



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANE T NAPOLITANO  
Governor

DEBRA RINAUDO  
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
January 10, 2003

Members Present: Lisa Aumack, Michael Salazar (9:15), Kirk Bowden, Hank Peck, Roberta Gastineau, Kathleen Phillips, Diane Pruetz, Gail Chase, Dan Wright, Jim Roth, Susan Allanson, Cedric Davis, Karl Gauby

Members absent: Milton Mattox, Steve LeGendre, Marianne Clinch

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

Public Present: Jean Parsons, Sally Exworthy, Tim Hofmann, Robin Sherman, Julie Jaskolski, Josefina Ahumada, Patricia Dorgan, Kit Komarek, Craig Mills, Marissa Guy, Carol Stambaugh, Ken Lucas, Donald Fausel, Andrea Arrieta, Doc Gibson, John Morris, Greg Stephens

Public by telephone: Jeanne Rocco

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on January 10, 2003, at 9:05 a.m. with Gail Chase presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Phillips moved, seconded by Ms. Allanson, to approve the general meeting minutes of December 6, 2002, as submitted. The motion passed unanimously.

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

A. *2002-0021, Jeanne Rocco, SW-2695M*

Ms. Reynolds summarized the facts of the case. The professional appeared telephonically.

Following review and discussion, Dr. Davis moved, seconded by Mr. Bowden, to approve the Social Work Credentialing Committee's recommendation to dismiss this complaint as unfounded. The motion passed unanimously.

B. *2001-0019, Marissa Guy, CC-1714 and SA-0241*

Ms. Reynolds summarized the facts of the case. Ms. Guy appeared in person.

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

C. *2000-0003 and 2000-0007, Anne Fisher, SW-01191*

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

Following review and discussion by Board members, Ms. Phillips moved, seconded by Ms. Allanson, to approve the Social Work Credentialing Committee Chair's recommendation to release the professional from the terms of the consent agreement. The motion passed unanimously.

D. *NJ02-0020 and NJ02-0021, Tom Singer and John Moran*

Ms. Aumack moved, seconded by Mr. Bowden, to dismiss NJ02-0020 and NJ02-0021 as non-jurisdictional. The motion passed unanimously.

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

*Substance Abuse*

Mr. Roth moved, seconded by Ms. Pruetz, to accept twenty applicants for Certified Substance Abuse Counselor. The motion passed unanimously.

*Social Work*

Dr. Davis moved, seconded by Ms. Allanson, to accept nine applicants for Certified Master Social Worker and seven applicants for Certified Independent Social Worker. The motion passed unanimously.

*Marriage and Family Therapy*

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

*Counseling*

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

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

None

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

A. *Monthly report*

Ms. Chase reported that Board revenues and expenditures are as budgeted.

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

A. *General Agency Operations*

B. *Proposed changes to licensure bill*

Ms. Rinaudo distributed the final draft of the bill. Additional changes will have to be submitted as amendments to the bill.

1. *Request by Senator Rios to waive the exam for qualified professionals*

Ms. Rinaudo reported that exam waiver language similar to that available in 1989 has been included in the bill at Senator Rios' request. Mr. Goodman addressed the Board regarding Senator Rios' position regarding the necessity to include this language in the bill. Mr. Hofmann addressed the Board regarding the Coalition's request to extend the exam waiver to substance abuse counselors.

Following discussion by Board members, Mr. Roth moved, seconded by Dr. Davis, to seek an amendment to include substance abuse professionals in the waiver. The motion passed unanimously.

2. *Dual relationship language*

Ms. Rinaudo reported that the dual relationship language in the bill does not apply to employee assistance professionals, who routinely engage in multiple professional relationships with clients. Mr. Hofmann reported that the Coalition has not looked at this issue closely and has no position at this time.

Following discussion by Board members, no changes to the dual relationship language were deemed necessary.

3. *AzNASW request for continuing education*

Ms. Ahumada, representing AzNASW, requested that continuing education requirements in cultural competency and ethics be added to the bill.

Following discussion by Board members, Ms. Phillips moved, seconded by Mr. Peck, to seek an amendment to include ethics and cultural relevance in the continuing education requirements in the bill.

4. *Request for consideration of uncertified practicing professionals*

Mr. Stephens, a master's level uncertified counselor who has been practicing for twenty years, addressed the Board representing approximately 20 uncertified counselors in the Prescott and Tucson areas in similar situations. Mr. Stephens requested that uncertified but practicing professionals be grandfathered into licensure.

Following discussion by Board members, Mr. Stephens provided written statements by the individuals he was representing. Ms. Rinaudo will review these statements and make a recommendation regarding possible

further action.

5. *AzNASW request for LBSW supervision requirements*

Ms. Ahumada, representing AzNASW, reported that baccalaureate social workers perform a variety of non-clinical functions as part of a generalistic practice. Ms. Ahumada requested that the bill be modified to allow a LBSW to practice independently after 2 years of supervised work experience. Supervision would be mandatory for a LBSW engaged in any type of clinical practice.

Following discussion by Board members, Ms. Aumack moved, seconded by Mr. Gauby, to seek an amendment to the bill to allow LBSWs to engage in generalistic practice independently after two years of supervised work experience. The motion passed unanimously.

6. *AOC and DES exemption requests*

Ms. Rinaudo reported that the bill does not have the exemption language requested by the Administrative Office of the Courts (AOC) or the Department of Economic Security (DES). Any exemptions agreed upon will be made by amendment.

Kit Komarek addressed the Board regarding AOC contract standards, which include a strong preference for certified professionals. If a professional providing services under an AOC contract is not certified, AOC requires one hour of supervision by a certified professional for every ten hours of client contact.

Mr. Goodman addressed the Board with regard to the need to balance political exigencies with the Board's responsibility to protect the public. Mr. Goodman indicated that DES and AOC have public protection mandates of their own. He advised the Board that if exemptions granted to state agencies are abused, as evidenced by the receipt of a disproportionate number of complaints against exempt professionals, the Board would be in a strong position to seek further statutory changes.

Ms. Aumack suggested investigating whether a temporary license could be used where licensed professionals are not available. Mr. Komarek indicated he will work with the Board to develop acceptable language.

7. *Requested changes by tribal representatives*

Ms. Rinaudo reported that tribal representatives submitted a strike-everything amendment to the bill that would lower licensure qualification standards. Mr. Hofmann reported that the Coalition could not support a reduction in standards. Ms. Rinaudo stated that sovereign nations are not subject to state regulatory laws. The attempt to lower standards appears to be related to the desire to qualify professionals practicing on the reservation for third party reimbursement. Ms. Ahumada reported that the Navajo and Hopi representatives she has talked to are supportive of the current standards in the bill.

Ms. Rinaudo will continue negotiations with the tribal representatives seeking changes to the bill.

9. **Committee reports**

Ms. Rinaudo reported that Board consideration of the substantive policy statements has been postponed at Mr. Harris' request.

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 February 7, 2003, at 9:00 a.m. in Room B-2.

14. **Adjournment**

Ms. Aumack moved, seconded by Ms. Pruetz, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:26 a.m.

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Steve LeGendre  
Secretary/Treasurer

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Date