



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.bbhe.state.az.us
E-mail address: azbbhe@bbhe.state.az.us

JANET NAPOLITANO
Governor

CEDRIC DAVIS
Board Chair

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, April 13, 2007

Members Present: Cedric Davis, Teresa Menchaca, Douglas Mitchell

Members Absent: John Gutierrez

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Mary Grossi, Sherry Blatner, Sheila Perry-Johnson, Patricia Reynolds, Mary Wilson, Elma Brambila

1. **Call to Order**

The meeting was called to order on April 13, 2007, at 9:02 a.m. with Dr. Davis presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Ms. Menchaca moved, seconded by Mr. Mitchell, to approve the general meeting minutes from the March 9, 2007, meeting, as submitted. The motion passed unanimously.

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

Action by the committee on all disciplinary matters is a recommendation only. All final decisions are made by the Board.

A. 2005-0130, Daniel Mager, LMSW-2925

Tabled

B. 2007-0092, Richard Adams, LMSW-2866

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

Mr. Adams appeared in person and addressed the committee.

Scott Tiffany, Office of Behavioral Health Licensure, appeared on behalf of the complainant and addressed the committee.

Ms. Menchaca moved, seconded by Mr. Mitchell, to go into Executive Session for the purpose 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 9:58 a.m., reconvening its public meeting at 10:08 a.m.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Menchaca, to recommend to the Board to find violations of the following:

- A.R.S. §32-3251(12)(k), any conduct or practice that constitutes a danger to the health, welfare or safety of a client.
- 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.
- A.R.S. §32-3251(12)(m), engaging as a licensee in activities that are not congruent with the licensee's professional education, training or experience.

- A.R.S. §32-3251(12)(ii), violating any state law, rule or regulation applicable to the practice of behavioral health.
- A.R.S. §32-3251(12)(n), violating any rule adopted pursuant to this chapter, as it relates to A.A.C. R4-6-405 an LMSW shall only engage in the practice of clinical social work under direct supervision, and A.A.C. R4-6-101(25), a direct supervisor must have immediate responsibility and oversight for all services provided by an LMSW.

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Ms. Menchaca, to recommend to the Board to remand the case to formal hearing for revocation of the license if the professional does not agree to a consent agreement for the voluntarily surrender of his license. The motion passed unanimously.

C. 2007-0094, Kristine Hansen-Deller, LMSW applicant

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

Ms. Hanson-Deller appeared in person and addressed the committee.

Mr. Mitchell moved, seconded by Ms. Menchaca, to go into Executive Session for the purpose 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 12:07 p.m., reconvening its public meeting at 12:12 p.m.

Following discussion by members, Dr. Davis moved, seconded by Mr. Mitchell, 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, based on the applicant's misrepresentation of client visits.
- A.R.S. §32-3251(10)(j), any conduct, practice or condition that impairs the ability of the certified behavioral health professional to safely and competently practice, based on the applicant's problematic employment practices.
- A.R.S. §32-3251(10)(i), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it relates to the NASW Code of Ethics Section 1.07 privacy and confidentiality, based on the applicant's removal of client records from her place of employment without the knowledge or permission of her employer.

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Mitchell, to recommend to the Board to accept a consent agreement that stipulates the following:

- The license will be placed on probation for 12 months.
- Completion of a 3 semester credit hour graduate level ethics course.
- Professional can provide clinical supervision while under the terms of the consent agreement.
- The professional must receive clinical supervision from a clinical supervisor pre-approved by the committee chair.
- The clinical supervisor must submit quarterly reports for approval by the committee chair.
- The professional shall meet with the clinical supervisor for a minimum of one hour for every forty hours worked.
- The clinical supervision shall focus on documentation, fraud prevention and the confidentiality and security of client records.
- The professional can request release from the consent agreement after six months if all the terms of the consent agreement have been met.

The motion passed unanimously.

Mr. Mitchell moved, seconded by Ms. Menchaca, to rescind the committee's December 2006 motion to deny licensure based on a finding of unprofessional conduct. The motion passed unanimously.

D. 2005-0024, Patricia Jenson-Toogood, LCSW-1001

Ms. Reynolds summarized current information regarding the case.

Ms. Jenson-Toogood addressed the committee telephonically.

Following review and discussion by members, Mr. Mitchell moved, seconded by Ms. Menchaca, to recommend to the Board to dismiss the complaint and to accept the non-disciplinary consent agreement. The motion passed unanimously.

E. 2005-0105, Michael Caputa, LCSW-1701

Ms. Perry-Johnson summarized the results of the Board's investigation.

Mr. Caputa and his attorney, Stephen Myers, addressed the committee.

Mr. Mitchell moved, seconded by Ms. Menchaca, to go into Executive Session for the purpose 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 11:27 a.m., reconvening its public meeting at 11:40 a.m.

Following discussion by members, Dr. Davis moved, seconded by Mr. Mitchell, to open a complaint and to find that the professional violated the following:

- A.R.S. §32-3251(10)(b) and A.R.S. §32-3251(12)(b), use of fraud or deceit in connection with establishing qualifications pursuant to this chapter,
- A.R.S. §32-3251(12)(f), active, habitual intemperance in the use of alcohol,
- A.R.S. §32-3251(12)(l), any conduct 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 accept an Interim Consent Agreement with the following stipulations:

- The professional will attend AA meetings 5 days a week.
- The professional will submit monthly attendance logs verifying his attendance at AA meetings.
- The professional will abstain from use of alcohol and illegal substances and will notify the committee if he uses any prescribed medications.
- Random biological testing twice a month.
- The professional will obtain a substance abuse evaluation by a pre-approved addictionologist and submit the evaluation report to the Board within 60 days.
- The professional's caseload will not increase above 15 and he will not treat clients with substance abuse issues.
- If he has clients who have a substance abuse diagnosis, he will transfer them within 6 weeks and notify the Board in writing of the completion of all such transfers.

The motion passed unanimously.

The committee took a break at 11:55 a.m., reconvening its public meeting at 12:01 p.m.

F. 2007-0075, Eric Cuestas-Thompson, LMSW-11395, LISAC-10713 and LCSW applicant

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

Mr. Cuestas-Thompson and his attorney, Edward Gaines, addressed the committee.

Following discussion by members, Dr. Davis moved, seconded by Mr. Mitchell, to request that the professional have a substance abuse assessment by a pre-approved addictionologist and submit the assessment report to the Board within 60 days. The motion passed unanimously.

5. Report from the Chair and items for review, consideration, and possible action

None

6. Report from the Executive Director and/or staff

A. General Agency Operations

None.

B. Review, consideration and possible action regarding development of guidelines to review reciprocity.
None

C. Review, consideration and action regarding professionals who lose client records.
Mr. Harris, A.A.G., reported regarding decisions by other states about the loss of confidential client records.

7. Report from the Board and other committees

None

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

None

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

A. Molly Cook (Mary Baron, PhD)

Dr. Davis moved, seconded by Mr. Mitchell, to approve the clinical supervision hours provided by Mary Baron, PhD. The motion passed unanimously.

B. Barbara Erke (Dara Dupree, LMSW)

Dr. Davis moved, seconded by Ms. Menchaca, to deny the clinical supervision hours provided by Dara Dupree pursuant to A.A.C. R4-6-404(E), which requires that a clinical supervisor be licensed at the independent level. The motion passed unanimously.

C. Guadalupe Duran (Don Miretsky, LPC)

Dr. Davis moved, seconded by Mr. Mitchell, to approve the clinical supervision hours provided by Don Miretsky, LPC. The motion passed unanimously.

10. Applications for reassessment

None

11. Review, consideration and action of consent agenda for applications for inactive, extension and exam extension requests

Ms. Menchaca moved, seconded by Mr. Mitchell, to approve the consent agenda, as approved by Ms. Menchaca, granting second 60-day extensions to Raegan Oswald and Theresa Vinsick and inactive status to Karen Clifton, Donna Davis and Doriesta Sanders. The motion passed unanimously.

12. Review, consideration and action regarding exam accommodations and extensions

A. Gwendolyn Adakai, exam extension

Dr. Davis moved, seconded by Ms Menchaca, to deny the requested exam extension based on the applicant's failure to show good cause. The motion passed unanimously.

B. Ronald Goldman, exam accommodation

Dr. Davis moved, seconded by Mr. Mitchell, to grant the requested accommodation based on the completed paperwork. The motion passed unanimously.

13. Review, consideration and action regarding applications for licensure

A. Kristine Hanson-Deller

See agenda item 4(C).

Appeals

Marcy Mevorach

Tabled

Molly Cook

Following review of information submitted, members agreed that the applicant meets minimum requirements.

Mr. Mitchell moved, seconded by Ms. Menchaca, to recommend to the Board to approve Anita Abella as a Licensed Bachelor Social Worker upon receipt of a passing score on the required exam. The motion passed unanimously.

Ms. Menchaca moved, seconded by Mr. Mitchell, to recommend to the Board to approve the following five applicants as Licensed Clinical Social Workers after receiving a passing score on the required exam:

Deborah Cheng	Guadalupe Duran	Lindsey Cooper
Charles Mims	Molly Cook	

The motion passed unanimously.

Ms. Menchaca moved, seconded by Mr. Mitchell, to recommend to the Board to approve Natasha Buhrman-Kleier and Jennifer MULLOWNEY as Licensed Clinical Social Workers. The motion passed unanimously.

Ms. Menchaca moved, seconded by Mr. Mitchell, to recommend to the Board to approve Suzanne Wheeler as a Licensed Master Social Worker. The motion passed unanimously.

Mr. Mitchell moved, seconded by Ms. Menchaca, to recommend to the Board to approve the following nine applicants as Licensed Master Social Workers after receiving a passing score on the required exam:

Mary Deschler	Ari Blechner	Rebecca Romero	Alden Carroll
Erica Sanders	Chad Anderson	Erika Hanks	Bethany Kelly
Rosalind Hinton			

The motion passed unanimously.

Mr. Mitchell moved, seconded by Ms. Menchaca, to recommend to the Board to license Kristine Hanson-Deller as a Licensed Master Social Worker upon receipt of a passing score on the required exam and the Board's acceptance of the recommended consent agreement. The motion passed unanimously.

The committee reviewed files from 12:46 p.m. to 1:03 p.m.

14. Future agenda items

None

15. Call for public comment

None

16. Establishment of future meeting date(s)

The next meeting is scheduled for Friday, May 11, 2007, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Mr. Mitchell moved, seconded by Ms. Menchaca, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:05 p.m.

Teresa Menchaca
Secretary/Treasurer

Date