



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANET NAPOLITANO
Governor

CEDRIC DAVIS
Board Chair

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
October 6, 2006

Members Present: Cedric Davis, Diane Brassea, Ruth Lee, Jose Herrera, Dan Wright, Del Worley (in at 9:24), Laura Waterman (in at 9:24)

Members Absent: Barbara Freeman

Staff Present: Debra Rinaudo, Mary Grossi, Amy Shelton, Kami Thur, Mary Wilson

Staff by phone: Christine Casseta, Solicitor Generals Office

1. **Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 6, 2006, at 9:15 a.m. with Dr. Davis presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Worley moved, seconded by Dr. Waterman, to approve the general meeting minutes from the September 8, 2006, meeting, as submitted. The motion passed unanimously. Mr. Wright, Ms. Lee and Mr. Herrera abstained from the vote.

4. **Administrative Hearings**

None

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

A. *2005-0046, 2004-0029 and 2000-0043, Charles Lehman, LMFT-0479 and LISAC-1373*

Dr. Davis reviewed the procedure for considering a recommendation from the Administrative Law Judge.

Mr. Lehman appeared in person and addressed the Board.

Ms. Cassetta, Solicitor General's Office, appeared telephonically as the Board's legal advisor.

Mr. Harris, A.A.G., appeared telephonically on behalf of the State.

Following discussion by members, Mr. Wright moved, seconded by Ms. Worley, to accept the Findings of Fact as recommended by the Administrative Law Judge. The motion passed unanimously.

Following discussion by members, Mr. Herrera moved, seconded by Ms. Worley, to accept the Conclusions of Law as recommended by the Administrative Law Judge. The motion passed unanimously.

Following further discussion, Mr. Wright moved, seconded by Ms. Worley, to adopt the Order recommended by the Administrative Law Judge and revoke both licenses. The motion passed unanimously.

B. *2007-0030 and 2004-0015, Rodney Nelson, LMFT-0027*

Ms. Shelton summarized the facts of the case.

The professional was noticed, but did not appear.

Following review and discussion, Mr. Wright moved, seconded by Mr. Herrera to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

C. 2003-0060 and 2007-0020, Carl Cooke, LISAC-10266

Ms. Shelton summarized the facts of the case.

The professional was noticed, but did not appear.

Following review and discussion, Ms. Brassea moved, seconded by Ms. Worley, to accept the Counseling Credentialing Committee's recommendation to remand both complaints to formal hearing. The motion passed unanimously.

D. 2005-0057, Martin Bowes, LMSW-10486

Ms. Thur summarized the facts of the case.

Mr. Bowes and his attorney, Blake Simms, appeared in person and addressed the Board.

Following review and discussion, Mr. Wright moved, seconded by Ms. Worley, to accept the Social Work Credentialing Committee's recommendation to remand the matter to formal hearing. The motion passed unanimously.

E. 2005-0138, June Polatsek, LPC-0672

Dr. Waterman recused herself from all matters involving Ms. Poltasek.

Ms. Rinaudo summarized the facts of the case.

Ms. Polatsek and her attorney, Christa Torralba, appeared in person and addressed the Board.

Following review and discussion, Dr. Davis moved, seconded by Ms. Brassea, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern. The motion carried with Ms. Worley and Mr. Wright opposed. Dr. Waterman was recused from the vote.

F. 2003-0084, Sharon Cottor, LCSW-0012

Ms. Shelton summarized the facts of the case.

Ms. Cottor addressed the Board telephonically.

Following review and discussion, Ms. Brassea moved, seconded by Ms. Lee, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint. The motion passed unanimously.

G. 2005-0037, Emily Nickerson, LCSW-1637

Ms. Shelton summarized the facts of the case.

Ms. Nickerson addressed the Board telephonically.

Following review and discussion, Mr. Herrera moved, seconded by Ms. Brassea, to accept the Counseling Credentialing Committee's recommendation to dismiss the complaint. The motion passed unanimously.

H. 2002-0037, Lori Martinez, LPC-2395 and LISAC-1650

Ms. Rinaudo summarized the facts of the case.

Following review and discussion, Ms. Worley moved, seconded by Dr. Waterman, to invite the professional to participate in a formal interview. The motion passed unanimously.

I. NJ06-0014, Jeannie Courtney

J. NJ06-0016, Mary Hickey

Ms. Rinaudo summarized the facts of the case.

Ms. Brassea moved, seconded by Mr. Herrera, to dismiss complaints NJ06-0014 and NJ06-0016 as non-jurisdictional. The motion passed unanimously.

K. NJ06-0017, Greg Ramey

Ms. Rinaudo summarized the facts of the case.

Ms. Worley moved, seconded by Ms. Brassea, to dismiss the complaint as non-jurisdictional and issue a cease and desist order based on Mr. Ramey's use of business cards using the LCSW designation when he holds no social work license in Arizona. The motion passed unanimously.

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

A. Jill Lewis

Mr. Wright moved, seconded by Ms. Worley, to rescind the Board's September 8, 2006, motion to deny Jill Lewis' application. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Brassea, to approve nine applicants as Licensed Clinical Social Workers, eleven 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.

Dr. Davis moved, seconded by Ms. Lee, to deny three 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 Mr. Herrera, to approve 21 applicants as Licensed Professional Counselors and 18 applicants as Licensed Associate Counselors. The motion passed unanimously.

Dr. Waterman moved, seconded by Mr. Wright, to deny seven applicants for counseling licensure based on their failure to establish that they meet minimum licensure requirements in education and/or supervised work experience. The motion passed unanimously.

Substance Abuse

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

Ms. Worley moved, seconded by Mr. Wright, to deny two applicants for substance abuse licensure based on their failure to establish that they meet minimum licensure requirements in education, supervised work experience and/or unprofessional conduct. The motion passed unanimously.

Marriage & Family Therapy

Mr. Wright moved, seconded by Mr. Herrera, to approve one applicant as a Licensed Marriage and Family Therapist. The motion passed unanimously.

Mr. Wright moved, seconded by Ms. Worley, to deny two applicants for marriage and family therapy licensure based on their failure to establish that they meet minimum requirements in education and/or supervised work experience. The motion passed unanimously.

7. Report from the Chair

No report

8. Report from the Treasurer

A. Monthly financial report

Dr. Waterman moved, seconded by Mr. Wright, to accept the monthly financial report.

9. Report from Executive Director and/or staff.

A. General Agency Operations

No report.

The Board took a break at 10:45 a.m., reconvening its public meeting at 10:55 a.m.

B. Review, consideration and action regarding the adoption of a substantive policy statement regarding the interpretation of AAC R4-6-501(K)

Dr Waterman moved, seconded by Mr. Herrera, to adopt the following substantive policy statement as recommended by the Counseling Credentialing Committee regarding the Board's interpretation of new curriculum requirements under A.A.C. R4-6-501(K) that become effective on January 1, 2007:

If an applicant submits an application or a request for reassessment before January 1, 2007, and establishes that all licensure requirements were met before January 1, 2007, the applicant will not be required to meet new curriculum requirements under A.A.C. R4-6-5-1(K) regardless of when the application or reassessment request is approved. The applicant does not have to pass the required examination before January 1, 2007, under these circumstances.

The motion passed unanimously.

Dr. Waterman moved, seconded by Mr. Wright, to adopt the following substantive policy statement as recommended by the Counseling Credentialing Committee regarding the Board's interpretation of new curriculum requirements under A.A.C. R4-6-501(K) that become effective on January 1, 2007:

If an applicant submits an LPC application before January 1, 2007, and meets curriculum requirements prior to January 1, 2007, but fails to meet work experience or clinical supervision requirements, the applicant will be given the option to have the application considered at the associate level through the first committee appeal. This will allow the applicant to take advantage of curriculum requirements in effect through December 31, 2006.

The motion passed unanimously.

Following discussion, members requested that Board staff distribute information regarding these substantive policy statements to the Arizona Council of Human Service Providers, Arizona universities offering graduate counseling programs and the Arizona Counselor's Association.

10. Committee Reports.

None

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

None

12. Future agenda items

Board meeting attendance

13. Call for public comment

None

14. Establishment of future meeting date(s)

The next meeting is scheduled for November 3, 2006, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

15. Adjournment

Dr. Waterman moved, seconded by Ms. Lee, to adjourn. The motion passed unanimously and the meeting was adjourned at 11:10 a.m.

Laura Waterman
Secretary/Treasurer

Date