



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, January 11, 2008

Members Present: Cedric Davis (out at 12:40 p.m.), Douglas Mitchell, John Gutierrez, Teresa Menchaca

Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Patricia Reynolds, Sherry Blatner, Mary Wilson

1. Call to Order

The meeting was called to order on January 11, 2008, at 9:02 a.m. with Dr. Davis presiding.

2. Roll Call

See above.

3. Review and Approval of Minutes

Mr. Mitchell moved, seconded by Ms. Menchaca, to approve the general meeting minutes from the December 14, 2007, 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.

A. 2008-0043, David Bromberg, LMSW applicant

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

Mr. Gutierrez moved, seconded by Ms. Menchaca, to adopt the Substance Abuse Credentialing Committee recommendation and to forward that recommendation to the Board for final action. The motion passed unanimously.

*B. 2005-0127, 2008-0017 and 2008-0033, Earlene Dear, LCSW-0195
2005-0127*

Dr. Davis reviewed the procedure for conducting informal meetings.

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

The complainant, GH*, addressed the committee telephonically.

The professional and her attorney, Michael Vingelli, addressed the committee telephonically.

Following review and discussion by members, Mr. Mitchell moved, seconded by Mr. Gutierrez, to recommend to the Board to find violations of the following:

- A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. §25-403.06
- 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. R4-6-1101, Consent for Treatment
- 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. R4-6-1102, Treatment Plan

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Mitchell, to recommend to the Board to find an additional 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 Section 4.01(a-c), Competence. The motion passed unanimously.

2008-0017

Dr. Davis reviewed the procedure for conducting informal meetings.

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

The complainant appeared in person and addressed the committee.

Mr. Simpson, attorney for the complainant, addressed the committee telephonically.

The professional and her attorney, Michael Vingelli, addressed the committee telephonically.

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

- A.R.S. §32-3251(12)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. §12-2294(D)(1), a healthcare provider may provide a deceased patient's records to the patient's spouse
- 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. R4-6-1101, Consent for Treatment
- 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. R4-6-1102, Treatment Plan
- 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(H), a licensee shall ensure that a progress note includes the signature of the licensee who provides a behavioral health service
- 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 4.01(a-c), Competence

The motion passed unanimously.

2008-0033

Dr. Davis reviewed the procedure for conducting informal meetings.

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

The complainant, SK*, appeared in person and addressed the committee.

Mr. Simpson, attorney for the complainant in Complaint No 2008-0017, addressed the committee telephonically.

The professional and her attorney, Michael Vingelli, addressed the committee telephonically.

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

- 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. R4-6-1101, Consent for Treatment
- 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. R4-6-1102, Treatment Plan

- 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(H), a licensee shall ensure that a progress note includes the signature of the licensee who provides a behavioral health service
- 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. R4-6-1105, a licensee shall only release or disclose client records or any information regarding a client with written authorization from the client of the client's legal representative
- 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 4.01(a-c), Competence

The motion passed unanimously.

Resolution to the findings from the three complaints

Dr. Davis moved, seconded by Ms. Menchaca, to recommend to the Board to offer the professional a consent agreement that stipulates the following and, if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the case to formal hearing:

- License placed on probation for a minimum of 24 months
- Clinical supervision from a pre-approved independently licensed behavioral health profession
- Clinical supervision twice a month
- Submission of quarterly reports for approval
- Focus of clinical supervision will be current clinical practice standards regarding assessment and treatment planning
- Clinical supervisor will regularly review the professional's documentation
- Professional cannot provide clinical supervision during the term of the consent agreement
- Completion of 3-semester credit hour graduate level course in ethics within 12 months of adoption of the consent agreement
- Completion of 3-clock hour workshop/seminar in recordkeeping for clinical practice within 3 months of adoption of the consent agreement

The motion passed unanimously.

The committee took a break at 11:18 a.m., reconvening its public meeting at 11:27 a.m.

C. Caroline Allen, LMSW applicant

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

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Menchaca, to open a complaint and find violations of A.R.S. §32-3251(12)(b), use of deceit in establishing qualifications pursuant to A.R.S. Title 32, Chapter 33. The motion passed unanimously.

Following further discussion by members, Dr. Davis moved, seconded by Ms. Menchaca, to recommend to the Board to accept a consent agreement that stipulates the following and, if not signed, to deny the license based on unprofessional conduct:

- To recommend to the Board to license the applicant after she passes the required exam and subject to the proposed consent agreement
- License placed on 12 months probation
- Completion of a 3-semester credit hour graduate level ethics course

The motion passed unanimously.

D. Sean McCarthy, LMSW applicant

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

The applicant appeared in person and addressed the committee.

Following review and discussion, members agreed no further action is necessary regarding the applicant's background.

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. Discussion of proposed legislation

Ms. Rinaudo reported regarding proposed legislation for the next legislative session.

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

None

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. Shoshana Wallenmeyer (Jeanne Rust, LPC)

Members reviewed information submitted in support of the exemption request. Dr. Davis moved, seconded by Ms. Menchaca, to approve the request for clinical supervision hours provided by Jeanne Rust, LPC. The motion passed unanimously.

B. Nicole Early (Daniel Bejesky, LPC)

Members reviewed information submitted in support of the exemption request. Dr. Davis moved, seconded by Ms. Menchaca, to approve the request for clinical supervision hours provided by Daniel Bejesky, 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 reviewed by Ms. Menchaca, granting 60-day extensions to Nicole Bennett and Shoshana Wallenmeyer and inactive status to Karen O'Donnell. The motion passed unanimously.

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

A. Misa Yanagisawa, exam accommodation

Following review of the information submitted, Mr. Gutierrez moved, seconded by Ms. Menchaca, to approve the request for an exam accommodation. The motion passed unanimously.

13. Review, consideration and action regarding applications for licensure

A. David Bromberg

See agenda item 4(A).

B. Caroline Allen

See agenda item 4(C).

C. Sean McCarthy

See agenda item 4(D).

Appeals

Patricia Miles

Members reviewed information submitted in support of the appeal.

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Menchaca, to deny the appeal based on the degree not meeting licensure requirements. The motion passed unanimously.

The committee reviewed files from 12:40 p.m. through 1:13 p.m.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve Irene Rangel as a Licensed Bachelor Social Worker 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 Jane Hardy as a Licensed Master Social Worker. The motion passed unanimously.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve Sarah Bacon as a Licensed Master Social Worker upon receipt of a favorable fingerprint report. The motion passed unanimously.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve Thomas Beller and Larry Lynch 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 four applicants as Licensed Clinical Social Workers after receiving a passing score on the required exam:

Carrie Turbow	Shoshana Wallenmeyer
Nicole Early	Judith Knoop

The motion passed unanimously.

Mr. Gutierrez moved, seconded by Mr. Mitchell, to recommend to the Board to approve the following 17 applicants as Licensed Master Social Workers after receiving a passing score on the required exam:

Cira Villa	Kathy Gardner	Sarah Wilce	Yulya Nakleusmev
Jennifer Bretz	Misa Yanagisawa	Robert Collette	Jeremy Elsberg
Elixabeth Stevens	Chris Christy	Sean McCarthy	Ann Johnston
Candice Preysz	Pamela Kane	Lisa Schenk	Victoria Cannon
Erin Powers			

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 Monday, February 8, 2008, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Mr. Mitchell moved, seconded by Mr. Gutierrez, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:15 p.m.

Teresa Menchaca
Secretary/Treasurer

Date