



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](http://www.az.gov)  
Website: [www.bbhe.state.az.us](http://www.bbhe.state.az.us)  
E-mail address: [azbbhe@bbhe.state.az.us](mailto:azbbhe@bbhe.state.az.us)

JANET NAPOLITANO  
Governor

CEDRIC DAVIS  
Board Chair

DEBRA RINAUDO  
Executive Director

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SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES  
Friday, January 18, 2008

Members Present: John Hogeboom (out at noon), Randolph Lumm, Robert Evans, Diane Devine

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Patricia Reynolds, Kami Thur, Sherry Blatner, Mary Wilson

**1. Call to Order**

The meeting was called to order on January 18, 2008, at 9:03 a.m. with Mr. Hogeboom presiding.

**2. Roll Call**

See above.

**3. Review and Approval of Minutes**

Mr. Evans moved, seconded by Mr. Lumm, to approve the general meeting minutes from December 21, 2007, as submitted. The motion passed unanimously. Ms. Devine 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.*

*A. 2007-0169, Jeremy Courtney, LISAC-11472*

Ms. Reynolds reported regarding the results of the investigation.

The professional appeared in person and addressed the committee.

Mr. Lumm moved, seconded by Mr. Hogeboom, to go into executive session for the purpose of discussing confidential behavioral health records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the committee went into executive session at 10:41 a.m., reconvening its public meeting at 10:49 a.m.

Following review and discussion by members, Mr. Evans moved, seconded by Mr. Lumm, to recommend to the Board to find violations of the following:

- A.R.S. §32-3251(10)(b), use of fraud or deceit in connection with rendering services as a certified behavioral health professional or in establishing qualifications pursuant to this chapter,
- A.R.S. §32-3251(12)(c)(ii), any oral or written misrepresentation of a fact by a licensee in any statements provided during an investigation by the Board,
- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession,

and to order a full diagnostic psychiatric evaluation that focuses on violence, anger management, veracity and misrepresentations and that addresses substance abuse, anger and ability to practice to be completed within 60 days from the date of evaluation notice sent by staff. The motion passed unanimously.

*B. 2008-0016, Deena Stewart-Hitzke, LISAC-10275*

Ms. Thur reported regarding the results of the investigation. Ms. Thur noted that the issues raised in the present complaint were reviewed and acted on by the Board in a previous complaint and that the professional is currently subject to a consent agreement adopted in the previous complaint.

The professional and her attorney, Ed Gaines, appeared in person and addressed the committee.

The complainant appeared in person and addressed the committee.

Following review and discussion, Mr. Evans moved, seconded by Mr. Lumm, to recommend to the Board to dismiss the complaint. The motion passed unanimously. Ms. Devine abstained from the vote.

*C. 2008-0009 and 2005-0088, David Rankin, LISAC-1703*

Ms. Thur reported regarding the results of her investigation. The professional did not comply with the terms of the consent agreement adopted regarding Complaint No. 2008-0009 and a second complaint was opened based on his non-compliance.

The professional was properly noticed, but did not appear.

The professional has indicated that he no longer wishes to maintain his license.

Following discussion by members, Mr. Hogeboom moved, seconded by Mr. Evans, to recommend to the Board to accept the proposed consent agreement providing that the professional will not practice under his license and will not renew his license when it expires. The motion passed unanimously.

*D. 2008-0048, Amy Kisner, LMSW applicant*

Ms. Blatner reported regarding the results of her investigation.

The applicant appeared in person and addressed the committee.

Following review and discussion, Ms. Devine moved, seconded by Mr. Evans, to recommend to the Board to dismiss the complaint with a letter of concern. The motion passed unanimously.

*The committee took a break at 9:55 a.m., reconvening its public meeting at 10:05 a.m.*

*E. 2007-0128, Kathleen Hernandez, LMSW-11377*

Ms. Blatner summarized the professional's request for release from the Interim Consent Agreement (ICA).

The professional appeared in person and addressed the committee.

Following review and discussion, Mr. Evans moved, seconded by Ms. Devine, to recommend to the Board find the following violations:

- 32-3251(12)(f), active habitual intemperance in the use of alcohol
- 32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession

and to recommend to the Board to release the professional from the ICA and to offer a consent agreement that stipulates the following:

- 12 months probation
- Attendance at AA twice a week
- Quarterly reports from sponsor
- Quarterly reports from doctor addressing compliance with treatment for the two medical issues

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*

*B. Discussion regarding proposed legislation*

Ms. Rinaudo reported regarding pending legislation proposed by the Board.

*C. Review, consideration and action regarding reciprocity applications*

None

*D. Discussion regarding process for handling background issues more than five years old*

Ms. Rinaudo reported many of the background issues being disclosed regarding substance abuse are more than five years old and don't fall within the grid recommended by the Substance Abuse Process Development Committee and accepted by the Board.

Following discussion by members, Ms. Devine moved, seconded by Mr. Evans, to direct staff to require no further action on background issues where the DUI or substance issue is over five years old unless other background issues are indicated. The motion passed unanimously.

**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. Exam extension and accommodation requests**

None

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

Ms. Devine moved, seconded by Mr. Evans, to accept the consent agenda as approved by Mr. Hogeboom, granting a 60-day extension to Evelyn Toadlena and inactive status to James Armstrong. The motion passed unanimously.

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

*A. Janice Baughman*

Members reviewed information submitted in support of the request for an extension to inactive status.

Following review, Ms. Devine moved, seconded by Mr. Evans, to approve the request for an extension to inactive status based on good cause. The motion passed unanimously.

**13. Applications for licensure: review, consideration and action**

Appeals

*Sharon Sherrill*

Ms. Rinaudo summarized the information submitted in support of the appeal.

Ms. Sherrill addressed the committee telephonically.

Following review and discussion, Mr. Hogeboom moved, seconded by Mr. Lumm, to accept 21 semester credit hours from the degree and to deny the appeal based on the applicant's failure establish that she passed SWG502. The motion passed unanimously.

*Jerry Law*

Ms. Rinaudo summarized the information submitted in support of the appeal. The appeal was previously considered without reviewing curriculum. Additionally, the applicant's degree is from a non-regionally accredited program.

Mr. Law appeared in person and addressed the committee.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Mr. Lumm, to deny the appeal based on the degree not meeting minimum requirements under licensure. The motion passed unanimously. Mr. Evans was recused from the vote.

*Kathy Phipps*

Ms. Rinaudo summarized the information submitted in support of the appeal.

Ms. Phipps appeared in person and addressed the committee.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Mr. Evans, to deny the appeal because the applicant did not complete the required degree. The motion passed unanimously. Mr. Lumm and Ms. Devine abstained from the vote.

*The committee went off record to review files at 11:45 a.m., reconvening its public meeting at 12:06 p.m.*

Mr. Evans moved, seconded by Mr. Lumm, to recommend to the Board to approve Jeanne Witter as a Licensed Independent Substance Abuse Counselor. The motion passed unanimously.

Mr. Lumm moved, seconded by Mr. Evans, to recommend to the Board to approve Emily Endreson as a Licensed Associate Substance Abuse Counselor upon receipt of a favorable fingerprint report. The motion passed unanimously.

Mr. Evans moved, seconded by Mr. Lumm, to recommend to the Board to approve Betty Thornton as a Licensed Associate Substance Abuse Counselor upon receipt of a passing score on the required exam. 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 February 15, 2008, at 9:00 a.m. at 3443 North Central, Room 908.

**17. Adjournment**

Mr. Lumm moved, seconded by Mr. Evans, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:25 p.m.

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Diana Devine  
Secretary/Treasurer

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Date