



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

DEBRA RINAUDO  
Executive Director

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COUNSELING CREDENTIALING COMMITTEE MEETING MINUTES  
Friday, February 26, 2010

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

1. **Call to Order**

The meeting was called to order on February 26, 2010, at 9:04 a.m., with Ms. de Blank presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Kramer moved, seconded by Ms. Artac, to approve the general meeting minutes from the January 29, 2010, meeting as submitted. The motion passed unanimously.

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. 2005-0082, Jeanne Rust-Lester, LPC-1997*

Ms. Rinaudo summarized information regarding the professional's possible non-compliance with a consent agreement.

The professional addressed the committee telephonically.

Following review and discussion by members, Ms. de Blank moved, seconded by Ms. Fortier, to recommend to the Board to accept a modified consent agreement that includes assessment of the investigative costs to be stayed if the professional is compliant with the terms of the consent agreement. The motion passed unanimously.

*B. 2008-0040, Susan Forno, LPC-1233*

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

The complainant was properly noticed, but did not appear.

The professional addressed the committee telephonically.

The professional's attorney, Arthur Eaves, appeared in person on her behalf.

Following discussion by members, Ms. Kramer moved, seconded by Ms. Artac, to recommend to the Board to find the following violations:

- 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 in writing for each client served 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 before providing treatment
- 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), any person who reasonably believes that a minor is or has been the victim of abuse shall immediately report or cause a report to be made
  - A.R.S. §13-3620(D), reports shall be made immediately by telephone and followed by a written report within 72 hours
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics as it relates to the ACA Code of Ethics:
  - Section E.5.a, Proper Diagnosis
  - Section E.5.d, Refraining from Diagnosis
- 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. R4-6-1105, a licensee shall only release client records or disclose client information with a written authorization from the client
- 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. R4-6-1102(1)(e), a licensee shall work jointly with a client to develop an integrated treatment plan that includes the signature and date signed by client
  - A.A.C. R4-6-1103(A)(5), a licensee shall ensure that a client record is maintained, current and accurate

The motion passed unanimously.

Following further discussion, Ms. Kramer moved, seconded by Ms. de Blank, 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 3-semester credit hour graduate level course in behavioral health ethics within 12 months
- The professional shall complete a 3-semester credit hour graduate level course in assessment and diagnosis within 12 months
- The professional shall receive clinical supervision twice monthly from a pre-approved independently licensed behavioral health professional
- The supervision shall focus on documentation, self-care, ethics, boundaries, mandated reporting laws and include an audit of all charts
- The supervisor shall submit quarterly reports that include specific updates on the professional's progress
- The professional can terminate probation by retiring or allowing the license to expire

The motion passed unanimously.

*C. 2009-0102, Daniela Roher, LPC-1777*

Ms. Rinaudo summarized the committee's prior recommendation.

The complainant addressed the committee telephonically.

The professional's attorneys, Larry Cohen and Neil Herrington, appeared in person and addressed the committee.

Mr. Harris, A.A.G., advised the committee that its prior recommendation to offer a non-disciplinary consent agreement and also dismiss the complaint is inconsistent with the Board's statutes.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Artac, to rescind this committee's December 2009 motion to recommend to the Board to accept a non-disciplinary consent agreement and dismiss the complaint. The motion passed unanimously. Ms. Fortier abstained from the vote.

Following further discussion, Ms. Kramer moved, seconded by Ms. de Blank, to recommend to the Board to accept the non-disciplinary consent agreement as previously recommended modified to allow the professional to submit any classes already completed for approval. The motion passed unanimously.

*The committee took a break at 10:42 a.m., reconvening its public meeting at 10:59 a.m.*

*D. Nancy Taylor, LPC-10994*

Ms. Rinaudo summarized the results of the information received by the Board.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Fortier moved, seconded by Ms. Artac, to open a complaint for further investigation. The motion passed unanimously.

*E. Jeremy Ernst, LAC applicant*

Ms. Rinaudo summarized the results of the background investigation.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. de Blank moved, seconded by Ms. Kramer, to open a complaint and find the following violations:

- A.R.S. §32-3251(12)(b), use of fraud or deceit in connection with establishing qualifications
- A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of a fact by a licensee to secure or attempt to secure a license or renewal of a license

The motion passed unanimously.

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

- The applicant's license will be issued and immediately placed on probation for 24 months
- The professional shall receive clinical supervision from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall be weekly and shall focus on ethical and boundary issues
- The clinical supervisor shall submit quarterly reports

The motion passed unanimously.

Ms. de Blank moved, seconded by Ms. Artac, to refer the issue of whether Mr. Ernst is impaired due to substance abuse/dependency to the Substance Abuse Credentialing Committee for review and decision. The motion passed unanimously.

*The committee took a break for lunch at 12:10 p.m., reconvening its public meeting at 1:21 p.m.*

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

No report.

**6. Report from the Executive Director and/or staff**

*A. General Agency Operations*

No report.

*B. Recommendations regarding possible consent agreement language*  
Members discussed possible standard language in consent agreements.

*C. Review of the Board's interpretation of A.A.C. R4-6-212(G)*

Ms. Rinaudo reported that the Board, at its February meeting, determined that the 10 hours of direct observation by the clinical supervisor is included in the 100 required hours of clinical supervision.

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

None

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

None

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

*A. Lynda Shmyr-Russell (Carmelo Carlone)*

Members reviewed information submitted in support of the request for a supervisor exemption.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Fortier, to deny the exemption request for clinical supervision hours provided by Carmelo Carlone based on the applicant's failure to establish that the supervisor had education and training specific to professional counseling. The motion passed unanimously.

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

Following review, Ms. Artac moved, seconded by Ms. de Blank, to approve the consent agenda as reviewed by Ms. Kramer, granting inactive status to Sandra Warner, Jonathan Burch and Cara DeLessio. 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. Katherine Reussing*

Members reviewed the request for reassessment.

Following review and discussion, Ms. de Blank moved, seconded by Ms. Kramer, to deny the request for reassessment based on the applicant's failure to meet minimum licensure requirements. The motion passed unanimously.

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

Independent Contractors

*A. Seema Bacon (Illinois Youth Advocate Program)*

Members reviewed information submitted in support of the work experience acquired as an independent contractor.

Following review and discussion by members, Ms. de Blank moved, seconded by Ms. Kramer, to find that the work experience acquired at the Illinois Youth Advocate Program as an independent contractor does not meet minimum supervised work experience requirements. The motion passed unanimously.

Appeals

*A. Tiffany Green*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, Ms. de Blank moved, seconded by Ms. Fortier, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

*B. Robert Palazzolo*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, Ms. de Blank moved, seconded by Ms. Artac, to deny the appeal based on the applicant's failure to establish a degree in counseling, curriculum deficiencies, failure to submit verification of credentials and failure to submit verification of legal residency. The motion passed unanimously.

*C. William Gorback*

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, Ms. Kramer moved, seconded by Ms. de Blank, to accept the applicant's request to change the level of application to associate counselor and to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

*The committee went off record to review files at 2:21 p.m., reconvening its public meeting 4:47 p.m.*

Ms. Kramer moved, seconded by Ms. Artac, to recommend to the Board to approve Jeremy Ernst as a Licensed Associate Counselor upon the Board's acceptance of the consent agreement and receipt of the required license issuance fee. The motion passed unanimously.

Ms. Kramer moved, seconded by Ms. Artac, to recommend to the Board to approve Sarah Thomas as a Licensed Associate Counselor upon receipt of the license issuance fee and a passing score on the required exam. The motion passed unanimously.

Ms. Artac moved, seconded by Ms. de Blank, to recommend to the Board to approve Lindsay Wood as a Licensed Professional Counselor upon receipt of the license issuance fee. The motion passed unanimously.

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

Coreen Talbot	Heather England	Laura Huber
Jennifer Burruel	Kimberly Campbell	

The motion passed unanimously.

Ms. de Blank moved, seconded by Ms. Kramer, to recommend to the Board to deny the following 7 applicants based on their failure to establish that they meet minimum requirements in education and/or supervised work experience:

Linda Shmyr-Russell	Angela Veneziano	Seema Bacon	Ahmad D Jangi
Deborah Carson	Jennifer Liatas-Underhill	Kristen Soliz	

The motion passed unanimously.

**14. Future agenda items**

None

**15. Call for public comment**

None

**16. Establishment of future meeting date(s)**

The next meeting is scheduled for Friday, March 26, 2010, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

**17. Adjournment**

Ms. de Blank moved, seconded by Ms. Kramer, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:50 p.m.

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Katherine Kramer  
Secretary/Treasurer

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Date