



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
1400 WEST WASHINGTON, SUITE 350
PHOENIX, AZ 85007
PHONE: 602.542.1882 FAX: 602-364-0890
Arizona State Website: www.az.gov
Board Website: www.bbhe.state.az.us
Board E-mail Address: azbbhe@bbhe.state.az.us

JANET NAPOLITANO
Governor

KATHLEEN PHILLIPS
Board Chair

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING

Scheduled for March 4, 2005, at 8:30 AM
1400 West Washington, Room B-2, Phoenix, Arizona

1st amended (3/3/05)

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 in the basement 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** (AzBBHE Chair)
2. **Roll call** (staff)
3. **Review and approval of minutes**
A. February 4, 2004, general meeting minutes
4. **Administrative Hearings**
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. Grant Nees, CPC applicant
Board to conduct formal administrative hearing regarding denial of certification.
B. John Lare, CSAC applicant
Review, consideration and action regarding the applicant's request for rehearing and/or review of Board order.
5. **Review, consideration and action of complaints and other disciplinary matters**
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. 2005-0047, Andres Bustamante, LISAC-11769
Review, consideration and possible action regarding the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

B. Lynda Durfy, LPC-2554

Review, consideration and action regarding summary suspension of the professional's license or approval of Interim Consent Agreement.

C. Phyllis Austin, LPC-10600

Review, consideration and action regarding summary suspension of the professional's license or approval of Interim Consent Agreement.

D. Michael Kennedy, LCSW-10321

Review, consideration and action regarding summary suspension of the professional's license or approval of Interim Consent Agreement.

E. Robert Fern, LISAC-10813

Review, consideration and possible action regarding the Substance Abuse Credentialing Committee's recommendation to accept a signed consent agreement.

F. 2003-0056, Norma Reed, LMFT-0157

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

G. 2004-0012, Don Burchfield, LPC-1969

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

H. 2005-0003, Karen Kewley, LPC-10258

Review, consideration and possible action regarding the Counseling Credentialing Committee's recommendation to accept a signed consent agreement for revocation of the professional's license.

I. 2002-0048, Kathleen Keil, LCSW-2246

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

J. 2003-0014, James Krehbeil

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

K. 2003-0034, Jean Dubose, LCSW-0198

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

L. 2005-0038, David Van Wagner, LISAC-10030

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

M. 2004-0008, Gary Kriege, LPC-0061

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

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

Names are posted for review in the Main Lobby of 1400 West Washington, Phoenix, AZ at least twenty-four (24) hours in advance of the meeting

7. 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. Appointment of member to the Personnel Subcommittee

8. Report from the Treasurer

A. Monthly financial report

B. Budget update

9. 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 possible action regarding a possible rules revision excluding work experience acquired as a behavioral health technician

C. Review, consideration and possible action regarding appropriate sanctions for professionals who failed to disclose criminal history on previous certification and renewal applications

D. Legislative update

10. 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).

A. Rules Subcommittee report

B. Counseling Curriculum Subcommittee report

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

12. Future agenda items

13. 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.

14. Establishment of future meeting date(s)

The next meeting is scheduled for April 1, 2005, at 9:00 a.m., in room B-2.

15. Adjournment

March 3, 2005

Debra Rinaudo
Executive Director