



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 March 6, 2009, at 9:00 AM
3443 N Central Avenue, Room 908, Phoenix, Arizona

1st amended (3/4/09)

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. February 6, 2009, general meeting 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. 2007-0168, Anne Ahland, LBSW-1971

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

B. 2007-0091, Dena Baumgartner, LPC-0491 and MFT-0368

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

C. 2007-0124, JoAnne Butler, LMSW-11582

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

D. 2007-0075, Eric Cuestas-Thompson, LCSW-12502 and LISAC-10713

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

E. 2007-0141, Darlene Demmer, LCSW-1924

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

F. 2007-0145, Cathleen Jarvis, LCSW-2276

Review, consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern.

G. 2007-0087, Richard Kunkle, LCSW-2818

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

H. 2008-0089, Toni Leiboff, LAC-12669

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

I. 2008-0054, Michall Moore, LAC-12325

Review, consideration and action to accept the proposed signed modified consent agreement.

J. 2009-0034, Anthony Parrish, LISAC-1381

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

K. 2007-0095, Mary Lou Philage, LCSW-0178 and LISAC-11661

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

L. 2007-0132, Danielle Reed, LCSW-12155

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

M. 2007-0084, Anthony Rubin, LPC-0259 and LMFT-0202

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

N. 2006-0071, Michael Teta, LISAC-1655

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

O. 2007-0046, Gale West, LCSW-2572

Review, consideration and action regarding the Social Work 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).

A. 2006-0008, Dylan Machado, LMSW-10758

Board to conduct a formal administrative hearing.

B. 2009-0065, Kevin Christopher (formerly Wisz), LSAT applicant

Board to conduct a formal administrative hearing.

C. 2007-0076, Teresa O'Brien, LAC-12220

Board to conduct a formal administrative hearing.

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. 2007-0028 and 2009-0077, Julie Passarge, LPC-10101 (suspended)

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to remand to formal hearing.

B. 2006-0111, Robert Stankaitis, LISAC-10290

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

C. 2006-0041, Patricia Pruitt, LASAC-13029

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

D. 2009-0009, Judy Emerson, LCSW-2591

Review, consideration and action regarding the Social Work Credentialing Committee's recommendation to accept the non-disciplinary consent agreement.

E. 2007-0037 and 2008-0066, Burdette Leikvoll, LPC-0331 and LISAC-0677

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

F. 2008-0101, Paul Salcido, LSAT-12005

Review, consideration and action regarding opening a complaint based on failure to comply with the terms of a consent agreement and offering the professional a consent agreement or remanding the matter to formal hearing.

G. 2005-0099, Felice Goff, LCSW-0749

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

H. 2008-0029, Rosann Schaye, LPC-0454

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

I. Brenda Taylor, LISAC-1503

Review, consideration and action regarding opening a complaint and accepting the signed interim consent agreement.

J. NJ07-0031, Jack Friedland

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.

K. NJ09-0016, David D. Edgington

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
- 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*
- 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. Scheduling of special Board meetings to conduct formal hearings.*
- 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 April 3, 2009, at 9:00 a.m., at 3443 North Central Avenue, Room 908.
- 17. Adjournment**

March 4, 2009

Debra Rinaudo
Executive Director