



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

KATHLEEN PHILLIPS  
Board Chair

DEBRA RINAUDO  
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
January 6, 2006

Members Present: Cedric Davis, Del Worley, Laura Waterman, Ruth Lee (in at 9:08 a.m.), Jose Herrera (out at 11:00 a.m.), Barbara Freeman

Members Absent: Dan Wright, Kathleen Phillips

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Sherry Blatner, Amy Shelton, Kami Thur, Mary Wilson

Public Present: Janet Mantia, Elmer Myron, Deborah Webster, Trish Hernandez, Susan Vallie, Olga Danelowitz, Robyn Varcoe, Kris Radke, Mary Nelson, Stephen Myers, Bill Rubin

Public by telephone: Jeannie Tague

**1. Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on January 6, 2006, at 9:04 a.m. with Dr. Davis presiding.

**2. Roll Call**

See above.

**3. Review and Approval of Minutes**

Dr. Waterman moved, seconded by Ms. Worley, to approve the general meeting minutes from the December 2, 2005, meeting, as submitted. The motion carried with Ms. Freeman abstaining.

**4. Administrative Hearings**

*A. Daniel Schneider, LPC applicant*

Ms. Rinaudo provided members with a copy of Mr. Schneider's letter to the Board, received by fax on January 5, 2006, withdrawing his request for a formal hearing on the denial of his license application.

**5. Review, consideration, and action of complaints and other disciplinary matters**

*A. 2003-0069, Jeannie Tague, LPC-10443 and LISAC-10187*

Ms. Shelton summarized the facts of the complaint and the Counseling Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

Ms. Tague participated by telephone and addressed the Board.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

*B. 2003-0052, Mary Kay Nelson, LPC-1166 and LISAC-0510*

Ms. Shelton summarized the facts of the complaint and the recommendations of the Counseling Credentialing Committee and Substance Abuse Credentialing Committee to remand this matter to formal hearing.

Ms. Nelson appeared in person and addressed the Board.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to accept the committee's recommendation to remand this matter to formal hearing. The motion passed unanimously.

*C. 2006-0016, William Rubin, LPC-1341*

Ms. Shelton summarized the facts of the case and the Counseling Credentialing Committee's recommendation to offer Mr. Rubin a consent agreement for the issuance of an Order of Censure.

Mr. Rubin and his attorney, Stephen Myers, appeared in person and addressed the Board.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to accept the signed consent agreement for the issuance of an Order of Censure. The motion passed unanimously.

*D. 2006-0057, Elmer Myron, LISAC-11597 and LBSW-4125*

Ms. Thur summarized the facts of the case and the Social Work Credentialing Committee's recommendation to offer the professional a consent agreement.

Mr. Myron appeared in person and addressed the Board.

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

*The Board took a break at 10:30 a.m., reconvening its public meeting at 10:38 a.m.*

*E. 2006-0043, Patricia Hernandez, LISAC-10433*

Ms. Thur summarized the facts of the case and the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

Ms. Hernandez appeared in person and addressed the Board.

Following review and discussion, Ms. Worley moved, seconded by Ms. Freeman, to accept the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint with a letter of concern. The motion passed unanimously.

*F. 2006-0038, Sandra Murdock, LISAC-10304*

Ms. Blatner summarized the facts of the case and the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint with a letter of concern.

Ms. Murdock did not appear.

Following review and discussion, Ms. Worley moved, seconded by Ms. Lee, to accept the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint with a letter of concern. The motion passed unanimously.

*G. 2005-0085, 2005-0134 and 2006-0049, Kris Radke, LPC-0186*

Ms. Rinaudo summarized the facts of the case and the Counseling Credentialing Committee's recommendation to summarily suspend the professional's license.

Mr. Radke and his attorney, Ms. Varcoe, appeared in person and addressed the Board.

Following review and discussion, Dr. Waterman moved, seconded by Mr. Herrera, to adopt the Interim Consent Agreement as amended. The motion passed unanimously.

*H. 2006-0018, Clay Cox, LMFT-0338*

Ms. Blatner summarized the facts of the case and the Marriage and Family Therapy Credentialing Committee's recommendation to offer the professional a consent agreement for the issuance of an Order of Censure.

Mr. Cox was noticed, but did not appear.

Members expressed concern regarding the committee's recommendation for an Order of Censure where the professional had a number of previous domestic violence criminal charges involving two previous wives and where he failed to appropriately disclose these criminal charges to the Board.

Ms. Blatner explained that the committee recommendation for an Order of Censure was the result of a compromise where two committee members felt that the complaint should be dismissed with a letter of concern and two members felt that more severe discipline was appropriate.

After review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to table further consideration of this matter. Members instructed staff to advise Mr. Cox that the Board strongly encourages him to participate in person when this matter is rescheduled for Board review.

*I. NJ06-0002, Rekha Shirtekar*  
Tabled.

**6. Review, consideration and action of applications for licensure.**

Dr. Waterman recused herself from all matters concerning Lisa Degiorio, Lisa DaSilva, John Partrick and Jessica Carlson.

Mr. Herrera moved, seconded by Ms. Worley, to license Lisa Degiorio as a Licensed Associate Counselor. The motion passed unanimously. Dr. Waterman was recused from the vote.

Mr. Herrera moved, seconded by Ms. Worley, to license Lisa DaSilva as a Licensed Clinical Social Worker. The motion passed unanimously. Dr. Waterman was recused from the vote.

Mr. Herrera moved, seconded by Ms. Worley, to license John Partrick as a Licensed Master Social Worker. The motion passed unanimously. Dr. Waterman was recused from the vote.

Mr. Herrera moved, seconded by Ms. Freeman, to license Jessica Carlson as a Licensed Professional Counselor. The motion passed unanimously. Dr. Waterman was recused from the vote.

*Social Work*

Dr. Davis moved, seconded by Ms. Worley, to approve 6 applicants as Licensed Clinical Social Workers, 14 applicants as Licensed Master Social Workers, and 1 applicant as a Licensed Baccalaureate Social Worker. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Worley, to deny 15 applicants for social work licensure based on their failure to pass the required exam and 1 applicant based on the applicant's failure to establish that he/she meets minimum licensure requirements. The motion passed unanimously.

*Counseling*

Dr. Waterman moved, seconded by Ms. Freeman, to approve 13 applicants as Licensed Professional Counselors and 16 applicants as Licensed Associate Counselors. The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Lee, to deny 13 applicants for counseling licensure based on their failure to pass the required exam and 4 applicants based on their failure to establish that they meet minimum licensure requirements. The motion passed unanimously.

*Substance Abuse*

Ms. Worley moved, seconded by Dr. Waterman, to approve 1 applicant as a Licensed Independent Substance Abuse Counselor. The motion passed unanimously.

*Marriage and Family Therapy*

Dr. Davis moved, seconded by Ms. Lee, to approve 2 applicants as Licensed Marriage & Family Therapists. The motion passed unanimously.

Dr. Davis moved, seconded by Dr. Waterman, to deny 1 applicant based on the applicant's failure to pass the required exam. The motion passed unanimously.

7. **Report from the Chair**

None

8. **Report from the Treasurer**

A. *Monthly financial report*

9. **Report from Executive Director and/or staff.**

A. *General Agency Operations*

None

B. *Continuing education for meeting attendance*

Tabled

C. *ASWB Spring Education meeting*

Tabled

D. *Proposed legislation*

Ms. Rinaudo reported regarding on-going discussions regarding the introduction of legislation during the 2006 legislative session affecting the Board's authorizing statute.

10. **Committee Reports.**

None

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

None

12. **Future agenda items**

None

13. **Call for public comment**

None

14. **Establishment of future meeting date(s)**

The next meeting is scheduled for February 3, 2006, at 8:45 a.m., at 3443 North Central Avenue, Room 908.

15. **Adjournment**

Dr. Waterman moved, seconded by Ms. Freeman, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:40 a.m.

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Cedric Davis  
Secretary/Treasurer

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Date