant, Ms. Kemper and her attorney, Ms. Jones, appeared in person. Ms. Jones advised the Board that the complainant's continuing investigation regarding Ms. Bynum's actions may lead to additional complaints against Ms. Bynum.

*\* Clients are identified by initials only*

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

*C. 2003-0014, James Krehbeil, CC-1847*

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Mr. Krehbeil and his attorney, Larry Cohen, appeared in person and addressed the committee.

Mr. Harris reported that Mr. Cohen has requested that Mr. Krehbeil complete a seminar in assessment instead of the 3-credit hour graduate level university course stipulated in the consent agreement. Dr. Aumack, Chair of the Counseling Credentialing Committee, advised members that the committee probably would not be amenable to the proposed change because of the seriousness of the assessment and diagnosis errors noted in this case.

Following review and discussion by Board members, Ms. Phillips moved, seconded by Ms. Allanson, to continue consideration of this matter. The motion passed unanimously.

*D. 2003-0029, Steve Johnson, CAMFT applicant*

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

Following review and discussion by Board members, Dr. Davis moved, seconded by Ms. Allanson, to approve the Marriage and Family Therapy Credentialing Committee's recommendation to accept the signed consent agreement. The motion carried with Mr. Roth opposed. See attached roll call.

*E. 2003-0016, Joan Parkinson-Firth, CC-10432A*

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Ms. Parkinson and her attorney, Craig Martin, appeared in person and addressed the Board. Frank Cummings and CB\* also addressed the Board on behalf of Ms. Parkinson. The complainant also addressed the Board.

Following review and discussion by Board members, Ms. Gastineau moved, seconded by Dr. Aumack, to remand this matter to formal hearing. The motion carried with Mr. Gauby and Mr. LeGendre opposed.

*F. 2002-0031, Carolyn Vargas, SW-34671*

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Ms. Vargas and her attorney, Steve Kramer, appeared in person and addressed the Board. Mr. Kramer stated that Ms. Vargas has submitted her clinical records that were the subject of the complaint for court review before release to the father. The complainant was noticed, but did not appear.

Following review and discussion by Board members, Ms. Phillips moved, seconded by Mr. Peck, to accept the signed consent agreement with the following changes:

- Item 2 of the Order shall read "clinical" practice.
- Item 5 of the Order shall include "until release from the terms of the consent agreement".

The motion passed unanimously.

*G. 2003-0017, Sondra Wilkening, CC-1256*

The professional appeared telephonically. After several attempts, the complainant could not be reached telephonically. The Board postponed review of this matter until 9:25 while attempts to contact the complainant continued. When the Board continued to be unable to reach the complainant by telephone, the Board proceeded with its review of this complaint. Ms. Reynolds summarized the facts of the complaint and results of her investigation.

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

Approximately 20 minutes after the Board completed its review of this matter, the Board was able to reach the complainant by telephone. Mr. Harris explained to the complainant that, after trying for thirty-five minutes to reach him, the Board had considered all the information available and had made a decision to dismiss the complaint. Mr. Harris and Ms. Chase encouraged the complainant to present any information that he wanted members to consider so the Board could determine whether to reopen its consideration of this complaint.

Following review and discussion by Board members, Mr. Peck moved, seconded by Ms. Allenson, to affirm its previous decision to dismiss the complaint as unsubstantiated. The motion passed unanimously.

*H. 2002-0048, Kathleen Keil, SW-2246I*

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Ms. Keil appeared in person. The complainant appeared telephonically.

Following review and discussion by Board members, Mr. Gauby moved, seconded by Ms. Phillips, to approve the Social Work Credentialing Committee's recommendation to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

*I. Lorelei Jenkins, SW applicant*

Ms. Reynolds reviewed the conclusions of law adopted by the Board in support of its decision to deny certification to Ms. Jenkins. She explained that staff, in conjunction with discussion with Mr. Harris, felt that the Board should reconsider its previous conclusion that Ms. Jenkins' actions constituted a violation of A.R.S. §32-3251(10)(b).

Following review and discussion by Board members, Dr. Aumack moved, seconded by Mr. Roth, to delete its previous finding that Ms. Jenkins' actions constituted a violation of A.R.S. §32-3251(10)(b) and to reaffirm the remainder of its previous findings supporting its decision to deny certification to Ms. Jenkins. The motion passed unanimously.

*J. Maria Grimaldo-Pallister*

Ms. Reynold's reported that Hospice of the Valley submitted employee applicant information from the professional, including a fraudulent social work certificate. Following review of this information, Ms. Phillips moved, seconded by Mr. Roth, to issue a Cease and Desist Order to Ms. Grimaldo-Pallister for holding herself out as a Certified Baccalaureate Social Worker when she is not. The motion passed unanimously.

*K. NJ03-0010, Richard Gofflieb*

Tabled.

*L. NJ03-0011, Michale Hughes*

Tabled.

*M. NJ03-0009, Barry Linde*

Tabled.

*N. NJ03-0012, Catherine Arnold*

Tabled.

*O. NJ03-0013, Richard Strahle*

Tabled.

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

*Substance Abuse*

Mr. Salazar moved, seconded by Mr. Roth, to approve 34 applicants for Substance Abuse Counselor certification. The motion passed unanimously.

*Social Work*

Dr. Davis moved, seconded by Ms. Allanson, to approve 2 applicants for Baccalaureate Social Worker certification, 18 applicants for Master Social Worker certification and 28 applicants for Independent Social Worker certification. The motion passed unanimously.

*Counseling*

Dr. Aumack moved, seconded by Ms. Allanson, to approve 24 applicants for Associate Counselor certification and 18 applicants for Professional Counselor certification. The motion passed unanimously.

*Marriage and Family Therapy*

Mr. Wright moved, seconded by Ms. Allanson, to approve 9 applicants for Associate Marriage and Family Therapist 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**

*A. Election*

Ms. Allanson moved, seconded by Mr. Wright, to nominate Mr. LeGendre to continue to serve as Secretary/Treasurer for 2004. The motion passed unanimously.

Ms. Allanson moved, seconded by Mr. Roth, to nominate Ms. Chase to continue to serve as Chair for 2004. The motion passed unanimously.

*B. Behavioral Health Professionals Coalition's request for the Board to accept private practice*

Ms. Ahumada and Mr. Hofmann addressed the Board on behalf of the Behavioral Health Professionals Coalition. They requested that the Board consider broadening its interpretation of required supervised work experience and clinical supervision in order to allow certification for educationally qualified professionals who previously practiced in good faith and in accordance with state law in their own private practices. Mr. Hofmann stated that doing so would continue the policy of inclusion developed during the licensure negotiations regarding HB 2206. Mr. Cuestes-Thompson addressed the Board on behalf of the Arizona Professional Counselors for Fair Licensure. He represented a number of professionals present at the meeting who also sought Board support for a temporary waiver of the prohibition against private practice.

Ms. Chase moved, seconded by Mr. Roth, to go into executive session for purposes of receiving legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the Board went into executive session at 11:50 a.m., reconvening its regular meeting at 12:15 p.m.

Board members expressed concern for uncertified professionals facing impending licensure changes. Members and Ms. Rinaudo stressed the importance for all currently uncertified professionals to begin the certification process as soon as possible. It is not possible for the Board to offer any significant help or assistance to a professional until a certification application is provided. Ms. Rinaudo reiterated her previous offer to concerned professionals that the agency will provide assistance and resources to help professionals complete and submit applications.

*C. Request for Board assistance in development of sunrise report*

Terry Hickey addressed the Board regarding his request for assistance regarding exploration of possible statutory changes needed to develop scope of practice parity for master's level substance abuse counselors with other master's level professionals. Ms. Rinaudo reviewed discussion of this issue that occurred last year during negotiations regarding HB 2206. Members expressed willingness to offer Mr. Hickey the same resources and support previously offered to others interested in pursuing this issue. Ms. Rinaudo indicated that she would contact Mr. Hickey as soon as possible to identify stakeholders that likely will be interested in this process.

*D. Development of Board response to licensure scope of practice issues*

Tabled.

*E. Reciprocity under draft licensure rules*

Tabled.

*F. Appointment of subcommittee to continue development of draft licensure rules*

Ms. Gastineau moved, seconded by Dr. Aumack, to form a Board subcommittee comprised of at least one member from each credentialing committee to finalize draft licensure rules for Board review. The motion passed unanimously and interested members were invited to contact Ms. Rinaudo if they are interested in serving on the subcommittee.

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

*A. Monthly report*

Tabled.

*B. Contract for consultant to manage draft licensure rules public hearings*

Tabled.

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

*A. Agency operations*

None.

*B. Licensure rules*

Tabled.

**9. Committee Reports**

No report

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

None

**12. Future agenda items**

None

**13. Call for public comment**

None

**14. Establishment of future meeting dates**

The next meeting is scheduled for January 9, 2004, at 9:00 a.m. in room B-2.

**15. Adjournment**

Mr. Peck moved, seconded by Mr. Gauby, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:35 p.m.

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Steve LeGendre  
Secretary/Treasurer

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Date