



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, November 15, 2010

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

1. **Call to Order**

The meeting was called to order on November 15, 2010, at 9:02 a.m., with Ms. de Blank presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Goodman moved, seconded by Ms. Fortier, to approve the minutes from the September 28, 2010, teleconference as submitted. The motion passed unanimously. Ms. Artac abstained from the vote.

Mr. Goodman moved, seconded by Ms. Fortier, to approve the general meeting minutes from the October 22, 2010, meeting as submitted. The motion passed unanimously. Ms. de Blank 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. 2011-0008, Marina Greco, LPC-2159

Mr. Goodman recused himself from all matters involving Ms. Greco.

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

The complainant appeared in person and addressed the committee.

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

Following discussion by members, Ms. Fortier 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)(k), any conduct or practice that is contrary to recognized standards of ethics, as it relates to the ACA Code of Ethics Section A.5.c, Non-professional Interactions, and A.5.d., Potentially Beneficial Interactions
- 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, Client Record

The motion passed unanimously.

Following further discussion, Ms. Fortier 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
- The professional shall complete 3 clock hours of pre-approved continuing education regarding current behavioral health documentation requirements
- The professional shall complete the 6 clock hour NASW Staying Out of Trouble course or an equivalent pre-approved course
- The professional shall complete 6 clock hours of continuing education addressing behavioral health ethics. The professional can submit coursework already completed for consideration
- All required continuing education shall be completed within the first 6 months of probation
- The professional shall receive weekly clinical supervision for 24 months from a pre-approved independently licensed clinical supervisor
- The clinical supervision shall focus on boundaries and current behavioral health documentation requirements and the clinical supervisor shall submit quarterly reports for approval
- The professional receive therapy from a pre-approved therapist for 12 months
- Therapy shall be weekly for the first 6 months. The frequency of the required therapy can be modified to every 2 weeks for the last 6 months upon the therapist's recommendation and approval by the CCC Chair
- The therapist shall submit quarterly reports for approval
- The professional can request early release after 12 months upon completion of the required therapy and education upon the supervisor's recommendation

The motion passed unanimously.

B. 2010-0092, Kevin Alexander, LPC-10802

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

The complainant was properly noticed, but did not appear.

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

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

- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board, as it relates to the following:
 - A.A.C. R4-6-1102, Treatment Plan
 - A.A.C. R4-6-1103, Client Record

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 for an Order of Censure. The motion passed unanimously.

Ms. de Blank moved, seconded by Mr. Goodman, to include A.A.C. R4-6-1101, Consent for Treatment, as an additional practice standard the professional failed to comply with. The motion passed unanimously.

C. 2010-0027, Sue Ann Atkerson, LPC-1886

Mr. Goodman recused himself from all matters involving Ms. Atkerson.

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

The complainant appeared in person and addressed the committee.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Artac moved, seconded by Ms. Fortier, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

Following further discussion, Ms. Artac moved, seconded by Ms. de Blank, to refer the complainant's failure to appropriately identify a resignation in lieu of termination on his pending LCSWE application to the Social Work Credentialing Committee for consideration. The motion passed unanimously.

D. Matthew Gordon, LMSW applicant

Ms. Rinaudo summarized the results of the background investigation.

The applicant and his attorney, Charles Hover, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. Fortier, to open a complaint based on the information in the investigative report and recommend to the Board to dismiss the complaint with a letter of concern. The motion passed unanimously.

The committee took a break at 10:36 a.m., reconvening its public meeting at 10:47 a.m.

E. Angela Zibert, LAC applicant

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

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. de Blank, to open a complaint based on the information in the investigative report and recommend to the Board to dismiss the complaint with a letter of concern. The motion passed unanimously.

F. 2009-0083, Leanne Schroeder, LAC-11691

Ms. Rinaudo summarized information regarding the professional's recent termination for cause while subject to a Board consent agreement.

The professional appeared in person and addressed the committee.

Following discussion by members, Ms. Artac moved, seconded by Mr. Goodman, to open a new complaint based on the identification of practice issues similar to those that led to the pending consent agreement and the professional's failure to appropriately communicate with the Board regarding changes in her employment status. The motion passed unanimously.

Following further discussion, Ms. Artac moved, seconded by Mr. Goodman, to recommend to the Board to accept an amended consent agreement that stipulates the following:

- Revocation of the professional's license
- The findings of fact shall be modified to reflect the recent employment problems
- The stayed investigative costs shall be modified to reflect additional costs incurred by the Board
- The revocation shall be stayed pending successful completion of the following terms:
- 3 additional clock hours of continuing education addressing current behavioral health documentation requirements within 6 months
- 15 months of clinical supervision by a pre-approved independently licensed behavioral health professional after the professional obtains employment
- The clinical supervision shall address current behavioral health documentation requirements and compliance with Board consent agreements

The motion passed unanimously.

5. Report from the Chair

No report

6. Report from the Executive Director and/or staff

A. General Agency Operations

None

B. Member and staff personal safety issues

Members discussed personal safety issues during public meetings. Ms. Rinaudo advised members that any member with a safety concern should advise the person creating the concern to modify his/her conduct or the Board's security officer will remove them from the meeting room.

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

None

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

Following review, Mr. Goodman moved, seconded by Ms. Fortier, to approve the consent agenda as reviewed by Ms. de Blank, granting inactive status to Scott Tiffany. The motion passed unanimously.

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

None

12. Applications for renewal: review, consideration and action

None

13. Applications for reassessment: review, consideration and action

None

15. Applications for licensure: review, consideration and action

The committee took a break for lunch at 11:55 a.m., reconvening its public meeting at 1:05 p.m.

The committee took a break at 3:15 p.m., reconvening its public meeting at 3:18 p.m.

Independent Contractor

Leah Thomas (Eagle Counseling Ministries)

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

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. de Blank, to find that the work experience acquired as an independent contractor does not meet the requirements set forth in A.A.C. R4-6-210(3). The motion passed unanimously.

Lynda Bull (The Sundance Center)

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

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 Mr. Goodman, to find that the work experience acquired as an independent contractor does not meet the requirements set forth in A.A.C. R4-6-210(3). The motion passed unanimously.

Contracted Supervisor

David Franzen (Glenn Cummings, LPC)

Members reviewed information submitted regarding clinical supervision hours completed by a clinical supervisor not employed by the same entity as the applicant.

Following review and discussion by members, Ms. Fortier moved, seconded by Ms. de Blank, to deny the clinical supervision hours provided by Mr. Cummings based on the following deficiencies:

- The lack of a written agreement between the clinical supervisor and the agency employing the applicant.

- The lack of written notice to the applicant's clients regarding clinical supervision provided by a professional not employed by the applicant's employer.
- The lack of a written release from the applicant's clients allowing the clinical supervisor to review their confidential information and documents.

The motion passed unanimously.

Lynda Bull (Jeff Schultz)

Members reviewed information submitted regarding clinical supervision hours completed by a clinical supervisor not employed by the same entity as the applicant.

Following review and discussion by members, Ms. de Blank moved, seconded by Mr. Goodman, to deny the clinical supervision hours provided by Mr. Schultz based on the following deficiencies:

- The lack of a written agreement between the clinical supervisor and the agency employing the applicant.
- The lack of written notice to the applicant's clients regarding clinical supervision provided by a professional not employed by the applicant's employer.
- The lack of a written release from the applicant's clients allowing the clinical supervisor to review their confidential information and documents.

The motion passed unanimously.

Appeals

A. Jill Lewis

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Ms. Artac moved, seconded by Mr. Goodman, to deny the appeal based on the reasons previously stated. The motion passed unanimously.

B. Elizabeth Dinerman

Members reviewed information submitted in support of the appeal.

The applicant and her clinical supervisor appeared in person and addressed the committee.

Following review and discussion by members, Ms. de Blank moved, seconded by Mr. Goodman, to find that the forms the applicant used meet the Board's minimum documentation standards and to deny the appeal based on the applicant's failure to establish that the work experience she acquired as an independent contractor met the requirements set forth in A.A.C. R4-6-210(b) and (f). The motion passed unanimously.

C. Debra Kaplan

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion, members requested additional information and/or documentation verifying that the work the applicant acquired as an independent contractor provided an appropriate level of direct supervision.

D. Kimberly Lindley

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee

Following review and discussion by members, Mr. Goodman moved, seconded by Ms. Artac, to accept the revised employment history and to deny the appeal based on the applicant's failure to establish that she meets the Board's work experience and clinical supervision requirements and her failure to complete a 3-semester credit hour course in both Counseling Theories and Chemical Dependency Counseling. The motion passed unanimously.

E. Leila Kottabi

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Ms. Artac moved, seconded by Ms. de Blank, to deny the appeal based on the reasons previously stated. The motion passed unanimously.

F. Sharla Denton

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion, members requested that the applicant provide clinical supervision documentation maintained by her clinical supervisor and a written explanation for the work experience and direct client contact hours verified by her supervisor.

G. Jeanette Vogan

Members reviewed information submitted in support of the appeal.

The applicant appeared in person and addressed the committee

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

The committee went off record to review files at 4:00 p.m., reconvening its public meeting at 6:05 p.m.

Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to approve Matthew Gordon as a Licensed Master Social Worker upon passage of the required exam, receipt of the required license issuance fee and the Board's dismissal of the pending complaint with a letter of concern. The motion passed unanimously.

Ms. de Blank moved, seconded by Mr. Goodman, to recommend to the Board to approve Angela Zibert as a Licensed Associate Counselor upon receipt of the required license issuance fee and the Board's dismissal of the pending complaint with a letter of concern. The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to approve the following 3 applicants as Licensed Associate Counselors upon receipt of the license issuance fee and a passing score on the required exam:

Timothy Mills Carlos Quijada Michael Simpson

The motion passed unanimously.

Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to approve the following 6 applicants as Licensed Associate Counselors upon receipt of the license issuance fee:

Rae Ann Nebel Denise Barnard Julie Smith
Alice Brangan Anne Marie Thornton Stephen Kittelson

The motion passed unanimously.

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

Jeanette Vogan Isabelle Shook Aurelio Duarte-Encinas
Joan Zantanos Dawn Ringling

The motion passed unanimously. Mr. Goodman was recused from the vote.

Ms. Fortier moved, seconded by Mr. Goodman, to recommend to the Board to deny the following 8 applicants based on their failure to establish that they meet minimum requirements in education and/or supervised work experience:

Geraldine Alexis
Leah Thomas

Lynda Bull
Antoinette Wilson

Suzanne Talts
David Franzen

Richard Killen
Mary Starks

The motion passed unanimously.

16. Future agenda items

None

17. Call for public comment

None

18. Establishment of future meeting date(s)

The next meeting is scheduled for Monday, December 13, 2010, at 9:00 a.m., at 3443 North Central Avenue, Room 908.

19. Adjournment

Ms. de blank moved, seconded by Mr. Goodman, to adjourn. The motion passed unanimously and the meeting was adjourned at 6:08 p.m.

Katherine Bloom
Secretary/Treasurer

Date