



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

GAIL CHASE  
Board Chair

DEBRA RINAUDO  
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES  
May 2, 2003

Members Present: Lisa Aumack, Gail Chase (left at 10:00), Kirk Bowden, Roberta Gastineau, Kathleen Phillips (left at 10:25), Dan Wright, Cedric Davis, Steve LeGendre, Marianne Clinch, Jim Roth, Susan Allanson, Milton Mattox, Karl Gauby, Hank Peck

Members absent: Michael Salazar, Diane Pruetz

Staff Present: Debra Rinaudo, Patricia Reynolds, Marc Harris, A.A.G., Victoria Mangiapane, Solicitor General's Office, Tina Zepeda, Mary Wilson

Public Present: Scott Holden, Barbara Pennington, David Luna, Bea Duran, Kraig Marton

Public by telephone: James Stewart

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 2, 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 Mr. LeGendre, to approve the general meeting minutes of March 7, 2003, as submitted. The motion carried with Mr. Gauby, Ms. Allanson, Mr. Mattox, and Mr. Peck abstaining.

Ms. Phillips moved, seconded by Mr. LeGendre, to approve the executive session minutes of March 7, 2003, as submitted. The motion carried with Mr. Gauby, Ms. Allanson, Mr. Mattox, and Mr. Peck abstaining.

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

*A. 2001-0030, Dale Pilson, SA-0589*

Ms. Chase presented the recommendations of the Administrative Law Judge for Board review. Ms. Mangiapane appeared on behalf of the Board.

Following review and discussion, Ms. Aumack moved, seconded by Mr. LeGendre, to adopt the recommended findings of fact. The motion passed unanimously.

Mr. LeGendre moved, seconded by Ms. Allanson, to adopt the recommended conclusions of law. The motion passed unanimously.

Ms. Phillips moved, seconded by Ms. Allanson, to adopt the final order of revocation as recommended. The motion passed unanimously. See attached roll call.

*B. 2002-0032, Barbara Pennington, SA-0438*

Ms. Reynolds summarized the facts of the complaint. Ms. Pennington appeared in person. Ms. Pennington's attorney, Scott Holden, appeared in person and requested that the Board modify the committee's recommendation and issue rehabilitative discipline rather than revocation so that Ms. Pennington may continue to practice.

Members agreed that the professional's forged transcripts and diplomas justify revocation of the professional's certification. Members agreed that rehabilitation is the goal and noted that the professional can reapply at any time that she feels she is rehabilitated.

Following review and discussion by Board members, Ms. Allanson moved, seconded by Mr. LeGendre, to reaffirm the Board's previous motion to move this case to formal hearing for the purpose of revocation. The motion passed unanimously.

*C. 2002-0043, James Stewart, SA-0846*

Ms. Reynolds summarized the facts of the complaint. Mr. Stewart appeared telephonically and addressed the Board.

Following review and discussion by Board members, Dr. Davis moved, seconded by Mr. LeGendre, to accept the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

*D. 2002-0025, Beatrice Duran, SA-1314*

Ms. Reynolds summarized the facts of the complaint. Ms. Duran and her attorney, Kraig Marton, appeared in person and addressed the Board. Dr. Andrea Scott was noticed but did not appear.

Following review and discussion, Mr. Peck moved, seconded by Ms. Aumack, to accept the Substance Abuse Credentialing Committee's recommendation to move to formal hearing for the purpose of revocation. The motion passed unanimously.

*E. 2002-0045, Katherine Bogushefsky, CC-1068I*

Ms. Reynolds summarized the facts of the complaint.

Following review and discussion by Board members, Mr. Bowden moved, seconded by Ms. Phillips, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously.

*F. 2001-0034, Suzanne Northey, MFT-0456*

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

Following review and discussion by Board members, Ms. Allanson moved, seconded by Mr. Wright, to release the professional from the stipulations of the consent agreement. The motion passed unanimously.

*G. 2002-0033, Ercia Schwartz, SW-2718I*

Ms. Reynolds summarized the facts of the complaint. The professional and complainant were noticed but did not appear.

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

*H. 2002-0035, Carolyn Moore, SW-10034I*

Ms. Reynolds summarized the facts of the complaint. The professional and complainant were noticed but did not appear.

Following review and discussion by Board members, Ms. Aumack moved, seconded by Mr. LeGendre, to accept the Social Work Credentialing Committee's recommendation to dismiss the complaint as unsubstantiated. The motion passed unanimously.

*I. Kerstin Muller*

Ms. Reynolds summarized the facts and reported that the professional is not certified but used the initials CSAC after her name. Members questioned whether they could take further action regarding this matter if the professional applies for certification. Mr. Harris, A.A.G., advised members that they can consider this conduct when the professional applies even if they issue a Cease and Desist order today.

Following review and discussion by Board members, Mr. Roth moved, seconded by Ms. Allanson, to issue a Cease and Desist order. The motion passed unanimously.

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

*Substance Abuse*

Mr. Roth moved, seconded by Dr. Davis, to accept twenty-five applicants for Certified Substance Abuse Counselor. The motion passed unanimously.

*Social Work*

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

*Counseling*

Mr. Bowden moved, seconded by Ms. Allanson, to accept eight applicants for Certified Associate Counselor and sixteen applicants for Certified Professional Counselor. The motion passed unanimously.

*Marriage & Family Therapy*

Mr. Wright moved, seconded by Mr. LeGendre, to accept two applicants for Certified Marriage & Family Therapist. The motion passed unanimously.

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

*A. Board recognition of legislators providing help regarding HB2206*

Ms. Chase presented certificates to Senator Allen, Representative Gullett, Representative Hanson, and Representative Hershberger for their help with the passage of HB2206. Ms. Chase presented an award to Ms. Rinaudo for continuing to direct the agency at the same high level of operations while working on HB2206.

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

*A. Monthly report*

Mr. LeGendre reported that revenues and expenditures are as budgeted.

Ms. Rinaudo reported that the agency has had no further communication from the Governor's office regarding donations to the general fund.

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

*A. General Agency Operations*

Ms. Rinaudo reported that the Governor's office is conducting efficiency reviews of all state agencies. A consolidation plan will be developed when the efficiency reviews have been completed.

Mr. Harris reported that the minute entry denying the administrative appeal filed by Ms. Katz is a confirmation that the Board acted appropriately and upon due consideration.

*1. Travel reimbursement form training*

Members were provided a sample travel reimbursement form to follow as a guide when completing reimbursement requests for travel.

*B. Update on licensure*

Ms. Rinaudo reported that the agency has information regarding the bill on the website and that she is scheduled to do presentations regarding the changes and transition to licensure in various locations across the state. An expanded form of the information on the web will be mailed to all certified professionals as a newsletter. Ms. Rinaudo informed members that the new unprofessional conduct standards will be mailed to all certified professionals as well as being included with each new certification.

**9. Committee Reports**

No report

**10. National and regional news regarding the profession**

None

**11. Future agenda items**

None

12. **Call for public comment**

None

13. **Establishment of future meeting dates**

The next meeting is scheduled for June 6, 2003, at 9:00 a.m. in room B-2.

14. **Adjournment**

Ms. Allanson moved, seconded by Dr. Davis, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:00 a.m.

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Steve LeGendre  
Secretary/Treasurer

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Date