



STATE OF ARIZONA
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Governor

KATHLEEN PHILLIPS
Board Chair

DEBRA RINAUDO
Executive Director

COUNSELING CREDENTIALING COMMITTEE MEETING MINUTES
January 27, 2006

Members Present: Laura Waterman, William Martin, Rosalie Hasseltine, Joanne Ellsworth
Staff Present: Debra Rinaudo, Kami Thur, Amy Shelton, Mary Wilson, Doreen Romney
Public Present: Sara Smoger, Gloria Gabler, Sue Mueller, Tony Langan, Jorene Ruddy, Jonathan Dessauls, Barbara McMiller, Pamela Vandemaker, Sandra Billeter, Susan Ash, Mary Kay Keller, Elizabeth Faulkner
Public by telephone: Mardi Harris, Frank Jesus

1. Call to Order

The meeting was called to order on January 27, 2006, at 9:03 a.m. with Dr. Waterman presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Dr. Martin moved, seconded by Ms. Hasseltine, to approve the general meeting minutes from the November 16, 2005, meeting. The motion carried with Ms. Ellsworth abstaining.

Dr. Martin moved, seconded by Ms. Hasseltine, to approve the general meeting minutes from the December 21, 2005, meeting. The motion carried with Dr. Waterman abstaining.

The committee reviewed files from 9:54 a.m. through 12:04 p.m.

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

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

A. 2005-0062, Barbara McMiller, LPC-11222

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

Ms. McMiller appeared in person and addressed the committee. Her attorney, Mr. Dessauls, also appeared and addressed the committee.

The complainant, Mr. Jesus, addressed the committee telephonically.

Following review and discussion by members, Dr. Waterman moved, seconded by Dr. Martin, to recommend to the Board to make a finding that the professional engaged in unprofessional conduct as follows:

1. The professional violated A.R.S. §32-3251(12)(v), any sexual conduct between a licensee and a client or former client, based on Ms. McMiller's admission that she engaged in a sexual relationship with TE*, a former client.
2. The professional violated A.R.S. §32-3251(12)(p), as it relates to A.A.C. R4-6-1103(B)(9), which requires that licensees ensure that a client record contains documentation of telephone, written, or face-to-face contact with the client or another individual that relates to the client's health, safety, welfare, or treatment, based on the professional's failure to document multiple telephone contacts with TE and others regarding TE.

3. The professional violated A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession, based on the professional's lack of insight and accountability regarding her inappropriate relationship with TE.

The motion passed unanimously.

Following further review and discussion by members, Dr. Waterman moved, seconded by Dr. Martin, to offer the professional consent agreement for the voluntary surrender of her license and, if the consent agreement is not accepted, to remand this case to formal hearing. The motion passed unanimously.

B. 2005-0055, Jorena Ruddy, LPC-10594

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

The complainant was noticed, but did not appear.

Ms. Ruddy appeared in person and addressed the committee. Her attorney, Tony Langdon, also appeared and addressed the committee.

Following discussion by members, Dr. Waterman moved, seconded by Dr. Martin, to recommend to the Board to make a finding that the professional engaged in unprofessional conduct as follows:

1. A.R.S. §32-3251(10)(i) and A.R.S. §32-3251(12)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity and professional judgment or create a risk of harm to the client, based on the professional accepting gifts from NS* and her failure to appropriately document the exchange of gifts in NS's client record and based on the professional's failure to maintain appropriate professional boundaries with NS, which created a significant risk of harm to NS.
2. A.R.S. §32-3251(10)(x), exploiting a former client, based on the professional's admission that she maintained a social relationship with NS for several months after the termination of their professional relationship.
3. A.R.S. §32-3251(10)(j), and A.R.S. §32-3251(12)(l), any conduct, practice or condition which impairs the ability of the behavioral health professional to safely and competently practice, based on the professional's failure to maintain appropriate boundaries with NS, which resulted in serious emotional harm to NS where such harm was reasonably foreseeable given NS' serious mental health issues.
4. 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. R4-6-1103, which requires licensees to ensure that a complete and accurate client record is appropriately maintained, based on the professional's admission that she mistakenly included letters regarding NS in her personal documents when she left La Frontera.

Following review and discussion by members, Dr. Waterman moved, seconded by Dr. Martin, to offer a consent agreement for the voluntary surrender of the professional's license and, if the consent agreement is not accepted, to remand the case to formal hearing. The motion passed unanimously.

C. 2003-0083 and 2005-0113, Brenda Sheets, LPC applicant and LISAC-1529

Ms. Rinaudo distributed a fax from the professional's attorney, Mr. Wolver, requesting that the pending complaints against Ms. Sheets be reviewed by the Substance Abuse Credentialing Committee as that is the license the professional holds.

Ms. Rinaudo reported that the complaints pending against the professional are not related to substance abuse issues.

Following discussion by members, Dr. Waterman moved, seconded by Dr. Martin, not to defer consideration of the complaints against the professional to the Substance Abuse Credentialing Committee where the subject matter of the complaints does not appear to involve substance abuse related issues. The motion passed unanimously.

D. Pamela Vandernaker, LPC applicant

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

Ms. Vandemaker appeared in person and addressed the committee.

Following review and discussion, Dr. Waterman moved, seconded by Dr. Martin, to open a complaint for a possible violation of A.R.S. §32-3251(12)(c)(i), any oral or written misrepresentation of fact by an applicant to secure or attempt to secure the issuance of a license, based upon the professional's indication on her 2005 LPC application that she was employed as an independent contractor by Wellspring Counseling Center when, in fact, she was not employed in any capacity by that agency, and to recommend to the Board to dismiss the complaint with a Letter of Concern. The motion passed unanimously.

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

No report.

B. Strategic planning regarding workload reduction

Members discussed reorganizing the files to place the documents that need to be reviewed by committee members in the front of the file. The areas to be substantively reviewed by the committee are any background issues, the curriculum and the supervised work experience, including clinical supervision. The balance of the application will be reviewed by two staff members.

C. Development of guidelines to review reciprocity applications

Following discussion, members agreed that under reciprocity, an individual that applies for LPC licensure can request that the application be reviewed at the associate level if the request is made before the committee reviews the application.

D. Update on legislation affecting the Board's authorizing statute

No update

E. Review of effective date of new curriculum requirements

Ms. Rinaudo reported regarding A.A.C. R4-6-501(k), which implements new curriculum requirements as of January 2007. She reviewed committee options for consideration of applications pending on January 1, 2007.

Members discussed possible interpretations regarding the effective date of the new curriculum requirements.

Dr. Waterman moved, seconded by Dr. Martin, to interpret R4-6-501(k) as follows:

If an applicant submits an application and established that all licensure requirements were met before 01/01/07, the applicant will not be required to meet the new curriculum requirements regardless of when the application is approved. The applicant does not have to pass the required examination before 01/01/07 under these circumstances.

The motion passed unanimously.

Dr. Waterman moved, seconded by Dr. Martin, to interpret R4-6-501(k) as follows:

If an applicant submits an LPC application and meets curriculum requirements before January 1, 2007, but fails to meet work experience or clinical supervision requirements, the applicant will be given the option to have the application considered at the associate level through the first committee appeal. This will allow the applicant to take advantage of curriculum requirements in effect through 12/31/06.

The motion passed unanimously.

7. Report from the Board and other committees

No report

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

None

9. Review, consideration and action of supervision/work experience and/or exemptions

None

10. Review, consideration and action regarding renewals

None

11. Review, consideration and action of consent agenda for applications for inactive, extension and exam extension requests

Dr. Waterman moved, seconded by Dr. Martin, to approve the consent agenda, as reviewed by Dr. Martin, granting 60-day extensions to Katie Mowery, Angelina Roethler, Anna Book, Belinda Knox, Daniel Huyser and Ericha Scott and inactive status to Lauren Moschetta. The motion passed unanimously.

12. Review, consideration and action regarding exam accommodation requests

A. Lisa Shapiro

Dr. Martin moved, seconded by Dr. Waterman, to deny the request for a second exam extension based on the applicant's failure to establish good cause. The motion passed unanimously. Ms. Hasseltine was recused from the vote.

13. Review, consideration and action on applications for reassessment

A. Helen Kazemi

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

B. Nicoline Mager

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

14. Review, consideration and action regarding applications for licensure

Sara Smoger

Dr. Waterman reviewed the documentation the applicant submitted to establish that the work experience she obtained in a school setting was limited to psychotherapy.

Appeals

Sandy Heilman

Dr. Waterman summarized the information submitted in support of the appeal.

The applicant was noticed, but did not appear.

After review and discussion, Dr. Waterman moved, seconded by Dr. Martin, to deny the appeal based on the professional's failure to establish that she has a degree in counseling and to direct staff to obtain information regarding whether Mingus Mountain Academy is a licensed behavioral health agency. The motion passed unanimously.

Sandra Billeter

Dr. Martin recused himself from all matters involving Ms. Billeter.

Ms. Billeter appeared in person and addressed the committee.

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

Mardi Harris

Dr. Martin recused himself from all matters involving Ms. Harris.

The applicant addressed the committee telephonically.

Dr. Waterman moved, seconded by Ms. Ellsworth, to accept the applicant's supervised work experience, to accept EDP682 and EDP757 as meeting requirements for Counseling Theory, EDP630 as meeting requirements for Appraisal and Counseling Processes as meeting requirements for Helping Relationship and to deny the appeal based on the applicant's failure to establish that she has coursework that meets the requirements for Professional Counseling Ethics and Multi-Cultural Foundations. The motion passed unanimously.

Mary Kay Keller

The applicant appeared in person and addressed the committee. She did not submit any new information for committee review.

Following review by members, Dr. Waterman moved, seconded by Ms. Hasseltine, to deny the appeal based on the applicant's failure to establish that her supervised work experience was acquired in the practice of psychotherapy. The motion passed unanimously.

Hayes Paden

The applicant was noticed, but did not appear.

Dr Waterman moved, seconded by Ms. Ellsworth, to deny the appeal based on curriculum deficiencies and to accept 2.25 hours in ethics. The motion passed unanimously.

Jean Dougherty

Tabled

Susan Ash

Ms. Rinaudo reviewed the information submitted in support of the appeal.

Ms. Ash appeared in person and addressed the committee.

Following review, members requested a corrected verification of the applicant's Washington license, a detailed accurate work history, and a verification of the applicant's work experience in Washington by a qualified professional.

Joseph Breck

Dr. Waterman recused herself from all matters involving Mr. Breck.

The applicant was noticed, but did not appear.

Following review of information submitted in support of the appeal, Dr. Martin moved, seconded by Ms. Hasseltine, to accept CP530 as meeting requirements for Multi-Cultural Foundations, CP501 and CP505 as meeting requirements for Counseling Theory, CP522, CP660, and CP509 as meeting the requirements for Social and Lifestyle, and to deny the appeal based on the lack of 2.5 credit hours in Multi-Cultural Foundations and 1 credit hour in Professional Counseling Ethics. The motion passed unanimously. Dr. Waterman was recused from the vote.

Elizabeth Faulkner

Ms. Faulkner appeared in person and addressed the committee.

Following review, Dr. Waterman moved, seconded by Dr. Martin, to accept the work experience and to deny the appeal based on the lack of 3 credit hours in Counseling Theory. The motion passed unanimously.

Gary Szostek

The applicant was noticed, but did not appear.

Dr. Waterman moved, seconded by Ms. Hasseltine, to deny the appeal based on the applicant's failure to establish that he worked a minimum of 800 hours during 5 of the last 7 years in his licensing state. The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Ellsworth, to recommend to the Board to approve the following five applicants as Licensed Associate Counselors:

Annette Puccia
Kelly Mills

Laurie Cozzuli

Teresa O'Brien

Bradley DeVar

The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Ellsworth, to recommend to the Board to approve Flora Collett as a Licensed Associate Counselor. The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Ellsworth, to recommend to the Board to approve the following seven applicants as Licensed Associate Counselors after receipt of a passing score on the required exam:

Laurie Yazwa
Ashleigh Berry

M. Elaine Yates
Carrie Lynn Mascaro

Anita Comstock
Melisa Jones

Sandra Billeter

The motion passed unanimously. Dr. Martin was recused from the vote.

Dr. Waterman moved, seconded by Ms. Ellsworth, to recommend to the Board to approve the following 13 applicants as Licensed Professional Counselors:

Monica Tato
Summer Wolfe
Jodi Hardy
Pamela Griggs

John Taylor
Nicoline Mayger
Lisa Gratton

Sarah Smoger
Honor Johnson
Doug Malm

Luis Pena
Pamela Vandemaker
Helen Kazemi

The motion passed unanimously.

Dr. Waterman moved, seconded by Ms. Ellsworth, to recommend to the Board to deny Johnny Cooper, Geraldine Berwanger, Christopher Vitez, Rosa Sullivan, Howard Oseran, Denise Cox, Belinda Knox, Steven Ross and Denise Beagley-Imhoff based on their failure to establish that they meet minimum licensure requirements. 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 February 24, 2006, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

18. Adjournment

Dr. Waterman moved, seconded by Dr. Martin, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:40 p.m.

William Martin
Secretary/Treasurer

Date