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MICHAEL SALAZAR
Board Chair

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Friday, December 17, 2004

Members Present: Jim Roth, Michael Salazar, Geri Sosa, Del Worley (in at 9:20 a.m. and left at 12:15 p.m.),
Diane Pruetz (1:05 p.m. - 1:24 p.m.)

Staff Present: Debra Rinaudo, Marc Harris, Amy Shelton, Kami Thur, Mary Wilson

Public Present: Robert Fern, Andres Bustamante, Bruce Cole

Public by telephone: John Morris

1. Call to Order

The meeting was called to order on December 17, 2004, at 9:03 a.m. with Mr. Salazar presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Mr. Roth moved, seconded by Ms. Sosa, to approve the general meeting minutes from November 19, 2004, as submitted. The motion passed unanimously.

Mr. Roth moved, seconded by Mr. Salazar, to approve the minutes from November 1, 2004, teleconference as submitted. The motion carried with Ms. Sosa abstaining.

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

A. 2005-0047, Andres Bustamante, LISAC-11769

Mr. Fern, administrator for Hardin and Associates, asked to address the committee before it began its review of the complaint against Mr. Bustamante. Mr. Fern stated that he participated in the creation of a fraudulent CPC certificate and exam score for Mr. Bustamante. Mr. Fern stated that Mr. Bustamante had no knowledge of the creation of these documents. He stated that he intentionally misrepresented Mr. Bustamante as a Certified Professional Counselor to the Administrative Office of the Courts.

Mr. Bustamante appeared in person and addressed the committee. Members expressed concern regarding Mr. Bustamante's signature on contracts stating that he was a Certified Professional Counselor and a Licensed Professional Counselor. Mr. Bustamante stated that he did not understand the contracts and relied upon Mr. Fern to ensure the accuracy of those contracts.

Members questioned whether Mr. Bustamante signed other documents misrepresenting his certification status. Mr. Bustamante informed members he only uses his educational credentials after his signature.

Following discussion by members, Ms. Sosa moved, seconded by Ms. Worley, to recommend to the Board to dismiss the complaint as unsubstantiated. The motion passed unanimously.

B. Robert Fern, LISAC-10813

The committee reviewed Mr. Fern's statements that he fraudulently created a Certified Professional Counselor certificate and an NBCC exam score in Mr. Bustamante's name.

Mr. Fern reported that he had his license and was willing to surrender it to the Board.

Following discussion by members, Ms. Worley moved, seconded by Ms. Sosa, to open a complaint based upon the information contained in the investigative report and Mr. Fern's admissions to the committee. The motion passed unanimously.

Following additional discussion, Mr. Roth moved, seconded by Ms. Sosa, to direct staff to prepare a consent agreement for the revocation of Mr. Fern's license and to recommend to the Board to accept the consent agreement. The motion passed unanimously.

Mr. Fern surrendered his license to the Board's investigator.

C. David Rankin, SA-10703

Tabled

D. Michael Hinkel, LISAC-0614

Ms. Shelton reported the professional did not disclose any past convictions on his certification application or subsequent renewals. On his most recent renewal application, he failed to answer the background question regarding past convictions. After staff returned his renewal application to him for completion of this question, he disclosed a history involving two past convictions.

Following discussion, Ms. Sosa moved, seconded by Mr. Roth, to open a complaint based on a possible violation of A.R.S. §32-3251(10)(b), the use of fraud or deceit in establishing qualifications pursuant to this chapter, based on the professional's failure to disclose past convictions on previous certification and renewal applications. The motion carried with Mr. Salazar abstaining.

The committee took a break from 10:15 a.m., reconvening its regular meeting at 10:25 a.m.

E. John Morris, SA applicant

Mr. Roth recused himself from all matters regarding Mr. Morris.

Ms. Thur summarized the information regarding the professional's affirmative answer to background question 2 on the certification application regarding disciplinary action by professional associations. Mr. Morris addressed the committee telephonically.

Following discussion by members, Ms. Sosa moved, seconded by Mr. Salazar, to open a complaint based upon a possible violation of A.R.S. §32-3251(10)(e), betraying a professional confidence, based upon a possible disclosure of confidential client information by the professional. The motion passed unanimously. Mr. Roth was recused.

F. Jamie Pullen, SA applicant

Tabled

G. Kathlyn Ginter, SA applicant

No further action is required regarding the background information.

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.

7. Report from the Board and other committees

No report.

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

Ms. Worley reported that Del Boyd, a longtime contributor to the field, passed away yesterday.

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

None

10. Review, consideration and action regarding renewals

A. David Rankin

Tabled

B. Michael Hinkel

Ms. Worley moved, seconded by Ms. Sosa, to approve the pending renewal application. The motion passed unanimously.

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

Ms. Sosa moved, seconded by Mr. Salazar, to approve the consent agenda reviewed by Ms. Worley, granting 60-day extensions to Daniel Noonan, Teresa Grant, Susan Guerrero, Carla Zubiria, Sharon Saltarelli and Brough Stewart. The motion passed unanimously.

12. Review, consideration and action of applications for reassessment

None

13. Review, consideration and action of applications for certification

A. Deborah Leyva

Ms. Rinaudo reviewed how an administrative error resulted in the committee's premature review of the application.

Following discussion, Ms. Worley moved, seconded by Mr. Roth, to rescind the committee's November 19, 2004, motion to recommend licensure. The motion passed unanimously.

B. John Morris

Following discussion, Ms. Worley moved, seconded by Ms. Sosa, to rescind the committee's November 19, 2004, motion to recommend licensure. The motion passed unanimously. Mr. Roth was recused.

C. John Morris

Members opened a complaint based on the applicant's answer to background question 2 on the certification application. See agenda item 4(E).

D. Jamie Pullen

Tabled

E. Kathlyn Ginter

Following discussion, members agreed that no further investigation is necessary regarding the background information.

Appeals

Carlos Costa

Tabled

Bruce Cole

Ms. Worley recused herself from all matters involving Mr. Cole.

Ms. Rinaudo reviewed the documents submitted by the professional in support of the appeal. Mr. Cole appeared in person and addressed the committee.

Mr. Roth moved, seconded by Ms. Sosa, to deny the appeal based on lack of supervised work experience in substance abuse counseling. The motion passed unanimously. Ms. Worley was recused.

Barbara Begay

Ms. Rinaudo reviewed the documents submitted by the professional in support of the appeal.

Following discussion, members agreed that the applicant meets certification requirements.

Bernice Anne Russell

Following review, members agreed that the applicant meets all requirements.

Mr. Roth moved, seconded by Ms. Sosa, to recommend to the Board to approve Christopher Haddad as a Licensed Independent Substance Abuse Counselor. The motion passed unanimously.

Mr. Roth moved, seconded by Ms. Sosa, to recommend to the Board to approve Barbara Begay and Bernice Anne Russell as Licensed Independent Substance Abuse Counselors pursuant to the successful appeal of the denial of their certification applications. The motion passed unanimously.

Mr. Roth moved, seconded by Ms. Sosa, to recommend to the Board to approve Kathleen Sullivan and Julie Bundy as Licensed Associate Substance Abuse Counselors. The motion passed unanimously.

Mr. Roth moved, seconded by Ms. Sosa, to deny Bridgette Trombley, James Williams, Tamara Schmidt and Tiki Zerr based on their failure to meet licensure requirements. The motion passed unanimously.

Mr. Roth moved, seconded by Ms. Sosa, to deny the applications of Julie Pahe and Laraine Tsosie based on their failure to establish that, pursuant to R4-6-701(b), because of cultural considerations obtaining the required degree would be an extreme hardship based on their individual circumstances. 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 January 21, 2005, at 9:00 a.m. in room B-2.

17. Adjournment

Mr. Roth moved, seconded by Ms. Sosa, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:24 p.m.

Del Worley
Secretary/Treasurer

Date