



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
PHONE: 602.542.1882 FAX: 602-364-0890
Arizona State Website: www.az.gov
Board Website: www.bbhe.state.az.us
Board E-mail Address: azbbhe@bbhe.state.az.us

JANET NAPOLITANO
Governor

CEDRIC DAVIS
Board Chair

DEBRA RINAUDO
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
NOTICE & AGENDA FOR REGULAR SESSION MEETING
Scheduled for September 8, 2006, at 9:00 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

5th amended (9/6/06)

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. *August 4, 2006, 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. *2006-0095, Thomas Sims, LAC applicant*
Board to conduct formal administrative hearing.
 - B. *2006-0096, Glen Spykerman, LAC applicant*
Board to conduct formal administrative hearing.
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. *2003-0052, Mary Kay Nelson, LPC-1166 and LISAC-0510*
Review, consideration and action regarding the Administrative Law Judge's recommended decision.
 - B. *2005-0138, June Polatsek, LPC-0672*
Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to dismiss this complaint and issue a letter of concern.

C. 2004-0027, *Judith Fitkin, LCSW-2274*

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

D. 2006-0059, *Barbara Thompson, LISAC-10806*

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

E. 2004-0009, *Mary Menacker, LMFT-0135*

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

F. 2004-0002, *Robert Wall, LISAC-0539 and LPC-1047*

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

G. 2006-0160, *Eric Putnam, LAC applicant*

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

H. 2003-0071, 2003-0081 and 2006-0109, *Barbara Waldman, LCSW-3559,*

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

I. 2005-0005, *Kathy Radina, LPC-1404*

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

J. 2005-0007, *Nancy Koller, LPC-1487*

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

K. 2004-0007, *Sherry Burk, LPC-1730*

Review, consideration and action regarding rescinding the Board's previous motion to offer the professional a consent agreement and review, consideration and action regarding offering the professional a revised consent agreement or remanding to formal hearing.

L. 2003-0049, *Marlene Joy, LPC-0321*

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

M. 2006-0112, *Daniel Huyser, LPC-12345*

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

N. NJ06-0017, *Sandy Lennon*

Review, consideration and action regarding a non-jurisdictional complaint and issuance of a cease and desist order.

O. NJ06-0011, *Lori Deen*

Review, consideration and action regarding a non-jurisdictional complaint and issuance of a cease and desist order.

P. NJ07-0001, *Price Murrillo*

Review, consideration and action regarding a non-jurisdictional complaint and issuance of a cease and desist order.

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*
 - B. *Review, consideration and action regarding approval of the Board's FY08-09 budget proposal*
 - C. *Review, consideration and action regarding approval of the Board's FY07 strategic plan*
- 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*
 - B. *Review, consideration and action regarding development of a procedure to implement the requirements of A.R.S. §32-3210 regarding the storage, access and transfer of client records*
 - C. *Review, consideration and action regarding development of a policy for processing files of professionals who allow their license to expire prior to completion of the stipulations of a consent agreement*
- 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 October 6, 2006, at 9:00 a.m., at 3443 North Central Avenue, Room 908.
- 15. Adjournment**

September 6, 2006

Debra Rinaudo
Executive Director