



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANE DEE HULL
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
December 6, 2002

Members Present: Lisa Aumack, Michael Salazar (9:06), Kirk Bowden, Milton Mattox, Roberta Gastineau, Kathleen Phillips, Diane Pruetz, Gail Chase, Dan Wright, Jim Roth, Marianne Clinch, Susan Allanson, Steve LeGendre, Cedric Davis, Karl Gauby

Members by telephone: Hank Peck

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

Public Present: Carl Cooke, Sue Reynoth, Robin Johnson, Diana Yazzie Devine, Evan Hughes, Ken Lucas, Erinn Leon, Ray Thomas, Tim Hofmann

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on December 6, 2002, at 9:02 a.m. with Gail Chase presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Phillips moved, seconded by Mr. Gauby, to approve the general meeting minutes of November 1, 2002, as submitted. The motion carried with Mr. Gauby abstaining.

Ms. Phillips moved, seconded by Ms. Allanson, to approve the executive session minutes of November 1, 2002, as submitted. The motion carried with Mr. Gauby abstaining.

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

A. 2002-0016, Mary Erhart, SA-0874

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

Following review and discussion, Ms. Aumack moved, seconded by Mr. Bowden, to approve the Substance Abuse Credentialing Committee's recommendation to dismiss this complaint as unfounded. The motion passed unanimously. (See attached roll call.)

B. 2001-0040 and 2001-0041, Carl Cooke, SA applicant

Ms. Aumack is recused from all matters involving Mr. Cooke.

Ms. Reynolds summarized the facts of the case. Mr. Cooke appeared in person.

Following review and discussion by Board members, Ms. Gastineau moved, seconded by Mr. LeGendre, to approve the Substance Abuse Credentialing Committee's recommendation to approve certification subject to the signed consent agreement. Mr. Cooke stated his clinical supervision would be done through face-to-face meetings with his clinical supervisor. The motion passed unanimously. (See attached roll call.)

The Board requested that future consent agreements specify face-to-face supervision.

C. 2002-0038, Richard Slechta, SA applicant

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

Following review and discussion by Board members, Ms. Aumack moved, seconded by Mr. Wright, to approve the Substance Abuse Credentialing Committee's recommendation to deny the application due to unprofessional practice. The motion passed unanimously. (See attached roll call.)

D. Patricia Taylor, SA-0901

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

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

E. NJ02-0016, Dr. Goldberg

F. NJ02-0017, Sandra Jefferson

G. NJ02-0018, John Finch

H. NJ02-0019, Dr. Franklin Berry

Ms. Phillips moved, seconded by Mr. Mattox, to dismiss NJ02-0016 through NJ02-0019 as non-jurisdictional. The motion passed unanimously. (See attached roll call.)

I. 2002-0026, Terry Fischer, CC-0095

Ms. Rinaudo summarized the facts of the renewal. The professional was noticed but did not appear. The professional did not sign the Counseling Credentialing Committee's recommended consent agreement.

Following review and discussion by Board members, Ms. Aumack moved, seconded by Ms. Allanson, to remand the case to formal hearing. 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 Mr. Salazar, to accept eight applicants for Certified Substance Abuse Counselor. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Allanson, to accept three applicants for Certified Baccalaureate Social Worker, nineteen applicants for Certified Master Social Worker and eleven applicants for Certified Independent Social Worker. The motion passed unanimously.

Marriage and Family Therapy

Mr. Wright moved, seconded by Mr. LeGendre, to accept two applicants for Certified Marriage and Family Therapist. The motion passed unanimously.

Counseling

Mr. Bowden moved, seconded by Ms. Pruetz, to accept nine applicants for Certified Associate Counselor and seventeen applicants for Certified Professional Counselor. The motion passed unanimously.

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

A. Elections

Ms. Gastineau moved, seconded by Ms. Pruetz, to nominate Ms. Chase to continue to serve as Chair for 2003. The motion passed unanimously.

Mr. Salazar moved, seconded by Mr. Bowden, to nominate Mr. LeGendre to continue to serve as Secretary-Treasurer for 2003. The motion passed unanimously.

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

A. Monthly report

Mr. LeGendre reported that Board revenues and expenditures are as budgeted.

Ms. Rinaudo reported that construction will begin soon to incorporate an additional 340 feet of office space.

8. Report from the Executive Director and/or staff

A. General Agency Operations

B. Licensure update

Ms. Rinaudo reported that the sunrise committee met on November 21st and voted 7-0 to recommend consideration of the bill to the legislature. The agency and coalition continue to work with stakeholders regarding various issues.

C. *Proposed changes to licensure bill*

1. *Duty to report modifications*

Following discussion by Board members, it was agreed to restrict the duty to report unprofessional practice by a client in treatment to the reporting requirements mandated for all clients.

2. *Dual relationship language*

Ms. Rinaudo reported that she will meet with EAP representatives next week to discuss possible concerns regarding the effect of the dual relationship language on EAP practice.

3. *Senator Rios proposal*

Ms. Rinaudo reported that Senator Rios has requested that currently practicing master social workers, who are not certified but have been in practice for years, be grandfathered under licensure at the independent level without taking an exam.

Mr. Wright reported that the Coalition wants to meet with Senator Rios to provide information regarding the importance of a competency examination and possible problems associated with a master's degree being the only requirement for independent practice status.

Members requested additional information regarding Senator Rios' request. The Board will revisit this issue after the coalition representatives meet with Senator Rios.

4. *Administrative Office of the Courts proposal*

Ms. Rinaudo reported that she met with Kit Komarek to discuss several issues the Administrative Office of the Courts (AOC) has with the licensure bill.

Ms. Rinaudo reported that AOC has requested that the exemption for a behavioral health professional to provide services in Arizona for not more than 30 days a year without a license be increased. Members considered the opportunity for a professional living in a border state to operate a satellite office in Arizona and suggested requiring consecutive days of practice. The provision would apply not only for emergencies, but also for consultation and incidental practice.

Members discussed whether registration should be required to practice without a license. Following discussion, it was agreed to extend the exemption to 90 days and to define the circumstances under which it would be available in rule.

Ms. Rinaudo reported that AOC requested changes to the reciprocity provisions. Following discussion, members agreed to authorize Ms. Rinaudo to work with AOC to develop alternative proposals.

Other issues raised by AOC are still under discussion.

5. *Southwest Indian Substance Abuse Counselor Certification Board request*

Ms. Diana Yazzie Devine, President of Native American Connections, and Mr. Evan Hughes, coordinator of the substance abuse certification department of Native American Connections, addressed the Board regarding the history of the Southwest Indian Substance Abuse Counselor Certification Board. Native American Connections requested that individuals holding a Level II or Level III certification be afforded the same opportunity as ABCAC certificate holders to have their active and in good standing certificates be considered as meeting substantive requirements for a CSAC during the period of time from when licensure passes until it goes into effect.

Following discussion by Board members, Mr. Salazar moved, seconded by Mr. Roth, to treat Southwest Indian Substance Abuse Counselor Certificate holders similarly to ABCAC certificate holders for the purpose of obtaining CSAC certification. The motion passed unanimously.

9. **Committee reports**

Ms. Rinaudo reported that the proposal from the Social Work Supervision Workgroup will be considered by the Social Work Credentialing Committee in December, with Board consideration of this issue in January.

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

None

11. **Future agenda items**

None

12. **Call for public comment**

None

13. **Establishment of future meeting dates**

The next meeting is scheduled for January 10, 2003, at 9:00 a.m. in Room B-2. Board members approved the 2003 draft calendar.

14. **Adjournment**

Ms. Gastineau moved, seconded by Mr. Wright, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:04 p.m.

Steve LeGendre
Secretary/Treasurer

Date