



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANET NAPOLITANO
Governor

CEDRIC DAVIS
Board Chair

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, February 9, 2007

Members Present: Cedric Davis, John Gutierrez, Douglas Mitchell

Members Absent: Teresa Menchaca

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Mary Grossi, Kami Thur, Sherry Blatner, Jessica Burguan, Elma Brambila, Mary Wilson

1. Call to Order

The meeting was called to order on January 12, 2007, at 9:00 a.m. with Dr. Davis presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Mr. Mitchell moved, seconded by Mr. Gutierrez, to approve the general meeting minutes from the January 12, 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. 2007-0054, Lori Vitagliano, LMSW-11692

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

Ms. Vitagliano and her attorney, Steven Myers, appeared in person and addressed the committee.

Following review and discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to find violations of the following based on the information in the investigative report:

- A.R.S. §32-3251(12)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity or professional judgment or create a risk of harm to the client. For the purpose of this subdivision, "dual relationship" means a licensee simultaneously engages in both a professional and nonprofessional relationship with a client that is avoidable and not incidental.
- A.R.S. §32-3251(12)(k), 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 1.06(a), social workers should be alert to and avoid conflicts of interest that interfere with the exercise of professional discretion and impartial judgment.
- A.R.S. §32-3251(12)(k), 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 1.06(c), social workers should not engage in dual or multiple relationships with clients or former clients in which there is a risk of exploitation and potential harm.
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession, as it related to the NASW Code of Ethics, section 1.06(d), when social workers provide services to two or more people who have a relationship with each other (for example couples or family members) social workers should clarify with all parties which individuals will be considered clients and the nature of the social workers' professional obligations to the various individuals receiving services.

- A.R.S. §32-3251(12)(k), 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 2.03(a), social workers who are members of an interdisciplinary team should participate in and contribute to decisions that affect the well-being of clients by drawing on the perspectives, values and experiences of the social work profession. Professional and ethical obligations of the interdisciplinary team as a whole and its individual members should be clearly established.

The motion passed unanimously.

Following further discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to offer the professional a consent agreement for the voluntary surrender of her license and, if the professional does not sign the consent agreement, to remand the complaint to formal hearing. The motion and the second were withdrawn.

Following further discussion by members, Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to offer the professional a consent agreement that stipulates the following:

- Suspension of the license for 12 months
- Completion of a 3-semester credit hour graduate level course in ethics during the suspension
- After the 12 month suspension, the license will be placed on probation for 24 months
- While on probation, the professional will complete a 3-semester credit hour graduate level course in the psychology of or social work practice related to death and dying
- Weekly clinical supervision focusing on professional relationships, boundaries, and interdisciplinary consultation and collaboration
- The clinical supervisor must be an LCSW and must be pre-approved by the committee chair or designee
- Quarterly supervision reports must be approved by the committee chair or designee
- All coursework is in addition to required continuing education for renewal of the license

The motion passed unanimously.

The committee took a break at 10:25 a.m., reconvening its public meeting at 10:30 a.m.

B. 2004-0006, Cathleen Jarvis, LCSW-2276

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

Ms. Jarvis and her attorney, Bruce Crawford, appeared in person and addressed the committee.

The complainant, *JH, addressed the committee telephonically.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to find a violation of the following:

- A.R.S. §32-3251(10)(e), betraying a professional confidence.
- 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(c), social workers should protect the confidentiality of all information obtained in the course of professional service, except for compelling professional reasons.

The motion passed unanimously.

Dr. Davis moved, seconded by Mr. Gutierrez, to recommend to the Board to offer a consent agreement that stipulates the following:

- The license will be placed on probation for 12 months
- 3-semester credit hour graduate level course in ethics
- Clinical supervision twice a month focusing on duty to warn, confidentiality and recordkeeping
- The clinical supervisor must be an LCSW and must be pre-approved by the committee chair or designee

- Quarterly supervision reports must be approved by the committee chair or designee
- Professional will not provide clinical supervision while on probation

The motion passed unanimously.

C. 2004-0019, Cathleen Jarvis, LCSW-2276

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

Ms. Jarvis and her attorney, Bruce Crawford, appeared in person and addressed the committee.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

D. 2007-0061, Laura Henry, LMSW applicant

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

Ms. Henry appeared in person and addressed the committee.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

E. 2004-0028, David Shumway, LISAC-0527

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

Mr. Shumway appeared in person and addressed the committee.

Following discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

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

A. Appointment of member to ASWB Spring Education Meeting

Mr. Mitchell moved, seconded by Dr. Davis, to appoint Mr. Gutierrez and Dr. Davis as delegates to the Spring Education meeting and to request that the Board approve travel expenses for both members. The motion passed unanimously.

6. Report from the Executive Director and/or staff

A. General Agency Operations

Ms. Rinaudo reported regarding the reciprocity workgroup and HB2479.

B. Review, consideration and possible action regarding development of guidelines to review reciprocity.

None

C. Review of issuance of subpoenas for behavioral health records of licensees and applicants

Mr. Harris indicated that the Board must balance the competing interests of a licensee's privacy expectations in his/her behavioral health records and the Board's need to ensure the mental and emotional health of a professional under its jurisdiction for protection of the public.

Board procedures ensuring the confidentiality of a professional's therapy records relevant to a Board investigation were discussed.

7. Report from the Board and other committees

None

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

A. ASWB Disciplinary Standards Committee member appointment

Mr. Mitchell reported regarding his appointment to the ASWB Disciplinary and Regulatory Standards Committee.

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

A. Lesley Farrell (Lucy Miraglia, MPA)

Mr. Mitchell moved, seconded by Mr. Gutierrez, to deny the clinical supervision hours provided by Lucy Miraglia based on the failure to establish that Ms. Miraglia is an independently licensed behavioral health professional. The motion passed unanimously.

B. Lesley Farrell (Kimberly Egan, LPC)

Mr. Mitchell moved, seconded by Mr. Gutierrez, to approve the clinical supervision hours provided by Kimberly Egan. The motion passed unanimously.

C. Brian Collins (Joni Rodriguez, LPC)

Mr. Gutierrez moved, seconded by Mr. Mitchell, to approve the clinical supervision hours provided by Joni Rodriguez. The motion passed unanimously.

D. Rachel Cheyney (Paula Lupo, LPC)

Mr. Gutierrez moved, seconded by Mr. Mitchell, to approve the clinical supervision hours provided by Paula Lupo. 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

Mr. Gutierrez moved, seconded by Mr. Mitchell, to approve the consent agenda, as reviewed by Dr. Davis, granting 60-day extensions to Chad Anderson, Regan Oswald and Teresa Vincsick. The motion passed unanimously.

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

A. Kathleen Davidson, exam extension

Mr. Mitchell moved, seconded by Mr. Gutierrez, to grant an exam extension. The motion passed unanimously.

B. Carla Flood, exam accommodation

Mr. Gutierrez moved, seconded by Mr. Mitchell, to grant the requested exam accommodation based on the completed paperwork from ASWB. The motion passed unanimously.

13. Review, consideration and action regarding applications for licensure

A. Laura Henry

See agenda item 4(D).

Appeals

Richard Levon

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

Independent Contractor

Debra Milner

Following review of information submitted, members agreed that the work experience acquired at In-Balance Counseling is supervised work experience.

The committee reviewed files from 12:25 p.m. to 12:40 p.m.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve Brian Collins, Debra Milner, Lesley Farrell and Melissa Mercer as Licensed Clinical Social Workers upon receipt of a passing score on the required exam. The motion passed unanimously.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve Rachel Cheyney and Richard Levon as Licensed Clinical Social Workers. The motion passed unanimously.

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

Stephanie Seigla	April Reed	Justin Chase	Sara Paxton
Juanita Young	Melissa Abbitt	Kathleen Mettler	Ingrid Romero
Jennifer Eldridge	Leonard Sanchez	Steven Fajardo	

The motion passed unanimously.

14. Future agenda items

None

15. Call for public comment

A student currently in an ethics class expressed her appreciation for the learning experience gained by attending the meeting.

16. Establishment of future meeting date(s)

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

17. Adjournment

Mr. Gutierrez moved, seconded by Mr. Mitchell, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:40 p.m.

Teresa Menchaca
Secretary/Treasurer

Date