



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANET NAPOLITANO
Governor

KATHLEEN PHILLIPS
Board Chair

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, January 13, 2006

Members Present: Cedric Davis, Douglas Mitchell, Teresa Menchaca, Traci Sawyer-Sinkbeil
Members Absent: John Gutierrez
Staff Present: Debra Rinauado, Amy Shelton, Sherry Blatner, Mary Wilson
Public Present: Jess Newborn, Charles Hover, Dan Mager, Larry Cohen, Michael Martinez, Cathy Covert
Public by telephone: Melissa Mazzeo

1. Call to Order

The meeting was called to order on January 13, 2006, at 9:00 a.m. with Dr. Davis presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to approve the general meeting minutes from the December 9, 2005, meeting, as submitted. The motion carried with Mr. Mitchell abstaining.

Approval of the minutes from the December 15, 2005, teleconference was tabled due to lack of quorum.

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. 2003-0050, Jesse Newborn, LCSW-1460

Ms. Shelton summarized the complaint and the results of the Board's investigation.

Mr. Newborn and his attorney, Mr. Hover, appeared in person and addressed the committee.

Following review and discussion, Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to dismiss the complaint. The motion passed unanimously.

B. 2006-0056, Melissa Mazzeo, LMSW applicant

Mr. Mitchell recused himself from all matters involving Ms. Mazzeo.

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

Following review and discussion, Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to open a complaint based on violations of A.R.S. §32-3251(10)(b), for the CMSW application and A.R.S. §32-3251(12)(b), for the LMSW application, use of fraud or deceit in establishing qualifications pursuant to this chapter, based on the applicant's failure to disclose her criminal history on her CMSW application, partial disclosure of her criminal history on her LMSW application and failure to disclose alcohol dependency on either application, A.R.S. §32-3251(10)(c), regarding her CMSW application and A.R.S. §32-3251(12)(f), regarding her LMSW application, active habitual intemperance in the use of alcohol, based on the applicant's history of habitual alcohol abuse, and A.R.S. §32-3251(10)(f), making use of statements of a character tending to deceive or mislead the public, based on her failure to disclose her criminal history on two employment applications.

Following discussion, Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to license the applicant as an LMSW upon receipt of a passing score on the required exam and pursuant to a consent agreement that stipulates the following:

- Probation for 12 months
- Bi-weekly participation in a relapse prevention group facilitated by a master level LISAC, pre-approved by the committee chair
- Abstinence from alcohol use
- Random drug testing monthly for one year
- Completion of a 3-semester credit hour graduate level ethics course
- All costs borne by the professional

The motion passed unanimously.

C. 2005-0130, Daniel Mager, LCSW-2925

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

Mr. Mager and his attorney, Mr. Cohen, appeared in person and addressed the committee.

Following review and discussion, Ms. Menchaca moved, seconded by Ms. Sawyer-Sinkbeil, to recommend to the Board to find a violation of the following:

- A. A.R.S. §32-3251(12)(g), use of a controlled substance that is not prescribed for use during a prescribed course of treatment, based on the professional using narcotic medication prescribed for use by Mr. Mager's co-workers and supervisees.
- B. A.R.S. §32-3251 (10)(i), for violations through June 30, 2004, and A.R.S. 32-3251 (12)(k) for violations as of July 1, 2004, 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, Standard 4.05 Impairment, based on the professional using narcotic medication prescribed for use by his co-workers and supervisees.
- C. A.R.S. §32-3251 (12)(b), use of fraud or deceit in rendering services as a licensee, based on the professional's failure to accurately and fully disclose information regarding his use of narcotic medication prescribed to co-workers and supervisees when questioned by his employer.
- D. A.R.S. §32-3251 (12)(c), any written misrepresentation of a fact by a licensee in any statements provided during an investigation or disciplinary proceeding by the Board, based on the professional's failure to accurately and fully disclose information regarding his use of narcotic medication prescribed to co-workers and supervisees during the Board's investigation of this matter.

The motion passed unanimously.

Ms. Sawyer-Sinkbeil moved, seconded by Mr. Mitchell, to offer a consent agreement that stipulates the following:

- 12 months probation
- 12 months random drug testing at least monthly with monthly reports to the Board
- Completion of a graduate level 3-semester credit hour ethics course
- Weekly clinical supervision focusing on boundary issues and monitoring to ensure no solicitation of drugs
- Clinical supervisor will submit monthly reports to the Board
- Clinical supervisor will be an LCSW pre-approved by the Committee Chair or designee
- Continue therapy with Dr. Flynn
- Dr. Flynn will submit a therapy plan for pre-approval
- Dr. Flynn will submit monthly reports for review and approval
- The professional may not provide clinical supervision of direct client care staff
- The professional must request release from probation terms

The motion carried with Ms. Menchaca opposed.

The committee took a break at 10:22 a.m., reconvening its public meeting at 10:30 a.m.

D. Michael Martinez, LBSW-1831

Ms. Blatner summarized the background investigation that resulted from information submitted by the professional's employer.

Mr. Martinez appeared in person and addressed the committee.

Following discussion, Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to open a complaint based on the possible violation of 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 Standard 1.07, Privacy and Confidentiality, and A.R.S. §32-3251(12)(n), failing to comply with or violating any provision of this chapter or any rule adopted pursuant to this chapter, as it relates to A.A.C. R4-6-1003(F), a licensee shall ensure the safety and confidentiality of any client records the professional maintains. The motion passed unanimously.

Following further discussion, Ms. Menchaca moved, seconded by Ms. Sawyer-Sinkbeil, to recommend to the Board to find a violation of A.R.S. §32-3251(12)(k) and A.R.S. §32-3251(12)(n) based on the professional taking client records home with him in violation of agency policy and the subsequent loss of those records when they were stolen from the professional's car, and to offer a consent agreement that stipulates the following:

- Probation for six months
- Completion of a minimum 3 clock hour training in HIPPA law and issues of confidentiality
- Training will be pre-approved by the Committee Chair or designee
- Training will be in addition to continuing education required for license renewal

The motion passed unanimously.

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

A. Review of Attorney General's opinion regarding e-mail communication by , members of a public body
Tabled

B. Association of Social Work Boards' Board Member Training 2006

Following discussion, Ms. Menchaca moved, seconded by Ms. Sawyer-Sinkbeil, to send Mr. Mitchell to the ASWB Board member training in 2006. The motion passed unanimously.

6. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Guidelines to review reciprocity applications

No report.

C. Proposed legislation affecting the Board's authorizing statute

No report.

The committee took a break at 12:05 p.m., reconvening its public meeting at 12:10 p.m.

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. Frazier Wilson, Jr (Albert Jordan)

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Sawyer-Sinkbeil, to approve 75 clinical supervision hours provided by Dr. Jordan. The motion passed unanimously.

B. Sharon Duckworth (Peggy Nixon).

Following review and discussion, Ms. Menchaca moved, seconded by Mr. Mitchell, to approve the clinical supervision hours provided by Ms. Nixon, LPC. The motion passed unanimously.

10. Review, consideration and action regarding renewals

None

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

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to approve the consent agenda, as reviewed by Dr. Davis, granting 60-day extensions to Julie Robbins, Aimee Vermeire, Richard Levon, and Shelley Solomon and inactive status to Maya Goldberg and Dawn Marie Toth. The motion passed unanimously.

12. Review, consideration and action regarding exam accommodations

None

13. Review reassessment

None

14. Review, consideration and action regarding applications for licensure

Appeals

Valerie Perrone

Ms. Wilson summarized the information submitted in support of the appeal.

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

Victor Rivera

Ms. Wilson summarized the information submitted in support of the appeal.

Following review of the information submitted, members agreed that the applicant will meet minimum licensure requirements upon passage of the required exam.

The committee began reviewing files at 12:25 p.m., reconvening its public meeting at 1:10 p.m.

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to approve the following 19 applicants as Licensed Master Social Workers after receiving a passing score on the required exam:

Amy Lozier	Nicole Himebach	Donna Dunklin	Anthony Stanisci
Kathy McDonald	Alana Gall	Carrie Gabroy	Pamela Smith
Shanna Arias	Marlo Winstead	Kelly Dallamura	Steven Sorenson
Cecelia Stinson	Janet Hardin	Mary Kunitzer	Jamie Glick
Sara Desimone	Erika Fillman	June Pitts	

The motion passed unanimously.

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

Mimi Korobkin	Tonya Thompson	Sharon Duckworth	Laurie Mazerbo
Valerie Seitz	Sunny Patten	Kathleen Davidson	Victor Rivera

The motion passed unanimously.

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to approve Julie Sjostrand as a Licensed Baccalaureate Social Worker after receiving a passing score on the required exam. The motion passed unanimously.

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to approve Janis McKay, David Williams, Diana Apolinar and Valerie Perrone as Licensed Clinical Social Workers. The motion passed unanimously.

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to approve William Gates as a Licensed Master Social Worker. The motion passed unanimously.

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to recommend to the Board to approve Capitola Swanson and Monica Williams as Licensed Master Social Workers upon receipt of a favorable fingerprint report. 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 Friday, February 10, 2006, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Ms. Sawyer-Sinkbeil moved, seconded by Ms. Menchaca, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:15 p.m.

Traci Sawyer-Sinkbeil
Secretary/Treasurer

Date