



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.us

JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES
Friday, September 17, 2010

Members present: Kirk Bowden, Cynthia Pio-Padilla

Member by telephone: John Hogeboom

Staff present: Debra Rinaudo, Executive Director, Marc Harris, A.A.G., Mary Wilson, Elma Brambila,

1. **Call to Order**

The meeting was called to order on September 17, 2010, at 9:02 a.m. with Dr. Bowden presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to approve the general meeting minutes from the August 20, 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. Bowden reviewed the process for conducting informal meetings.

A. 2008-0090, Bradley Hudson, LPC-10645

Ms. Rinaudo summarized information regarding the professional's request for release from the interim consent agreement.

The professional appeared in person and addressed the committee.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the committee went into executive session at 9:53 a.m., reconvening its public meeting at 9:57 a.m.

Patricia Reynolds, Board Investigator, answered questions from members.

Following review and discussion by members, Dr. Bowden moved, seconded by Mr. Hogeboom, to recommend to the Board to deny the professional's request for release from the interim consent agreement. The motion passed unanimously.

B. 2010-0025, Scott Smith, LISAC-1224

Ms. Rinaudo summarized the results of the Board's background 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, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to find violations of the following:

- 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. R4-6-1103(A)(1), a licensee shall ensure that a client record is at all times protected from loss, damage or alteration
- A.R.S. §32-3251(12)(ii), violating any state rule applicable to the practice of behavioral health, as it relates to A.A.C. R9-20-211(A)(1), a licensee shall ensure that a single active client record is maintained for each client and protected at all times

The motion passed unanimously.

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

- The professional's license shall be placed on probation
- The professional shall complete a pre-approved 3-semester credit hour graduate level course in ethics within 12 months
- The professional shall receive weekly clinical supervision by a pre-approved independently licensed behavior health professional focusing on maintaining and protecting client records for 12 months
- The clinical supervisor shall submit quarterly reports for approval

The motion passed unanimously.

C. 2010-0020, Ramona Petrusek, LISAC-11656

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

The professional appeared in person and addressed the committee.

The complainant was properly noticed, but did not appear.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

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

Ms. Rinaudo summarized additional information obtained after the committee's first review of the matter.

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 that the complaint is without merit and to remove it from the professional's complaint history pursuant to A.R.S. §32-3281(D)(1) and (E). The motion passed unanimously.

E. 2010-0091, Melissa Martinez, LASAC applicant

Ms. Rinaudo summarized information regarding the professional's request for an extension to complete the substance abuse evaluation ordered by the committee.

The professional appeared in person and addressed the committee.

Following review and discussion by members, Dr. Bowden moved, to deny the professional's request for an extension to complete the ordered evaluation. The motion failed for lack of a second,

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Mr. Hogeboom, to grant the professional's request for an extension to complete the ordered evaluation for an additional 60 days. The motion carried with Dr. Bowden opposed.

F. Karmin Fowler, LAC-12527 and LPC applicant

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

The professional appeared in person and addressed the committee.

Following review and discussion by members, Ms. Pio-Padilla moved, seconded by Dr. Bowden, to open a complaint based on the professional's DUI and her failure to report the matter to the Board within 10 days, as required. The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to direct the professional to have a substance abuse evaluation by an addictionologist within 60 days. The motion passed unanimously.

G. Daniel Herrera, LASAC applicant

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

The applicant appeared in person and addressed the committee.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the committee went into executive session at 10:59 a.m., reconvening its public meeting at 11:03 a.m.

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to open a complaint, find violations of A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice, and A.R.S. §32-3251(12)(f), active intemperance in the use of alcohol, and to recommend to the Board to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to add an additional basis for denial of the licensure pursuant to A.R.S. §32-3275(5). 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 challenges resulting from budget problems

Ms. Rinaudo reported regarding current challenges facing the agency due to the state budget issues.

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. Margaret Bidegain (Mary Moreno, LPC)

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

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the request for an exemption for the clinical supervision hours provided by Mary Moreno, LPC, based on the applicant's failure to establish that the supervisor qualified for an exemption pursuant to A.A.C. R4-6-706(E). The motion passed unanimously.

B. Kimberly Rezarch (Michelle Vetter, LISW-Iowa)

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

Following review and discussion by members, Dr. Bowden moved, seconded by Ms. Pio-Padilla, to deny the request for an exemption for the clinical supervision hours provided by Michelle Vetter, LISW-Iowa, based on the applicant's failure to establish that the supervisor qualified for an exemption pursuant to A.A.C. R4-6-706(E). 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 Dr. Bowden, granting inactive status to Linda Mena and a 60-day extension to Donna Lane. The motion passed unanimously.

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

A. *Marilyn Howe, Inactive extension request*

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

Following review by members, Mr. Hogeboom moved, seconded by Ms. Pio-Padilla, to deny the request for an extension to inactive status based on the professional's failure to establish good cause pursuant to A.A.C. R4-6-209(B). The motion passed unanimously.

13. Applications for licensure: review, consideration and action

A. *Patricia Lloyd, LASAC applicant*

Dr. Bowden moved, seconded by Mr. Hogeboom, to rescind this committee's July 19, 2010, motion to recommend to the Board to approve Patricia Lloyd as a Licensed Associate Substance Abuse Counselor. The motion passed unanimously.

The committee reviewed files from 12:15 p.m. through 2:46 p.m.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to approve the following 4 applicants as Licensed Associate Substance Abuse Counselors upon receipt of the required license issuance fee:

| | |
|----------------|----------------|
| Patricia Lloyd | Stacy Marsden |
| Lester Putney | Martha Tambini |

The motion passed unanimously.

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to recommend to the Board to deny the following 3 applicants based on their failure to meet minimum licensure requirements:

| | |
|------------------|--------------|
| Kimberly Rezarch | Ashley Rooks |
| Stacy Pullen | |

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 October 15, 2010, at 9:00 a.m. at 3443 North Central, Room 908.

17. Adjournment

Dr. Bowden moved, seconded by Ms. Pio-Padilla, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:47 p.m.

Kirk Bowden
Secretary/Treasurer

Date