



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
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for November 4, 2005, at 8:45 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

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 (AzBBHE Chair)

2. Roll call (staff)

3. Review and approval of minutes

A. October 7, 2005, 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. Nancy Ryan, LPC applicant

Board to conduct formal administrative hearing regarding denial of licensure.

B. Janice Brown, LASAC applicant

Board to conduct formal administrative hearing regarding denial of licensure.

C. Gail Parker, SA applicant

Board to conduct formal administrative hearing regarding denial of certification.

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. 2005-0096, Robert Fern

Review, consideration and action regarding proposed settlement of judicial review action.

B. 2006-0044, Juan Salgado, LISAC-0432

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

C. 2005-0115, Steven Davis, LPC-2022

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

D. 2003-0036, Lee Phelps, LISAC-10462 and LMSW-10669

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

E. 2003-0030, Jan Owens, LISAC-1288

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

F. 2003-0079, Kevin Theriot, LCSW-0065

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

G. 2003-0046, Barbara McArthur, LMFT-0160 and LPC-0239

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

H. NJ04-0034, Sonia Wendt

Review, consideration and action to dismiss the complaint as non-jurisdictional.

I. NJ04-0035, Penny Bare

Review, consideration and action to dismiss the complaint as non-jurisdictional.

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

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

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).

8. Report from the Treasurer

A. Monthly financial report

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

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).

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 December 2, 2005, at 8:45 a.m., at 3443 North Central Avenue, 9th floor conference room.

15. Adjournment

October 28, 2005

Debra Rinaudo
Executive Director