



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
March 3, 2006

Members Present: Kathleen Phillips, Dan Wright, Del Worley, Laura Waterman, Jose Herrera, Barbara Freeman (in at 9:00 a.m.)

Members Absent: Cedric Davis, Ruth Lee

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Victoria Mangiapane, Solicitor's General Office, Sherry Blatner, Amy Shelton, Kami Thur, Mary Wilson, Selena Samarripaz

Public Present: Margaret Harris, Dan Burchfield, Daniel Mager, Tina LaNora, Leslie Sullivan, Mora Linder, Barbara McMiller, Finley Goklish, John Nuss, Sheila Eiseman, Melissa Mazzeo, Sheri Dillion

Public by telephone: Moira Cassidy

1. Call to Order

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on March 3, 2006, at 8:54 a.m. with Ms. Phillips presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Mr. Herrera moved, seconded by Mr. Wright, to approve the general meeting minutes from the February 3, 2006, meeting, as submitted. The motion passed unanimously.

The Board took a break at 9:34 a.m., reconvening its public meeting at 9:42 a.m.

4. Administrative Hearings

A. Finley Goklish, CSAC applicant

Board members were introduced and Ms. Phillips reviewed the rules for administrative hearings.

Mr. Goklish made an opening statement. He then withdrew his request for a formal hearing regarding the denial of his certification application.

Mr. Wright moved, seconded by Ms. Worley, to accept Mr. Goklish's request to withdraw his request for a formal hearing.

B. Sheila Eiseman, LASAC applicant

Board members were introduced and Ms. Phillips reviewed the rules for administrative hearings.

Ms. Eiseman made an opening statement.

Mr. Harris, A.A.G., made an opening statement.

Ms. Eiseman testified on her own behalf. Ms. Phillips admitted Respondent's Exhibit A into evidence.

Ms. Thur was sworn in and testified on behalf of the State. Ms. Phillips admitted State's Exhibits 1 through 10 into evidence.

Ms. Eiseman made a closing argument, requesting that the Board issue her a license subject to terms deemed appropriate by the Board.

Mr. Harris made a closing argument, requesting that the Board affirm the denial of Respondent's license application.

Following review and discussion by members, Ms. Worley moved, seconded by Mr. Herrera, to affirm the denial of Respondent's license application as recommended by the Substance Abuse Credentialing Committee for the reasons set forth in the Notice of Hearing. The motion passed unanimously. See attached roll call.

The Board took a break at 11:15 a.m., reconvening its public meeting at 11:27 a.m.

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

A. 2005-0130, Daniel Mager, LCSW-2925

Dr. Waterman was recused from the vote.

Ms. Blatner summarized the complaint and the results of the Board's investigation.

The professional and his attorney, Mr. Cohen, appeared in person and addressed the Board.

Members discussed the terms of the consent agreement and possible modifications Mr. Mager requested. Members agreed to include the following language, "In the event that the Board determines that any or all terms and conditions of this consent agreement and order have not been met, the Board may conduct such further proceedings as it determines are appropriate to address those matters", and to add the word "observed" to the random biological fluid testing stipulation.

Following review and discussion by members, Ms. Worley moved, seconded by Mr. Herrera, to accept the modified consent agreement. The motion passed unanimously. Dr. Waterman was recused from the vote. See attached roll call.

B. 2005-0069, John Morris, SA applicant

Mr. Harris discussed including language in the proposed consent agreement that allows the professional to request changes regarding the frequency of supervision.

The professional was noticed, but did not appear.

Following review and discussion, Ms. Worley moved, seconded by Dr. Waterman, to accept the proposed consent agreement with the modifications discussed. The motion passed unanimously. Ms. Freeman abstained from the vote. See attached roll call vote.

C. 2006-0056, Melissa Mazzeo, LMSW applicant

Mr. Harris summarized the facts of the case.

Ms. Mazzeo appeared in person and addressed the Board.

Following review and discussion, Mr. Herrera moved, seconded by Ms. Worley, to accept the modified consent agreement. The motion passed unanimously.

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

Ms. Rinaudo summarized the professional's request for release from the terms of the consent agreement.

Mr. Burchfield appeared in person and addressed the Board.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to release the professional from the terms of the consent agreement. The motion passed unanimously.

E. 2005-0062, Barbara McMiller, LPC-11222

Ms. Shelton summarized the complaint and the facts of the case.

Ms. McMiller and her attorney, Mr. Dessaulles, appeared in person and addressed the Board.

Following review and discussion, Mr. Wright moved, seconded by Ms. Phillips, to remand the complaint to formal hearing. The motion passed unanimously.

F. 2006-0078, Pamela Vandemaker, LPC applicant

Ms. Rinaudo summarized the facts of the case.

The applicant was noticed, but did not appear.

Following review and discussion, Dr. Waterman moved, seconded by Ms. Worley, to dismiss the complaint and issue a Letter of Concern. The motion passed unanimously.

G. 2006-0069, Michael Martinez, LBSW-1831

Following discussion, Dr. Waterman moved, seconded by Mr. Wright, to table consideration because the matter was listed incorrectly on the agenda. The motion passed unanimously.

H. 2006-0080, Moira Cassidy, LISAC-10245

Ms. Blatner summarized the facts of the case.

Board staff was unable to reach the professional at the telephone number she provided.

Following review and discussion, Mr. Wright moved, seconded by Mr. Herrera, to accept the proposed Interim Consent Agreement. The motion passed unanimously. See attached roll call.

I. NJ06-0005, Marianne Vangalio

Ms. Rinaudo summarized the non-jurisdictional complaint received against Ms. Vangalio and information provided by Ms. Vangalio.

After review and discussion, Dr. Waterman moved, seconded by Mr. Wright, to request that staff contact Ms. Vangalio to request additional information regarding her assertion that she is exempt from licensure pursuant to A.R.S. §32-3271(8) and regarding her Certified Christian Counselor credential. The motion carried with Ms. Freeman and Mr. Herrera opposed.

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

Social Work

Mr. Herrera moved, seconded by Mr. Wright, to approve ten applicants as Licensed Clinical Social Workers, 19 applicants as Licensed Master Social Workers and one applicant as a Licensed Bachelor Social Worker. The motion passed unanimously. Dr. Waterman was recused from the vote.

Mr. Herrera moved, seconded by Ms. Worley, to deny two applicants for social work licensure based on the applicants' failure to pass the required exam. The motion passed unanimously.

Counseling

Dr. Waterman moved, seconded by Ms. Phillips, to approve 8 applicants as Licensed Professional Counselors and 4 applicants as Licensed Associate Counselors. The motion passed unanimously.

Dr. Waterman moved, seconded by Mr. Wright, to deny three applicants for counseling licensure based on the applicants' failure to establish that they meet minimum licensure requirements and one applicant based on the failure to pass the required exam. The motion passed unanimously.

Substance Abuse

Ms. Worley moved, seconded by Mr. Herrera, to approve four applicants as Licensed Associate Substance Abuse Counselors. The motion passed unanimously.

Ms. Worley moved, seconded by Mr. Wright, to deny six applicants for substance abuse licensure based on the applicants' failure to pass the required exam. The motion passed unanimously.

Marriage & Family Therapy

Mr. Wright moved, seconded by Dr. Waterman, to approve three applicants as Licensed Marriage & Family Therapists. The motion passed unanimously.

Mr. Wright moved, seconded by Dr. Waterman, to deny two applicants for marriage and family therapy licensure based on the applicants' failure to establish that they meet minimum licensure requirements. The motion passed unanimously.

7. **Report from the Chair**

None

8. **Report from the Treasurer**

A. Monthly financial report

Ms. Rinaudo reported regarding the agency's monthly budget report.

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

A. General Agency Operations

No report.

B. Proposed legislation

Ms. Rinaudo reported regarding HB2780.

C. Review of R4-6-604

Members reviewed the final draft of proposed changes to A.A.C. R4-6-604.

Mr. Wright moved, seconded by Dr. Waterman, to request consideration of the proposed rule by GRRC. The motion passed unanimously.

D. Board's travel policy

Ms. Rinaudo distributed the Board's policies regarding member travel and conference attendance.

10. **Committee Reports.**

None

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

None

12. **Future agenda items**

Security at meetings

13. **Call for public comment**

None

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

The next meeting is scheduled for April 7, 2006, at 8:45 a.m., at 3443 North Central Avenue, Room 908.

15. **Adjournment**

Mr. Wright moved, seconded by Mr. Herrera, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:22 p.m.

Cedric Davis
Secretary/Treasurer

Date