



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 5, 2007

Members Present: Cedric Davis, Julian Pickens, Laura de Blank, Ruth Lee, Diane Brassea, Jose Herrera (in at 9:15 a.m.), Kahryn Nix (in at 9:18 a.m.)

Members Absent: Robert Evans

Staff Present: Debra Rinaudo, Sherry Blatner, Kami Thur, Sheila Perry-Johnson, Lynanne Chapman, Mary Wilson

1. **Call to Order**

The meeting of the Arizona Board of Behavioral Health Examiners was called to order on October 5, 2007, at 9:03 a.m. with Dr. Davis presiding.

2. **Roll Call**

See above.

3. **Minutes: review, consideration and action**

Ms. Lee requested that the minutes be amended to reflect a concern based on her perception that the Board adopted the proposed FY09 budget without complete information.

Dr. Pickens moved, seconded by Ms. de Blank, to approve the general meeting minutes from September 7, 2007, as amended. The motion passed unanimously.

Dr. Pickens moved, seconded by Ms. de Blank, to approve the executive session minutes from September 7, 2007, as submitted. The motion passed unanimously.

4. **Consent Agenda: review, consideration and action**

None

5. **Administrative Hearings**

None

6. **Formal Interviews**

A. 2003-0023, *Neli Volante, LPC-2400*

The formal interview was cancelled due to the acceptance of a consent agreement.

7. **Complaints and other disciplinary matters: review, consideration and action**

A. 2003-0023, *Neli Volante, LPC-2400*

Ms. Blatner summarized the facts of the case.

Ms. Volante appeared in person and addressed the Board.

Following discussion, Dr. Pickens moved, seconded by Ms. de Blank, to accept the signed consent agreement. The motion passed unanimously. See attached roll call vote.

B. 2007-0108, *Steven Fishco, LISAC-0797*

Ms. Chapman summarized the facts of the case.

Mr. Fishco appeared in person and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Herrera, to approve the Substance Abuse Credentialing Committee's recommendation to accept the signed Interim Consent Agreement. The motion passed unanimously. See attached roll call vote.

C. 2004-0031, Joan Leshner, LCSW-10163

Ms. Perry-Johnson summarized the facts of the case.

The professional was properly noticed, but did not appear.

Following discussion by members, Dr. Pickens moved, seconded by Ms. Brassea, to approve the Social Work Credentialing Committee's recommendation to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

D. 2007-0149, Daniel Kimball, LPC-11055

Ms. Perry-Johnson summarized the facts of the case.

Mr. Kimball appeared in person.

Following discussion by members, Ms. de Blank moved, seconded by Ms. Brassea, to approve the Substance Abuse Credentialing Committee's recommendation to accept the signed consent agreement. The motion passed unanimously. See attached roll call.

E. 2005-0010, Barbara Gray, LISAC-10539

Ms. Thur summarized the facts of the case.

The complainant was properly noticed, but did not appear.

Ms. Gray appeared in person.

Following discussion by members, Ms. Lee moved, seconded by Ms. Brassea, to approve the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint. The motion passed unanimously.

Board members requested that the Substance Abuse Credentialing Committee be advised to consider whether a complaint should be opened against the complainant in this matter.

F. 2004-0024, Wanda Chiles, LCSW-2920

Ms. Thur summarized the results of the Board's investigation.

The complainant was properly noticed, but did not appear.

The professional was properly noticed, but did not appear.

Following discussion by members, Dr. Davis moved, seconded by Dr. Pickens, to approve the Social Work Credentialing Committee's recommendation to dismiss the complaint. The motion passed unanimously.

G. 2008-0024, Craig Davis, LASAC applicant

Ms. Blatner summarized the facts of the case.

Mr. Davis was available telephonically if necessary.

Following review and discussion, Ms. de Blank moved, seconded by Mr. Herrera, to accept the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

H. Renee White, LCSW-10131

Board members were introduced.

Ms. White appeared telephonically.

Ms. Thur summarized the facts of the case.

Following review and discussion, Dr. Davis moved, seconded by Ms. de Blank, to accept the signed Interim Consent Agreement. The motion passed unanimously. See attached roll call.

Dr. Davis moved, seconded by Mr. Herrera, to open a complaint against the professional based on her self-report of behavioral health issues. The motion passed unanimously.

I. NJ07-0026, Shoshana Wallenmeyer

Ms. Rinaudo reported that the professional was working at an agency licensed by the Office of Behavioral Health Licensure.

Following review and discussion, Mr. Herrea moved, seconded by Ms. Lee, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

J. NJ07-0027, Maria Gonzalez

Ms. Rinaudo reported that the professional has an administrative position within ADC. The complaint refers to the professional's non-clinical administrative decisions.

Following review and discussion, Dr. Pickens moved, seconded by Mr. Herrera, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

K. NJ07-0028, Deborah Gross

Mr. Rinaudo reported that the professional is licensed by the Board of Psychologist Examiners.

Following review and discussion, Dr. Pickens moved, seconded by Ms. de Blank, to dismiss the complaint as non-jurisdictional. The motion passed unanimously.

8. Applications for licensure: review, consideration and action

Social Work

Dr. Davis moved, seconded by Ms. Brassea, to approve 5 applicants as Licensed Clinical Social Workers, 12 applicants as Licensed Master Social Workers and 1 applicant as a Licensed Baccalaureate Social Worker. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Brassea, to deny 7 applicants for social work licensure based on failure to pass the required exam and 1 applicant based on the failure to meet minimum licensure requirements in education and/or supervised work experience. The motion passed unanimously.

Counseling

Ms. de Blank moved, seconded by Ms. Brassea, to approve 15 applicants as Licensed Associate Counselors and 19 applicants as Licensed Professional Counselors. The motion passed unanimously.

Ms. de Blank moved, seconded by Ms. Brassea, to deny 4 applicants for counseling licensure based on failure to establish that they meet minimum licensure requirements in education and/or supervised work experience. The motion passed unanimously.

Substance Abuse

Dr. Davis moved, seconded by Ms. Brassea, to approve 3 applicants as Licensed Independent Substance Abuse Counselors and 2 applicants as Licensed Associate Substance Abuse Counselors. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Brassea, to approve Craig Davis as a Licensed Associate Substance Abuse Counselor. The motion passed unanimously.

Marriage & Family Therapy

Dr. Pickens moved, seconded by Ms. Brassea, to approve 2 applicants as Licensed Marriage and Family Therapists. The motion passed unanimously.

The Board took a break at 10:30 a.m., reconvening its public meeting at 10:43 a.m.

9. Report from Chair.

A. Chair report

No report.

B. Member reports

None

C. ASWB Administrator of the Year

Dr. Davis reported that the Association of Social Work Boards has named Debra Rinaudo administrator of the year for 2007.

10. Report from Treasurer

A. Monthly financial report

Dr. Pickens reported regarding the monthly financial report.

Dr. Pickens moved, seconded by Mr. Herrera, to accept the monthly financial report as presented. The motion passed unanimously.

11. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Summary Judgment Michael Robinson v. Board of Behavioral Health

Dr. Davis reviewed information provided by the Office of the Attorney General regarding the dismissal of Mr. Robinson's federal court action against the Board and several past and current members.

Ms. Rinaudo complimented the Attorney General's Office for the work done on Mr. Robinson's state and federal court actions against the Board.

C. Substantive Policy Statement

Ms. Rinaudo reviewed the proposed substantive policy statement.

Following review and discussion, Ms. de Blank moved, seconded by Ms. Brassea, to adopt the substantive policy statement as presented. The motion passed unanimously.

D. HB2249

Tabled

E. Sunrise Report for Behavior Analysts

Ms. Rinaudo reported regarding the proposal to initiate licensure for behavior analysts.

Carol Stambaugh appeared on behalf of the Behavioral Health Professionals' Coalition in opposition to the proposal.

Terri Rogers, Behavioral Health Coalition of Southern Arizona, and Holly Baumann, SARRC, addressed the Board in support of the proposal.

Members expressed concern that the lack of information currently available prevented a thorough review of the proposal. Members also noted that an effort to identify affected stakeholders and obtain their feedback regarding the need for and impact of licensure of behavioral analysts would be helpful to entities trying to evaluate the licensure proposal.

Following review and discussion, Ms. Lee moved, seconded by Mr. Herrera, that the Board not support licensure of behavioral health analysts at this time. The motion was withdrawn.

Ms. Lee moved, seconded by Mr. Herrera, that the Board not support the inclusion of a 5th level of licensure for behavioral analysts within this Board's statutory authority. The motion carried with Ms. Nix opposed. See attached roll call. Ms. Nix and Ms. Brassea explained their votes, indicating that they both felt they needed additional information to evaluate the Sunrise application.

F. Proposed Fee Increase

Ms. Rinaudo reviewed historical information regarding the Board's finances. She then presented projections indicating that expenditures are likely to continue to significantly exceed revenues. In order to maintain fiscal solvency, the Board needs to either seek a fee increase or drastically reduce expenditures. Reducing expenditures would have an immediate negative impact on the Board's ability to provide timely and effective services.

Ms. Rinaudo also reported that she has scheduled meetings with all of the state professional associations to discuss the Board's fiscal challenges and to seek support for an increase in the Board's maximum statutory fee.

12. Committee reports

None

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

None

14. Future agenda items

Ms. Nix asked for further review of the Board's implementation and interpretation of A.R.S. §32-3206.

15. Call for public comment

None

16. Establishment of future meeting dates

The next meeting is scheduled for November 2, 2007, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

Ms. Nix moved, seconded by Dr. Pickens, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:20 p.m.

Julian Pickens
Secretary/Treasurer

Date