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JANET NAPOLITANO
Governor

GAIL CHASE
Board Chair

DEBRA RINAUDO
Executive Director

COUNSELING CREDENTIALING COMMITTEE MEETING MINUTES
Friday, September 26, 2003

Members Present: Lisa Aumack (left at 2:00), Susan Jernigan, Diane Pruetz, Carolyn Brown, William Martin
Staff Present: Debra Rinaudo, Patricia Reynolds, Marc Harris, A.A.G., Doreen Romney, Mary Wilson
Public Present: Ingrid Hagen, Jacqueline Kahn, Valerie Kemper, Lydia Jones, Dan Hagen, Rachel Hilgeford, Sondra Wilkening, Kathy Bynum, John Bynum, Diane D'Angelo, Larry Coker, Jim Krehbiel, Edward Nomura, Joel Currer, Anne Young, Shawn Turley, Karen Freeman, Jacqueline Scorza, Vicky Strome

1. Call to Order

The meeting was called to order on September 26, 2003, at 9:00 a.m. with Dr. Aumack presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Ms. Pruetz moved, seconded by Ms. Brown, to approve the August 22, 2003, general meeting minutes as submitted. The motion carried with Dr. Martin and Ms. Jernigan abstaining.

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

A. 2003-0037, Kathleen Bynum, CC-2468

Ms. Reynolds summarized the facts of the complaint and the results of her investigation.

The complainant, Val Kemper, owner and clinical director of West Valley Psychological Services (West Valley), and her attorney, Lydia Jones, appeared in person and addressed the committee. Ms. Kemper explained that, as the director of a licensed behavioral health agency, she is responsible for maintaining the clinical files for all clients served by West Valley. All independent contractors providing services to West Valley clients, including Ms. Bynum, sign contracts to abide by West Valley policies and procedures, which specifically provide that the clinical files for all West Valley clients are to remain at West Valley.

Ms. Bynum, and her attorney, Rob Boland, appeared in person and addressed the committee. Ms. Bynum stated that because she had entered into individual contracts with several health maintenance organizations to provide services to their members, she believed that she was responsible for the clinical files for these clients. She provided West Valley's tax I.D. number and business address to these organizations.

Ms. Pruetz moved, seconded by Ms. Brown, to go into executive session for the purpose of receiving legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the committee went into executive session at 10:19, reconvening the regular meeting at 10:29 a.m.

Following review and discussion by committee members, Ms Pruetz moved, seconded by Ms. Brown, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(j), any conduct, practice or condition that impairs the ability of the behavioral health professional to safely and competently practice based on the professional removing client files from West Valley in violation of West Valley's policies and procedures. The motion passed unanimously.

Ms. Pruetz moved, seconded by Dr. Martin, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(b), the use of fraud or deceit in connection with rendering services, based on the professional keeping \$55 in co-pays and documenting that the fees were waived. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(i), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession as it relates to the American Counseling Association Code of Ethics B(4)(a), counselors maintain records as required by law and agency or institutional procedures based on the fact that the majority of the professional's files are missing one or more required client forms. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(j), any conduct or practice that impairs the ability of the behavioral health professional to safely and competently practice that profession, based on the professional not providing an appropriate transition for the clients she saw at West Valley. The motion passed unanimously.

Ms. Pruetz, moved, seconded by Dr. Martin, to recommend to the Board to accept a consent agreement that stipulates:

- Probation for 1 year,
- Completion of a 3-semester hour graduate level ethics course,
- Completion of a 6-clock hour documentation seminar,
- Completion of a minimum 4 clock hour workshop pertaining to independent practice, contractual arrangements and business practices,
- Payment of a \$400 civil penalty,
- Completion of 1 year of supervision,
- Supervision will be bi-weekly with quarterly reports to the committee chair,
- Supervision will focus on ethical standards and business practices,
- Supervisor will be a masters or higher level certified behavioral health professional,
- Supervisor will be pre-approved by committee chair,
- The professional will not provide clinical supervision while under the terms of this consent agreement,
- All costs will be borne by the professional.

The motion passed unanimously.

The committee took a break from 11:00 to 11:08 a.m.

B. 2003-0017, Sondra Wilkening, CC-1256

Ms. Reynolds summarized the facts of the complaint and results of her investigation. The professional and her attorney, Anna Young, appeared in person and addressed the committee. Ms. Reynolds attempted to reach the complainant by telephone, as he requested, but he was unavailable.

Following review and discussion by committee members, Ms. Pruetz moved, seconded by Dr. Martin, to recommend to the Board to dismiss the complaint as unsubstantiated. The motion passed unanimously.

C. 2003-0014, James Krehbiel, CC-1847

Ms. Reynolds summarized the facts of the complaint and results of her investigation. Mr. Krehbiel and his attorney, Larry Cohen, appeared in person and addressed the committee. Mr. Nomura, the father's attorney, addressed the committee.

Following review and discussion by committee members, Ms. Pruetz moved, seconded by Dr. Martin, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(d), a breach of confidentiality, based on the professional releasing confidential information to the father's attorney without a written release of information in an attempt to disseminate that information to the court. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(j), any conduct, practice or condition that impairs the ability of the certified behavioral health professional to safely and competently practice that profession, as it relates to A.R.S. 25-403(H), based on the professional's failure to release a minor child's records despite two written requests for records by the child's mother. The motion passed unanimously.

Ms. Pruetz moved, seconded by Dr. Martin, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(i), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the ACA Code of Ethics C(4)(a), a counselor will claim or imply only credentials possessed and C(4)(d), counselors do not attribute more to their credentials than the credentials represent, based on the professional signing an affidavit that stated that he is a licensed counselor when he is not. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(i), any conduct or practice contrary to recognized standards of ethics in the behavioral health profession, as it relates to the ACA Code of Ethics C(5)(c), counselors will be honest, accurate and unbiased in reporting to third parties, based on the professional's written statement that he conducted a psychological assessment when he didn't, his statements about the child's school behavior that were not substantiated in school records and his recommendation that the mother's visitation rights be curtailed without an appropriate basis. The motion passed unanimously.

Following review and discussion by committee members, Ms. Pruetz moved, seconded by Dr. Martin, to recommend to the Board to find a violation of A.R.S. §32-3251(10)(i), any conduct that is contrary to the recognized standards of ethics in the profession, as it relates to the ACA Code of Ethics A(1)(c), clients and their clients work jointly in devising integrated, individual counseling plans, based on the lack of a signed treatment plan and updates that would indicate continued consent to treat. The motion passed unanimously.

Following review and discussion by committee members, Ms. Brown moved, seconded by Dr. Martin, to recommend to the Board to approve a consent agreement that stipulates the following:

- One-year probation,
- Completion of 3-semester hour graduate level course in ethics,
- Completion of 6-clock hour recordkeeping workshop,
- Completion of 6-clock hour workshop on legal aspects of counseling when there are contested issues,
- Completion of 3-semester hour graduate level course in assessment and diagnosis,
- Supervision for one year,
- Semimonthly meetings with supervisor,
- Supervision will focus on ethical issues and treatment regarding issues related to this case,
- Supervisor will submit quarterly reports,
- Supervisor will be masters level certified professional,
- Professional will not provide clinical supervision while on supervision,
- All costs will be borne by the professional,

The motion passed unanimously.

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

A. Member training on file review

Ms. Rinaudo informed members that if a class does not appear to fit the required curriculum category, the file should be denied. An applicant always has the right to appeal the denial and provide additional information.

B. Curriculum grid review

Tabled

C. Member appointment to the Board

Tabled

D. Substantive Policy Statement – Department of Corrections

Tabled

E. On-line courses for Board ordered stipulations

Tabled

6. Report from the Executive Director and/or staff

A. General Agency Operations

B. Development of licensure rules

Ms. Strome addressed the committee regarding possible revisions to the counseling curriculum requirements. She suggested additional mandatory curriculum requirements. She also asked members to review the clinical examination questions previously provided to them. Members also discussed the possibility of requiring specific continuing education for supervisors. Ms. Rinaudo will incorporate suggested curriculum changes into the draft rules for further committee review.

C. Requirements for registered nurses practicing psychotherapy

Ms. Rinaudo reported that a licensed RN who has a counseling degree was denied certification as a CPC because of inappropriate work experience. It appears that she may be able to do psychotherapy after July 1, 2004, under the scope of practice of her nursing license. Ms. Rinaudo will meet with the Nursing Board regarding this issue.

7. Report from the Board and other committees

A. Board

No report.

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

None

9. Review, consideration and action of applications for renewal

None

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

Ms. Brown moved, seconded by Dr. Martin, to approve the consent agenda reviewed by Ms. Pruetz, granting 60-day extensions to Joni Delph and Stephanie Fields, 2nd 60-day extensions to Nancy Downs, Beverly Cornejo and Jane Jamison, and an exam extension to Karol Davis. The motion passed unanimously.

Diane D'Angelo – inactive status request

Following review of documentation, Ms. Pruetz moved, seconded by Dr. Martin, to grant inactive status to Ms. D'Angelo. The motion passed unanimously.

11. Review, consideration and action of applications for reassessment

A. Bari Ross

Ms. Ross appeared in person and addressed the committee. Following further review, members agreed that the professional meets the requirements for Certified Professional Counselor.

12. Review, consideration and action of applications for certification

Shawn Turley

Ms. Reynolds summarized information gathered in her investigation resulting from Mr. Turley's answers to background questions on his certification application. Committee members agreed no further review of this information is necessary.

James von Lintel

Tabled

Appeals

Jacqueline Scorza

Ms. Scorza appeared in person and addressed the committee regarding the fact that ethics is considered in every course in her graduate program. Members agreed that the statute requires a 3-semester hour course in ethics and Ms. Scorza has not met the requirement.

Following review and discussion, Ms. Brown moved, seconded by Dr. Williams, to deny the appeal. The motion passed unanimously.

Jacqueline Kahn

Ms. Kahn appeared in person and addressed the committee. The professional lacks a multi-cultural course and a general practicum, as well as one secondary curriculum course. Members discussed various programs and the intent of the curriculum requirements. Members agreed that the art therapy practicum can be used in the helping relationship category.

Following review and discussion, Ms. Brown moved, seconded by Dr. Martin, to deny the appeal based on the fact that the professional did not meet the multicultural counseling and practicum requirements. The motion passed unanimously.

Mary Perdue

Tabled

Jennifer Onstot
Tabled

Rachel Hilgeford

Ms. Brown moved, seconded by Ms. Pruetz, to accept the letter from the professor who taught the class as proof of completion of the multi-cultural requirement. The motion passed unanimously.

Independent Contractors

Ingrid Hagen

Ms. Hagen appeared in person and addressed the committee. The committee considered the professional's independent contractor relationship with Empact.

Karen Freeman

Following review of additional information, members agreed that the professional has not met the ethics and multi-cultural curriculum requirements.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to approve the following twenty-one applicants as Certified Professional Counselors:

Rita Archambault	Tina Bakalis	Kathleen McGuire	Kristi Thomas
Rachel Hilgeford	Larissa Rzeminski	Ella Cook	Jenifer Misiaszek
Barbara Grinnell	Rami Katz	Joyce Nuth	Alysson Zartaga
Lisa Marks	Ingrid Hagen	Helene Zupanc	Beverly Cornejo
Bari Ross	Kelly Marley	Brenda Allen	Marjory Tebbe
Shawn Turley			

The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to approve Barbara Panos and Shari Brown as Certified Professional Counselors after providing a passing score on the required exam. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to approve Dawn Milovich, Diane Woods and Michele Barker as Certified Associate Counselors. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to recommend to the Board to approve Jennifer Nelson, Robin Knapik, Melva Penne, Mary Smeeth, Alan Garner, Glenna Cook, Frank Macias, Shannon Schiefer and Kate Heier as Certified Associate Counselors after providing a passing score on the required exam. The motion passed unanimously.

Ms. Pruetz moved, seconded by Ms. Brown, to deny the following 11 applicants based on uncorrectable deficiencies:

Karen Freeman	Nancy Downs	Jaime Burns	Nola Woolman
James Von Lintel	Joan Mueller	Wilma Long	Sarah Matheson
Hugh Keating	Adam Wollmer	Anna Baker	

The motion passed unanimously.

13. Future agenda items

None

14. Call for public comment

None

15. Establishment of future meeting date(s)

The next meeting is scheduled for October 24, 2003, at 9:00 a.m. in room B-2. Ms. Rinaudo addressed the committee regarding the increase in applications and complaints and suggested members may want to consider scheduling extra meetings.

16. Adjournment

Ms. Pruetz moved, seconded by Ms. Brown, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:45 p.m.

Diane Pruetz
Secretary/Treasurer

Date