



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for February 6, 2009, at 9:00 AM
3443 N 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

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. November 7, 2008, amended general meeting minutes

B. January 9, 2009, general meeting minutes

C. January 9, 2009, executive session minutes

4. Consent Agenda: 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. 2005-0112 and 2008-0076, Carolyn Bennett, LISAC-11493

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

B. 2004-0007, 2008-0067, 2008-0068, 2008-0100 and 2009-0038, Sherry Burk, LPC-1730

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

C. 2007-0099, Charles Hare, LCSW-11897 suspended

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to release the professional from the Interim Consent Agreement.

D. 2006-0154, Alice Kibby, LISAC-0495

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

E. 2006-0120, Roban Kubic, LPC-1995

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

F. 2004-0031, Joan Leshner, LCSW-10163

Review, consideration and action regarding the professional's request for release from the consent agreement.

G. 2009-0020, Elaine Maez, LCSW-10749

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

H. 2005-0131, Lawrence Minniefield, LPC-12797

Review, consideration and action regarding the professional's request for release from the consent agreement.

I. 2006-0160, Eric Putnam, LAC-12435

Review, consideration and action regarding the professional's request for release from the consent agreement.

J. 2005-0085, 2005-0134 and 2006-0049, Kris Radke, LPC-0186 suspended

Review, consideration and action regarding the professional's request for release from the consent agreement.

K. 2008-0027, Dale Roth, LISAC-11383

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

L. 2007-0003, Bernard Sharkus, LPC-1346

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

M. 2007-0055, Kathleen Wales, LMSW-12318

Review, consideration and action regarding the professional's request for release from the consent agreement.

N. 2006-0047 and 2007-0073, Melanie Wall-Brumble, LISAC-1483

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

5. Administrative Hearings 11:00 AM

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).

None

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).

None

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).

Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed.

A. 2008-0052, Mary Perdue, LPC-10874

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

B. 2009-0063, Jane Trautmann, LAC-11706

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

C. Jo Ann Preston, LISAC-1578

Review, consideration and action to open a complaint and accept the signed Interim Consent Agreement.

D. NJ08-0010, Elaine Rankin

Review, consideration and action regarding dismissal of the complaint as non-jurisdictional, issuance of a cease and desist order, and imposition of a civil penalty.

E. NJ08-0002, Paula Petrovic

Review, consideration and action regarding dismissal of the complaint as non-jurisdictional, issuance of a cease and desist order, and imposition of a civil penalty.

F. NJ08-0011, Kathy Dober

Review, consideration and action regarding dismissal of the complaint as non-jurisdictional, issuance of a cease and desist order, and imposition of a civil penalty.

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

A. Harry Cole, Jr.

Review, consideration and action to rescind this Board's January 9, 2009, motion to approve the applicant as a Licensed Independent Substance Abuse Counselor.

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

C. Review, consideration and action regarding Don Clark's request for an inactive status extension

D. Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to refer Gail Ziv, Sherry Burk's supervisor, to the Nursing Board

10. Report from the Treasurer

A. Monthly financial report

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 to revise substantive policy statements

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).

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 March 6, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

January 30, 2009

Debra Rinaudo
Executive Director