



STATE OF ARIZONA  
BOARD OF BEHAVIORAL HEALTH EXAMINERS  
1400 WEST WASHINGTON, SUITE 350  
PHOENIX, AZ 85007  
PHONE: 602.542.1882 FAX: 602.542.1830  
Website: [www.az.gov](http://www.az.gov)  
E-mail Address: [azbbhe@bbhe.state.az.us](mailto:azbbhe@bbhe.state.az.us)

JANE DEE HULL  
Governor

DEBRA RINAUDO  
Executive Director

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SUBSTANCE ABUSE CREDENTIALING COMMITTEE MEETING MINUTES  
Friday, September 20, 2002

Members Present: Michael Salazar, Jim Roth, Diane Pruetz  
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Patricia Reynolds, Mary Wilson  
Members Absent: Geri Sosa  
Public Present: Dale Litwiller, Dewey Thompson, Patricia Taylor, Kim O'Connor, Nelson Torres, Zachary Dalpra, Lauren Eiler

**1. Call to Order**

The meeting was called to order on September 20, 2002, at 9:08 a.m. with Mr. Salazar presiding.

**2. Roll Call**

See above.

**3. Review and Approval of Minutes**

The general meeting and executive session minutes from August 16, 2002, are tabled.

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

*A. Richard Slechta, applicant*

Ms. Rinaudo reviewed the professional's conduct in responding to Board forms and standard requests for information. She also reviewed a letter from Dr. Jess Miller to the committee regarding the professional's conduct during a telephone conversation with Dr. Caltaru. She also reviewed the professional's refusal to comply with the committee's request to have the professional attend the committee's August meeting. She also reviewed the professional's letter to Dr. Stone in which the professional directs Dr. Stone not to attend any meeting of the committee.

Mr. Roth moved, seconded by Ms. Pruetz, to go into Executive Session for the purposes of receiving legal advice pursuant to A.R.S. § 38-431.03(A)(3). The motion passed unanimously and the Committee went into Executive Session at 10:21 a.m. and reconvened its regular meeting at 10:45 a.m.

Following review and discussion, Ms. Pruetz moved, seconded by Mr. Roth, to open a complaint based upon a possible violation of A.R.S. 32-3251(9)(j), any conduct that affects his ability to safely and competently practice as a certified behavioral health professional, based upon the following:

1. The professional's conduct in providing written responses to standard Board forms and requests for information;
2. The professional's conduct during the weekend of May 17, 2002, during a telephone call to Dr. Daniela Caltaru;
3. The committee's receipt of a letter dated August 21, 2002, from Dr. Jess Miller stating that Dr. Miller terminated his relationship with the professional based upon the professional's conduct towards Dr. Caltaru and stating his concerns regarding the professional's ability to deal appropriately and effectively with a difficult psychiatric population and recommending a more extensive review of the professional's past medical records and possible psychological testing; and
4. Board receipt of a letter from the professional dated June 15, 2002, stating that he chose not to return for a scheduled visit with Dr. Miller because Dr. Miller granted him only 15 minutes for an evaluation visit, refused to read the medical history provided, ordered sleep testing rather than an EEG and would not write a letter to the committee or prescribe any prescriptions for long standing medications until sleep testing results were received. This information is directly contradicted by information provided by Dr. Miller.

Based upon the above circumstances, the committee requested that a complaint against the professional be filed and an investigation be conducted in order to determine whether the professional has any conduct, practice or condition which impairs his ability to safely and competently practice as a certified substance abuse counselor with an often difficult and frustrating client population.

The motion passed unanimously.

*B. 2002-0014, Dale Litwiller, SA-0028 and CC-10433*

Ms. Reynolds summarized the facts of the complaint. Mr. Litwiller appeared in person and addressed the committee. The complainant, Kim O'Connor from Maricopa County Probation, was present.

Following review and discussion by committee members, Ms. Pruetz moved, seconded by Mr. Roth, to recommend to the Board to find a violation of 32-3251(9)(d), obtaining a fee by fraud or misrepresentation, and to offer a consent agreement that stipulates to the following:

- One-year probation;
- Counseling on a monthly basis;
- Counselor will be a masters level certified behavioral health professional;
- Counselor will provide a treatment plan;
- Counselor will be pre-approved by the committee chair;
- Counseling will focus on addressing personal life issues in a positive way, coping with issues to avoid additional poor judgment, and separation of personal and professional lives;
- Counselor will provide quarterly reports;
- Counselor will provide final report to recommend release from probation;
- Completion of a 3-credit hour graduate level ethics course;
- All costs will be borne by Mr. Litwiller.

The motion passed unanimously.

Mr. Litwiller was advised that the violation is against him as a person and would be reflected on both his certifications if the Board accepts the recommendation.

*C. Nelson Torres, SA-0535*

Ms. Reynolds summarized the facts of the complaint. Mr. Torres appeared in person and addressed the committee stating that he has completed a diversion program regarding his arrest for carrying a concealed weapon without a concealed weapons permit.

Following review and discussion by committee members, Mr. Roth moved, seconded by Ms. Pruetz, to approve the renewal of certification.

*D. Patricia Taylor, SA-0901*

Ms. Reynolds summarized the facts of the complaint. Ms. Taylor appeared in person and addressed the committee regarding her different answers to the same question on her 2000 and 2002 renewals.

Following review and discussion by committee members, Mr. Roth moved, seconded by Ms. Pruetz, to recommend to the Board to offer a consent agreement that issues an order of censure and, upon acceptance of the signed consent agreement, to approve the renewal of certification. 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. Value Options request for licensure to allow LISAC s to provide general mental health counseling*  
Tabled

**7. Report from the Board and other committees**

*A. Board*

No report

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

None

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

None

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

None

**11. Review, consideration and action of applications for reassessment**

*A. John Kelley, September 29, 2001, initial denial*

Upon review of additional documentation, committee members agreed that Mr. Kelley meets the requirements for certification as a substance abuse counselor.

**12. Review, consideration and action of applications for certification**

*A. Balasz Batyka*

Ms. Reynolds requested that committee members review the investigative summary before reviewing the application. Upon review of additional documentation, committee members agreed that Mr. Batyka meets the requirements for certification as a substance abuse counselor.

*B. Dewey Thompson*

Ms. Reynolds summarized the facts of the application. Mr. Thompson appeared in person and addressed the committee regarding his previous substance abuse. Mr. Salazar expressed concern that there are issues regarding Mr. Thompson's attitude toward clients as recent as 2001 even though he has been sober since 1996.

Following review and discussion, committee members requested information regarding Mr. Thompson's recovery and work behavior. Mr. Thompson and his supervisors, Margie Frost and Tim Matheson, will attend the first scheduled meeting after the agency receives documentation regarding his rehabilitative efforts. Mr. Thompson will provide discharge summaries from all rehabilitation programs he has attended.

Ms. Pruetz moved, seconded by Mr. Roth, to recommend the following sixteen applicants to the Board for certification:

Arthur Deall, Jr.	Shannon McCook	Thomas McMahan	Balasz Batyka
Christine Ettinger	Adnan Alasadi	Annette Church	Judith Lopez
Kelly Riker	Nancy Andrews	Reed Bradford	Amber Hoch
Raquel Ramirez	Norma Fernandez	Judith Shew	John Kelley

The motion passed unanimously.

Ms. Pruetz moved, seconded by Mr. Roth, to deny Louis Nardone and Rene Doehrer based on uncorrectable deficiencies. The motion passed unanimously.

**12. Future agenda items**

None

**13. Call for public comment**

None

**14. Establishment of future meeting date(s)**

The next meeting is scheduled for October 18, 2002, at 9:00 a.m. in room B-2.

**15. Adjournment**

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

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Geraldine Sosa  
Secretary/Treasurer

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Date

