



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 7, 2007, at 9:00 AM
3443 North Central Avenue, Room 908, Phoenix, Arizona

1st amended (9/5/07)

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. **Minutes: review, consideration and action.**
Pursuant to A.R.S. §38-431(A)(2), any discussion of the executive session minutes will take place in executive session.
 - A. *August 3, 2007, general meeting minutes*
4. **Consent Agenda: review, consideration and action**
Pending complaints represent unproven allegations. On investigation, many complaints are found to be without merit or not of sufficient seriousness to merit disciplinary action against the licensee and are dismissed.
 - A. *2005-0133, Aundria Chambliss, LPC-10290 suspended*
Review, consideration and action to approve the Counseling Credentialing Committee's recommendation to accept the signed consent agreement.
 - B. *2005-0042, Cyndie Dolegowski, LCSW-2197*
Review, consideration and action to approve the Social Work Credentialing Committee's recommendation to dismiss the complaint.
 - C. *2008-0007, Jane Johnson, LSAT applicant*
Review, consideration and action to approve the Substance Abuse Credentialing Committee's recommendation to accept the signed consent agreement.
 - D. *2007-0106, Kathleen Miholich, LCSW-0762*
Review, consideration and action to approve the Social Work Credentialing Committee's recommendation to dismiss the complaint.

E. 2004-0004, Nick Myers, LISAC-10368

Review, consideration and action to approve the Substance Abuse Credentialing Committee's recommendation to dismiss the complaint.

F. 2007-0140, Nestor Retana, LAMFT applicant

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

G. 2008-0010, Rochelle Ryan, LAC-12009 and LPC applicant

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

5. Administrative Hearings

Pursuant to A.R.S. §§32-3253(A)(10) and 41-1092.07, the Board will conduct administrative hearings in the following matter(s). During the administrative hearing, 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. 2007-0051, Russell Nelson, LASAC applicant

Board to conduct formal administrative hearing regarding denial of licensure.

6. Formal Interviews

Pursuant to A.R.S. §32-3281, the Board will conduct a Formal Interview in the following matter(s). During a formal interview, 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. 2007-0119, Jennifer Balistreri, LMSW-12207

Board to conduct formal interview.

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

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. Robyn Theuer, LCSW-2763

Review, consideration and action regarding accepting the proposed signed Interim Consent Agreement.

B. 2004-0018, David Pillar, LMFT-0374

Re-consideration and action regarding the Marriage and Family Therapy Credentialing Committee's recommendation to the Board to dismiss the complaint and issue a letter of concern.

C. 2006-0053, Jason Bradley, LPC-10610

Review, consideration and action regarding the Counseling Credentialing Committee's recommendation to accept the proposed signed Interim Consent Agreement.

D. 2007-0137, Deborah Hansen, LISAC-10821

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

E. 2007-0115, Kathleen Keil, LCSW-2246

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

F. 2005-0016, Guillermo Arciniega, LPC-0005

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

G. 2006-0082, Caryn Attianese

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

H. NJ07-0021, Kristine Richer

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

I. NJ07-0022, Cecelia Zaragoza

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

8. Applications for licensure: review, consideration and action.

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

9. 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).

A. Chair report

B. Member reports

C. Review, consideration and action regarding format of investigative reports

D. Review, consideration and action regarding the provision of confidential information pursuant to A.R.S. §32-3206

10. Report from the Treasurer

A. Monthly financial report

B. Review of the Board's FY09 budget submission

11. 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. Discussion of Sunset Review process

C. Update regarding draft legislation for 2008 legislative session

12. 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).

A. Social Work Credentialing Committee

Review, consideration and action regarding approval for committee member to attend the ASWB Annual Meeting in November.

B. Substance Abuse Process Development Subcommittee

Review, consideration and action regarding the subcommittee's recommendation for a process to address background issues dealing with DUI and/or substance abuse

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

14. Future agenda items

15. 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.

16. Establishment of future meeting date(s)

The next meeting is scheduled for October 5, 2007, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

17. Adjournment

September 5, 2007

Debra Rinaudo, Executive Director