



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
3443 NORTH CENTRAL AVENUE, SUITE 1700
PHOENIX, AZ 85012
PHONE: 602.542.1882 FAX: 602-364-0890
Website: www.az.gov
Website: www.azbbhe.us
E-mail address: information@azbbhe.state.az.us

JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Friday, July 23, 2010

Members present: John Hogeboom, Cynthia Pio-Padilla

Member by telephone: Kirk Bowden

Staff present: Debra Rinaudo, Executive Director, Mary Wilson, Elma Brambila, Selena Samarrripaz

1. **Call to Order**

The meeting was called to order on July 23, 2010, at 9:03 a.m. with Mr. Hogeboom presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to approve the general meeting minutes from the May 21, 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.

Mr. Hogeboom reviewed the process for conducting informal meetings.

A. 2010-0085, *Jeremy Ernst, LAC applicant*

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

The professional addressed the committee telephonically.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Hogeboom, to adopt the violations found by the Counseling Credentialing Committee, and recommend denial of the license pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

B. 2010-0074, *Kyle Arena, LISAC-0468*

Ms. Rinaudo summarized the professional's failure to obtain the substance evaluation as ordered by the committee.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Dr. Bowden, to find violations of the following:

- A.R.S. §32-3251(12)(n), failing to comply with any lawful order of the Board
- A.R.S. §32-3251(12)(o), failing to furnish information requested by the Board

The motion passed unanimously.

Following further discussion by members, Dr. Bowden moved, seconded by Mr. Hogeboom, to recommend to the Board to offer the professional a consent agreement for the voluntary surrender of the professional's license and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

C. 2010-0063, Stephanie Hight, LPC-10323

Mr. Hogeboom indicated that Dr. Sucher is the medical director for his agency, but there is nothing in that relationship to prevent him from making an unbiased decision in this matter.

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

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to find a violation of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the professional to safely and competently practice, and to offer the professional a consent agreement for an Order of Censure. The motion passed unanimously.

D. 2010-0087, Gayle Billingsley, LASAC-13093

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

The professional and her attorney, Larry Cohen, addressed the committee telephonically.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to recommend to the Board to find the following violations:

- A.R.S. §32-3251(12)(n), failing to comply with or violating any provision of this chapter, as it relates to:
 - A.R.S. §32-3321(E), a licensed associate substance abuse counselor shall practice only under direct supervision
 - A.A.C. R4-6-707, a licensed associate substance abuse counselor shall not engage in independent practice and shall practice only under direct supervision
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as it relates to:
 - A.A.C. R4-6-1101, consent for treatment
 - A.A.C. R4-6-1102, treatment plan
 - A.A.C. R4-6-1103(B)(9), client record

The motion passed unanimously.

Following further discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to offer the professional a consent agreement that stipulates the following:

- The professional's license will be placed on indefinite probation
- The professional shall complete a 3-semester credit hour graduate level ethics course
- The professional shall complete a 3-semester credit hour graduate level course in documentation
- The required education shall be completed within 12 months
- The professional shall not practice under her license until she provides written notice to the Board that she intends to return to practice
- After she returns to practice, the professional shall receive clinical supervision by a pre-approved independently licensed professional for a period of 24 months
- The clinical supervision will be weekly
- Early release is available after 12 months

The motion passed unanimously.

E. 2010-0001, Gerald Garnenez, LISAC-11526

Ms. Rinaudo summarized information regarding the professional's non-compliance with the terms of his pending consent agreement.

The professional addressed the committee telephonically.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Dr. Bowden, to open a new complaint and to recommend to the Board to find a violation of A.R.S. §32-3251(12)(n), failure to comply with a Board consent agreement, offer a consent agreement for the voluntary surrender of the professional's license and, if not signed, to remand the matter to formal hearing. The motion passed unanimously.

F. 2010-0060, David Brown, LISAC-11439

Ms. Rinaudo reviewed the Board's request that the committee reconsider dismissal of this complaint pursuant to A.R.S. § 32-3281(D)(1) and (E).

Following review and discussion, members agreed not to modify their original recommendation based on the lack of evidence indicating that the services the professional provided as identified in the complaint were not provided under his license and to forward the matter back to the Board. The motion passed unanimously.

G. 2009-0012, Marvin Hillyard, LISAC-1408

Ms. Rinaudo summarized the professional's non-compliance with his pending consent agreement.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find a violation of A.R.S. §32-3251(12)(n), failure to comply with a consent agreement, and offer a new consent agreement that stipulates the following:

- Indefinite probation
- Completion of a 3-semester credit hour graduate level ethics course complete within 12 months
- Complete of 8 clock hours of continuing education in documentation as originally stipulated
- The professional shall not practice under his license until he provides written notice to the Board that he intends to return to practice
- The professional shall only provide behavioral health services in an OBHL licensed agency
- After he returns to practice, the professional shall receive clinical supervision by a pre-approved independently licensed professional for a period of 12 months
- The clinical supervision will be weekly
- Stayed investigative cost of \$1,026

The motion passed unanimously.

H. Charise Spisak, LAMFT applicant

Tabled

The committee took a break at 10:52 a.m., reconvening its public meeting at 11:02 a.m.

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

A. Change of regular meeting day

Members were unable to agree on a new meeting day.

6. Report from the Executive Director and/or staff

A. General Agency Operations

No report

7. Board, committee and subcommittee reports (discuss and possible action)

None

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

No report.

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

A. Arbita Ferozpurwalla (Michelle Kaplan, LMFT)

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

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the request for a supervisor exemption for hours to be provided by Michelle Kaplan, LMFT, based on a determination that the proposed supervisor lacks appropriate training in substance abuse counseling and because it would violate A.A.C. R4-6-210(1). The motion passed unanimously.

B. Arbita Ferozepurwalla (Belinda Rouzaud, LCSW)

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

Following review and discussion, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the request for a supervisor exemption for hours to be provided by Belinda Rouzaud, LCSW, based on a determination that the proposed supervisor lacks appropriate training in substance abuse counseling and because it would violate A.A.C. R4-6-210(1). The motion passed unanimously.

10. Applications for reciprocal license: review, consideration and action

None

11. Consent agenda: review, consideration and action regarding requests for extensions and inactive status

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to approve the consent agenda, as reviewed by Mr. Hogeboom, granting 60-day extensions to Ziongloria Hezekiah and Charles McFarland, a 2nd 60-day extension to Margaret Bidegain, and inactive status to Edward Hernandez and Jennifer Gebhart. The motion passed unanimously.

12. Applications for inactive extension requests: review, consideration and action

None

13. Applications for licensure: review, consideration and action

Appeals

A. Lisa Gilbert

Members reviewed the original information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

B. Charity James

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. Hogeboom moved, seconded by Dr. Bowden, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

C. Robert Wilkins

Members reviewed the information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

D. Meghan Krein

Members reviewed information submitted in support of the appeal.

The applicant addressed the committee telephonically.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Dr. Bowden, to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

The committee reviewed files from 12:25 a.m. through 1:20 p.m.

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to approve Arbita Ferozerpula as a Licensed Associate Substance Abuse Counselor upon receipt of a passing score on the required exam and the required license issuance fee. The motion passed unanimously.

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve Eric Lee and Elizabeth Anderson as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee. The motion passed unanimously.

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the following 6 applicants based on their failure to meet minimum licensure requirements:

Elizabeth Timko	Randy Graham	Patricia Lloyd
Sat Khalsa	Ziongloria Heseiah	Wendy Sizer

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 August 20, 2010, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:30 p.m.

Kirk Bowden
Secretary/Treasurer

Date