



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

COUNSELING CREDENTIALING COMMITTEE MEETING MINUTES
Friday, August 27, 2010

Members Present: Laura de Blank, Katherine Bloom, Yvonne Fortier, Paula Artac
Members Absent: Patrick Goodman
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Doreen Romney, Mary Wilson, Elma Brambila

1. **Call to Order**

The meeting was called to order on August 27, 2010, at 9:02 a.m., with Ms. de Blank presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Fortier moved, seconded by Ms. Bloom, to approve the general meeting minutes from the July 30, 2010, meeting as submitted. The motion passed unanimously. Ms. Artac abstained from the vote.

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

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. Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

Ms. de Blank reviewed the procedures for conducting an informal meeting.

A. 2009-0104, Lynn Bonner, LPC-1028

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

The complainant appeared in person and addressed the committee.

The professional and her attorney, Anne Fulton-Cavett, appeared in person and addressed the committee.

Following discussion by members, Ms. de Blank moved, seconded by Ms. Bloom, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(12)(m), engaging as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. §32-3251(12)(ii), violating any federal or state law applicable to the practice of behavioral health, as it relates to A.R.S. §13-3620(A)(1), mandatory reporting
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board as it relates to:
 - A.A.C. R4-6-1101(2), a licensee shall document elements of informed consent for treatment
 - A.A.C. R4-6-1101(3), a licensee shall obtain a dated and signed informed consent for treatment
 - A.A.C. R4-6-1103(A)(5), a licensee shall ensure a client record is maintained and is current and accurate

- A.A.C. R4-6-1103(B)(9), a licensee shall ensure that a client record contains documentation of contact with the client or other individual that relates to the client's health, safety, welfare or treatment
- A.A.C. R4-6-1103(H), a licensee shall ensure the progress note includes required elements

The motion passed unanimously.

Following further discussion, Ms. de Blank moved, seconded by Ms. Artac, to recommend to the Board to accept a consent agreement that stipulates the following:

- The professional's license shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional shall complete 3-clock hours of pre-approved continuing education in current documentation standards within 12 months
- The professional shall complete 6-clock hours of pre-approved continuing education in high conflict cases within 12 months
- The professional shall receive clinical supervision from an independently licensed behavioral health professional
- Clinical supervision will be weekly if full-time and every two weeks if part-time and supervisor shall submit quarterly reports
- The clinical supervision shall focus on impartiality, staying within the scope of practice, clinical documentation and records review of 3 random cases per session
- The professional can submit continuing education that has been completed within the last 12 months
- Early release possible at 12 months if other stipulations complete and on supervisor's recommendation

and, if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to formal hearing. The motion passed unanimously.

B. 2010-0118, Karen Mavrikos, LAC applicant

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

The professional appeared in person and addressed the committee.

Following discussion by members, Ms. de Blank moved, seconded by Ms. Bloom, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(ii), violating any federal or state law or regulation

The motion passed unanimously.

Following further discussion, Ms. de Blank moved, seconded by Ms. Fortier, to recommend to the board to accept a consent agreement that stipulates the following:

- The professional's license shall be placed on probation
- Issue an order of censure
- The professional shall obtain therapy for 24 months with early release available after 12 months
- Therapy by a master level LISAC and
- Therapy shall address counseling and evaluation regarding judgement

The motion passed unanimously.

C. 2010-0021, Maureen Maxon, LPC-10172

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Faren Akins, appeared in person and addressed the committee.

Following review and discussion by members, Ms. Bloom moved, seconded by Ms. de Blank, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as it relates to the following:
 - A.A.C. R4-6-1103(B)(9), requires a licensee to ensure client record contains documentation of contact with client or individual that relates to client's health, safety, welfare or treatment
 - A.A.C. R4-6-1104(B)(6), requires licensee to ensure client records contains requests for client records and resolution of those requests
 - A.A.C. R4-6-1103(B)(10), requires licensee to ensure that client record contains documentation of BH services provided
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards at it relates to:
 - A.A.C. R4-6-1101(2)(h)
 - A.A.C. R4-6-1103(B)(12)(a)
 - A.A.C. R4-6-1104(3)
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards at it relates to:
 - A.A.C. R4-6-1105(B)
 - A.A.C. R4-6-1105(A)(C)(3)

The motion passed unanimously.

Ms. Bloom moved, seconded by Ms. Fortier, to recommend to the Board to accept a consent agreement that stipulates the following:

- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics
- The professional shall submit confirmation to the Board of a billing service
- The professional shall complete 6-clock hours of pre-approved continuing education in documentation
- The professional shall complete 3-clock hours of pre-approved continuing education in billing and related documentation
- Clinical supervision will be weekly if full-time and every two weeks if part-time and supervisor shall submit quarterly reports
- The clinical supervision shall focus on impartiality, importance of consultation and staffing cases, charts review and records review of 3 random cases per session
- The professional can submit continuing education that has been completed within the last 12 months
- Early release available after 12 months

The motion passed unanimously.

The committee took a break at 10:25 a.m., reconvening its public meeting at 10:35 a.m.

D. 2009-0100, Nancy McCoy, LPC-0240

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

The complainant appeared in person and addressed the committee.

The professional and her attorney, Farin Akins, appeared in person and addressed the committee.

Ms. de Blank moved, seconded by Ms. Bloom, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the committee went into executive session at 12:42 p.m., reconvening its public meeting at 12:48 p.m.

Following discussion by members, Ms. Fortier moved, seconded by Ms. Bloom, to recommend to the Board to add the following violations to the conclusions of law in the existing consent agreement:

- A.R.S. §32-3251(12)(r), engaging in activities as a licensee that are unprofessional by current standards of practice
- A.R.S. §32-3251(12)(kk), failure to make client records in the licensee's possession promptly available to the client upon proper authorization
- A.R.S. §32-3251(12)(h), obtaining a fee by misrepresentation
- A.R.S. §32-3251(12)(d), any false, fraudulent or deceptive statement connected with the practice of behavioral health
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by a licensee in any statements provided during an investigation by the Board

The motion passed unanimously.

Following further discussion, Ms. Fortier moved, seconded by Ms. Bloom, to recommend to the Board to accept an Interim Consent Agreement that stipulates the following:

- The professional's license shall be suspended for a period of 12 months
- The professional's license shall be placed on probation for 24 months
- The professional shall work at an agency licensed by OBHL or not work at all under her license
- The professional shall complete 6-clock hours of continuing education in documentation
- The professional shall complete a pre-approved 3-semester credit hour course in ethics
- The professional shall have a complete audit of her practice (client records and billing)
- The professional shall receive clinical supervision from a pre-approved independently licensed behavioral health professional
- Focus of supervision is ethics, boundaries, review of clinical records and documentation standards, dual relationships, appropriateness of treatment options
- The professional shall complete 6-clock hours of continuing education in billing
- If the professional returns to private practice she will complete an additional 6 clock hours of CE in billing or use a billing service
- Within 30 days submit an auditor and audit plan for pre-approval – within 90 days the audit report and any recommendations incorporated into the consent agreement

The motion passed unanimously.

E. 2009-0113, Russell Farnsworth, LAC-13332

Ms. de Blank summarized information regarding the professional's request for pre-approval of a supervisor for his consent agreement.

The professional addressed the committee telephonically.

Following review and discussion by members, Ms. Artac moved, seconded by Ms. Bloom, to approve Janice Henry to provide the clinical supervision stipulated in the professional's consent agreement. The motion passed unanimously.

The committee took a break for lunch at 1:55 p.m., reconvening its public meeting at 2:58 p.m.

5. Report from the Chair and items for review, consideration, and possible action

None

6. Report from the Executive Director and/or staff

A. General Agency Operations

Ms. Rinaudo reported regarding the shortage of staff and problems with keeping the work flowing.

B. Schedule November and December meetings

Members agreed to meet on Monday, November 15th and Monday, December 13th.

C. Review of application review protocols

Members reviewed the importance of doublechecking all parts of the application.

7. **Board, committees and subcommittee reports**

None

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

Ms. Bloom reported regarding NBCC annual conference.

9. **Supervisor exemption requests: review, consideration and action**

None

10. **Consent agenda: review, consideration and action of requests for inactive status and extension requests**

Following review, Ms. Artac moved, seconded by Ms. Fortier, to approve the consent agenda as reviewed by Ms. Bloom, granting 60-day extensions to Stacy Jones, Leah Thomas and David Paul and inactive status to Allison Cogswell. The motion passed unanimously.

11. **Inactive status extension requests: review, consideration and action**

None

12. **Applications for renewal: review, consideration and action**

None

13. **Applications for reassessment: review, consideration and action**

A. Alex Spence

Members reviewed information submitted in support of the reassessment request.

Following review and discussion, members agreed the applicant meets minimum licensure requirements,

B. Bryan Gest

Members reviewed information submitted in support of the reassessment request.

Following review and discussion, members agreed that the applicant meets minimum requirements.

14. **Applications for licensure: review, consideration and action**

Appeals

A. Linda Denniston

Members reviewed information submitted in support of the appeal.

The applicant addressed the committee telephonically.

Following review and discussion, members agreed that the applicant meets minimum requirements.

B. Angela Veneziano

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, Ms. Fortier moved, seconded by Ms. Bloom, to accept PSGE5630 Counseling Theories and to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

C. Dixie Ciccarelli

Ms. Artac recused herself from all matters involving Ms. Ciccarelli.

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, Ms. Bloom moved, seconded by Ms. Fortier, to accept partial work experience and clinical supervision submitted by the applicant and to deny the appeal based on continuing deficiencies in work experience and 6 hours of direct observation. The motion passed unanimously.

D. Cesar Gallegos-Gamez

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, members agreed that the applicant meets minimum requirements.

E. Mavis Brauer

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, members agreed that the applicant meets minimum requirements.

The committee went off record to review files at 3:25 p.m., reconvening its public meeting 5:03 p.m.

Ms. Fortier moved, seconded by Ms. de Blank, to recommend to the Board to approve the following 3 applicants as Licensed Associate Counselors upon receipt of the required license issuance fee:

Angela Bailey	Heidi Brouelette
Ruth Vallejo	

The motion passed unanimously.

Ms. Artac moved, seconded by Ms. Fortier, to recommend to the Board to approve the following 4 applicants as Licensed Associate Counselors upon receipt of the license issuance fee and a passing score on the required exam:

Mavis Brauer	Christina Erickson
Alexander Spence	Matthew King

The motion passed unanimously.

Ms. Fortier moved, seconded by Ms. Artac, to recommend to the Board to approve the following 5 applicants as Licensed Professional Counselors upon receipt of the license issuance fee:

Cesar Gallegos-Gamez	Rachel Chuang-Nusbaum	Bryan Gest
Linda Denniston	Daniel Bernhardt	

The motion passed unanimously.

Ms. de Blank moved, seconded by Ms. Bloom, to recommend to the Board to approve Vanessa Lujan as a Licensed Associate Counselor upon receipt of the license issuance fee and a favorable fingerprint report. The motion passed unanimously.

Ms. Bloom moved, seconded by Ms. Artac, to recommend to the Board to deny the following 7 applicants based on their failure to establish that they meet minimum requirements:

Sharla Denton	Kimberly Lindley	David Paul	Ruth Bush
Laurel Cozzuli	Julia Weinberg	Catherine Stacey	

The motion passed unanimously.

15 Future agenda items

None

16. Call for public comment

None

17. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, September 24, 2010, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

Ms. de Blank moved, seconded by Ms. Artac, to adjourn. The motion passed unanimously and the meeting was adjourned at 5:05 p.m.

Katherine Bloom
Secretary/Treasurer

Date