



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Friday, December 18, 2009

Members present: John Hogeboom, Diane Devine (in person from 9:00-11:00, by telephone from 12:25-12:27), Kirk Bowden (out at 12:00), Randolph Lumm

Staff present: Debra Rinaudo, Mary Wilson, Elma Brambila

1. Call to Order

The meeting was called to order on December 18, 2009, at 9:05 a.m. with Mr. Hogeboom presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Ms. Devine moved, seconded by Dr. Bowden, to approve the general meeting minutes from the November 20, 2009, meeting as submitted. The motion passed unanimously.

Ms. Devine moved, seconded by Dr. Bowden, to approve the 9:23 a.m. executive session minutes from the October 16, 2009, meeting as submitted. The motion passed unanimously.

Ms. Devine moved, seconded by Dr. Bowden, to approve the 9:26 a.m. executive session minutes from the October 16, 2009, 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. 2009-0099, Joyce Morgan, LISAC-11586 and LCSW-2820

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. Devine moved, seconded by Dr. Bowden, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

B. 2009-0094, Kathryn Cooper, LAC-12766

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Gordon Lewis, appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Lumm, to recommend to the Board to find a violation of A.R.S. §32-3251(12)(ii), violating any federal or state law or rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. §13-3620(A), mandatory reporting abuse of a minor. The motion passed unanimously.

Following further discussion, Mr. Hogeboom moved, seconded by Dr. Bowden, to take no action regarding a possible violation of A.R.S. §32-3251(12)(l). The motion carried with Mr. Lumm opposed.

Following further review, Dr. Bowden moved, seconded by Mr. Lumm, to recommend to the Board to accept a consent agreement that stipulates the following:

- The license will be placed on probation for a period of 12 months
- The professional shall complete a 3-semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 6-clock hours of continuing education in mandatory reporting of child abuse requirements

The motion passed unanimously.

C. 2008-0044, Bridget Naughton, LISAC-1538

Ms. Rinaudo summarized issues regarding the professional's failure to comply with a pending consent agreement and Board staff's inability to locate the professional.

The professional was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Hogeboom, to open a complaint, find a violation of A.R.S. §32-3251(12)(n), failure to comply with a consent agreement, and recommend to the Board to remand the matter to formal hearing. The motion passed unanimously.

D. 2010-0057, Kelly Tinley, LMSW-12688

Ms. Rinaudo reviewed the SACC's previous recommendation to offer the professional a consent agreement for the indefinite suspension of her license.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Devine moved, seconded by Dr. Bowden, to recommend to the Board to accept the signed Interim Consent Agreement. The motion passed unanimously.

E. Daniela Canaval, LAC applicant

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

The applicant was properly noticed, but did not appear.

Following review and discussion, members agreed that no further action is necessary regarding the background issue.

The committee took a break at 10:10 a.m., reconvening its public meeting at 10:19 a.m.

F. Stephanie Hight, LPC-10323

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 Mr. Hogeboom, to open a complaint and order the professional to complete a substance abuse evaluation by a pre-approved addictionologist and to provide the evaluation report within 60 days. The motion passed unanimously.

G. Michael Decious, LASAC applicant

Ms. Devine disclosed that she sits on the Board of the People of Color Network, but nothing in that relationship would prevent her 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 Mr. Hogeboom, to open a complaint and deny the application based on a finding of unprofessional conduct. The motion passed unanimously.

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

B. Review of November 24, 2009, Notice of Claim against the Board

Ms. Rinaudo reviewed a Notice of Claim that has been filed against the Board.

C. Review of Board action regarding Gerald Garnenez, Complaint No. 2010-0001

Ms. Rinaudo reviewed Board action regarding Complaint No. 2010-0001 against Gerald Garnenez. The Board modified the proposed consent agreement to require that Mr. Garnenez complete therapy in addition to the other recommended consent agreement terms.

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

No report.

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

No report.

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

None

10. Applications for renewal: review, consideration and action

None

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

Dr. Bowden moved, seconded by Mr. Hogeboom, to approve the consent agenda, as reviewed by Ms. Devine, granting 60-day extensions to Michael Zantopp and Leann Stone-Ohlin and inactive status to Sonja Karihuhta. 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. Marsha Poree

Members reviewed information submitted in support of the appeal.

The applicant was properly noticed, but did not appear.

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

B. Michael Decious

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 accept PTC623, Counseling Families and Children, and to deny the appeal based on continuing curriculum deficiencies. The motion passed unanimously.

The committee reviewed files from 11:30 p.m. through 12:25 p.m.

Mr. Lumm moved, seconded by Mr. Hogeboom, to recommend to the Board to approve Amy Muscarello and Patricia Beck as Licensed Substance Abuse Technicians upon receipt of the required license issuance fee. The motion passed unanimously.

Mr. Hogeboom moved, seconded by Mr. Lumm, to recommend to the Board to approve Melody Brimhall as a Licensed Independent Substance Abuse Counselor upon receipt of the required license issuance fee. The motion passed unanimously.

Mr. Hogeboom moved, seconded by Mr. Lumm, to recommend to the Board to deny the following 3 applicants based on their failure to meet minimum licensure requirements:

Eva Howe	Leann Stone-Ohlin
Julianne Cartwright	

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 22, 2010, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Mr. Hogeboom moved, seconded by Mr. Lumm, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:27 p.m.

Secretary/Treasurer

Date