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BOARD OF BEHAVIORAL HEALTH EXAMINERS  
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JANET NAPOLITANO  
Governor

DEBRA RINAUDO  
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES  
Friday, November 21, 2008

AMENDED

Members present: John Hogeboom, Randolph Lumm, Diane Devine  
Members absent: Robert Evans  
Staff Present: Patricia Reynolds, Marc Harris, A.A.G., Elma Brambila, Mary Wilson

1. **Call to Order**

The meeting was called to order on November 21, 2008, at 9:06 a.m. with Mr. Hogeboom presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Lumm moved, seconded by Ms. Devine, to approve the general meeting minutes from October 17, 2008, 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.*

*A. 2003-0083, 2005-0113, 2006-0116 and 2006-0156, Brenda Sheets, LISAC-1529 suspended*

Ms. Reynolds summarized the results of the Board's investigations of the following complaints.

The complainants were properly noticed, but did not appear.

The professional and her attorney, Michael Wolver, appeared in person and addressed the committee.

**2003-0083**

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Devine, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

**2005-0113**

Following review and discussion by members, Mr. Lumm moved, seconded by Ms. Devine, to recommend to the Board to find the following violation:

- A.R.S. §32-3286(A), except as prescribed in A.R.S. §32-3271, a person not licensed pursuant to this chapter shall not engage in the practice of behavioral health

The motion passed unanimously.

**2006-0116**

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to find the following violation:

- A.R.S. §32-3286(A), except as prescribed in A.R.S. §32-3271, a person not licensed pursuant to this chapter shall not engage in the practice of behavioral health

The motion passed unanimously.

2006-0156

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to find the following violation:

- A.R.S. §32-3286(A), except as prescribed in A.R.S. §32-3271, a person not licensed pursuant to this chapter shall not engage in the practice of behavioral health

The motion passed unanimously.

Following further discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to consolidate the three complaints and recommend to the Board to offer a consent agreement that stipulates:

- When the professional's license is reinstated, it will be immediately placed on 24 months probation
- The professional will receive clinical supervision from a pre-approved master level LISAC
- The clinical supervision will be one hour per 40 hours of work and will focus on scope of practice issues
- The clinical supervisor will submit quarterly reports to the committee chair for approval

The motion passed unanimously.

*B. 2008-0086, Mary Erhart, LISAC-0874*

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

The professional appeared telephonically.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Devine, to dismiss the complaint as being without merit pursuant to A.R.S. §32-3281(D)(1) and (E) and to remove it from the professional's complaint history. The motion passed unanimously.

*C. 2007-0021, Colleen Lane, LISAC-10624*

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

The complainant was properly noticed, but did not appear.

The professional was properly noticed, but did not appear.

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

*D. 2006-0034, Jean Bernal, LISAC-10372 suspended*

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

The complainant appeared in person and addressed the committee.

The professional was properly noticed, but did not appear.

Mr. Harris explained that the professional's license is suspended by operation of law because the professional failed to renew her license while a complaint was pending against her.

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

- A.R.S. §32-3251(12) (j), any conduct, practice or condition that impairs the ability of the licensed behavioral health professional to safely and competently practice that profession
- A.R.S. §32-3251(12)ii), violating any state law applicable to the practice of behavioral health, as it relates to A.R.S. §13-3620(A)

- A.R.S. §32-3286(A), except as prescribed in 32-3271, a person not licensed pursuant to this chapter shall not engage in the practice of behavioral health
- A.R.S. §32-3251(10)(e) and A.R.S. §32-3251(12)(t), disclosing a professional confidence
- A.R.S. §32-3251(12)(p), failing to conform to minimum practice standards as developed by the Board 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, progress notes

and to offer the professional a consent agreement for the voluntary surrender of the license and, if not signed, to recommend to the Board to remand to this matter formal hearing for revocation. The motion passed unanimously.

*E. 2006-0023 and 2007-0057, Sherry Buck, LISAC-10316*  
2006-0023

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

The professional appeared in person and was available for questions.

Following review and discussion by members, Mr. Lumm moved, seconded by Mr. Hogeboom, to dismiss the complaint as being without merit pursuant to A.R.S. §32-3281(D)(1) and (E), and to remove it from the professional's complaint history. The motion passed unanimously.

2007-0057

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

The professional appeared in person and was available for questions.

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to dismiss the complaint as being without merit pursuant to A.R.S. §32-3281(D)(1) and (E), and to remove it from the professional's complaint history. The motion passed unanimously.

*F. 2006-0021, Maria Kinsella, LISAC-1590*

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

The complainant appeared in person and addressed the committee.

The professional appeared in person and was available for questions.

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Hogeboom, to recommend to the Board to offer the professional an interim consent agreement not to practice. The motion passed unanimously.

*G. 2006-0022 and 2007-0056, Mary Flanery, LISAC-1695*  
2006-0022

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

The professional appeared in person and was available for questions.

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to dismiss the complaint as being without merit pursuant to A.R.S. §32-3281(D)(1) and (E), and to remove it from the professional's complaint history. The motion passed unanimously.

2007-0056

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

The professional appeared in person and was available for questions.

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to dismiss the complaint as being without merit pursuant to A.R.S. §32-3281(D)(1) and (E), and to remove it from the professional's complaint history. The motion passed unanimously.

*H. 2006-0153 and 2007-0036, John Butler, LISAC-0793*

The committee took a break at 10:10 a.m., for Mr. Hogeboom to consult with the Board's legal advisor, reconvening its public meeting at 10:16 a.m. Mr. Hogeboom recused himself from all matters involving this complaint.

Mr. Harris explained to the parties that the matter has to be rescheduled because of the lack of quorum of committee members available to hear this matter.

*I. 2005-0069, John Morris, CSAC applicant*

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

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

*J. 2006-0002, Lisa Kaufman, LISAC-10633*

Ms. Reynolds 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, Mr. Lumm moved, seconded by Ms. Devine, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

*K. 2006-0148, Eric Cross, LISAC-1339 (suspended)*

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

The professional was properly noticed, but did not appear.

Following review and discussion by members, Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to find the following violation:

- A.R.S. §32-3251(10)(b) and §32-3251(12)(b), use of fraud or deceit in connection with rendering services as a behavioral health professional/licensee or in establishing qualifications pursuant to this chapter

and to offer the professional a consent agreement for the voluntary surrender of the license and, if not signed, to remand to this matter to formal hearing for revocation. The motion passed unanimously.

*L. Kevin Wisz, LSAT applicant*

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

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Devine, to open a complaint and recommend to the Board to deny the application pursuant to A.R.S. § 32-3275(6) based on the following violations:

- A violation of A.R.S. §32-3251(12)(f), active habitual intemperance in the use of alcohol.
- A violation of A.R.S. §32-3251(12)(l), any conduct, practice, or condition that impairs the ability of the licensed behavioral health professional to safely and competently practice, based on a consistent pattern of poor judgment and employment performance problems.

The motion passed unanimously.

*M. 2009-0045, Donald Langford, LPC-1598*

Ms. Reynolds summarized the Board's investigation.

The professional appeared in person and addressed the committee.

The professional's attorney, John Sears, addressed the committee telephonically.

Following review and discussion by members, Mr. Hogeboom moved, seconded by Ms. Devine, to recommend to the Board to deny the professional's request for release from the Interim Consent Agreement based on the professional's failure to establish a period of sobriety for any length of time. 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. Review of recent Board decisions*

Tabled

**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.**

*A. Anna Broussard (Helen Leonard, LPC)*

Ms. Devine recused herself from this matter based on the applicant's employment by her agency.

The matter was continued due to a lack of quorum.

**10. Applications for reassessment: review, consideration and action**

None

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

Mr. Hogeboom moved, seconded by Mr. Lumm, to approve the consent agenda as reviewed by Ms. Devine granting a 60-day extension to Audrey Chambers. The motion passed unanimously.

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

*A. Anissa Andrews*

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

Following review and discussion by members, Mr. Hogeboom moved, seconded by Mr. Lumm, to grant the professional's request for an extension of inactive status. The motion passed unanimously.

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

*The committee went off record to review files at 11:30 p.m., reconvening its public meeting at 12:29 p.m.*

Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to approve Bernard Wilson as a Reciprocal Licensed Independent Substance Abuse Counselor upon receipt of the required license issuance fee. The motion passed unanimously.

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

Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to approve Chandra Conwell as a Licensed Substance Abuse Technician upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to approve Annette Michel as a Licensed Substance Abuse Technician upon receipt of a passing score on the required exam and the required license issuance fee. The motion passed unanimously.

Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to approve Loti Gest and Susan Lachica as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee. The motion passed unanimously.

Ms. Devine moved, seconded by Mr. Lumm, to recommend to the Board to deny Magdalene Cox and Jody Buechler based on their failure to meet minimum licensure requirements. 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 December 19, 2008, at 9:00 a.m. at 3443 North Central, Room 908.

**17. Adjournment**

Mr. Hogeboom moved, seconded by Ms. Devine, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:30 p.m.

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Diana Devine  
Secretary/Treasurer

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Date