



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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JANICE K. BREWER
Governor

DEBRA RINAUDO
Executive Director

SOCIAL WORK CREDENTIALING COMMITTEE MEETING MINUTES
Friday, October 8, 2010

Members Present: Douglas Mitchell, Vicki Dawson, Karla Foltz, Cedric Davis
Member Absent: Stephen Lankton
Staff Present: Debra Rinaudo, Marc Harris, A.A.G., Mary Wilson, Elma Brambila

1. **Call to Order**

The meeting was called to order on October 8, 2010, at 9:03 a.m. with Mr. Mitchell presiding.

2. **Roll Call**

See above.

3. **Review and Approval of Minutes**

Dr. Davis moved, seconded by Ms. Foltz, to approve the general meeting minutes from the September 10, 2010, meeting as submitted. The motion passed unanimously. Ms. Foltz abstained from the vote.

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.

Mr. Mitchell reviewed the procedure for conducting informal meetings.

A. *2011-0010, Amy Preusch, LMSW applicant*

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

The professional appeared in person and addressed the committee.

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

- A.R.S. §32-3251(12)(c), any oral or written misrepresentation of a fact by an applicant to secure or attempt to secure the issuance of a license or during an investigation by the Board
- 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 motion passed unanimously.

Following further discussion by members, Dr. Davis moved, seconded by Ms. Dawson, to recommend to the Board to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. §32-3275(6). The motion passed unanimously. Ms. Foltz abstained from the vote.

B. *2010-0015, Gene Lullo, LCSW-1718*

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

The complainant was properly noticed, but did not appear.

The professional and her attorney, Christine Cassetta, appeared in person and addressed the committee.

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

C. Clinton Bartlett, LPC-10644

Ms. Rinaudo indicated that, after further review, no action was recommended regarding the professional.

D. 2009-0122, Linda Gerdes, LCSW-11426

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

The complainant appeared in person and addressed the committee.

The professional and her attorney, Charles Hover, appeared in person and addressed the committee.

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

- A.R.S. §32-3251(12)(p), failure to conform to minimum practice standards as developed by the Board, as it relates to the following:
 - A.A.C. R4-1101(2)
 - A.A.C. R4-6-1101(3)
 - A.A.C. R4-6-1102(A)(1)
 - A.A.C. R4-6-1103(A)(1)
 - A.A.C. R4-6-1103(A)(5)
 - A.A.C. R4-6-1103(B)(9)
 - A.A.C. R4-6-1103(H)
 - A.A.C. R4-6-1105(B)
 - A.A.C. R4-6-1105(C)
 - A.A.C. R4-6-1101(2)
 - A.A.C. R4-6-1101(3)
 - A.A.C. R4-6-1102(A)(1)
 - A.A.C. R4-6-1103(A)
 - A.A.C. R4-6-1103(A)(5)
 - A.A.C. R4-6-1103(B)(9)
 - A.A.C. R4-6-1103(H)
 - A.A.C. R4-6-1105(B)
 - A.A.C. R4-6-1105(C)
 - A.A.C. R4-6-1104(3)
 - A.A.C. R4-6-1104(4)
- A.R.S. §32-3251(12)(l), any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice
- A.R.S. §32-3251(12)(k), any conduct or practice that is contrary to recognized standards of ethics, as it relates to the NASW Code of Ethics Section 1.06(d), Conflicts of Interest

The motion passed unanimously.

Following further review by members, Ms. Dawson moved, seconded by Dr. Davis, to recommend to the Board to accept a consent agreement that stipulates the following:

- The professional's license will be placed on probation
- The professional shall terminate her private practice within 45 days
- The professional shall complete a 3-semester credit hour graduate level course in ethics within the first 12 months
- The professional shall only practice under direct supervision in a pre-approved practice setting
- The professional shall receive weekly clinical supervision from an independently licensed pre-approved clinical supervisor

- The clinical supervision shall submit quarterly reports for approval
- The clinical supervision shall address issues identified in the investigative report and shall include cultural sensitivity

The motion passed unanimously.

The committee took a break at 11:35 a.m., reconvening its public meeting at 11:49 a.m.

E. 2011-0016, Joyce Seelig, LMSW applicant

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

The complainant appeared in person and addressed the committee.

The applicant appeared in person and addressed the committee.

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

F. 2009-0059 and 2010-0112, Gary Miller, LMSW-12279

Ms. Rinaudo summarized the following:

1. The SWCC's recommendation to the Board to revoke the professional's license as a result of findings of unprofessional conduct related to Complaint No. 2009-0059, which included a number of misrepresentations by the professional to the Board
2. At the Board's direction, the SWCC's revised recommendation to offer the professional a consent agreement suspending the professional's license for 2 years with the suspension stayed pending successful completion of probationary terms
3. The professional's failure to comply in a timely manner with required probationary terms
4. The SWCC's determination to open Complaint No. 2010-0112 based on the professional's non-compliance with the pending consent agreement and recommendation to the Board to dismiss this complaint with a letter of concern
5. Further non-compliance issues identified after the SWCC's review
6. The Board's determination to lift the stay on the suspension of the professional's license based on continuing non-compliance issues
7. The professional's request for further review by the SWCC based on the professional's representations that the additional non-compliance issues identified by the Board were erroneous
8. Specifically, Ms. Rinaudo reviewed the training certificates the professional submitted in support of his representation that his proposed clinical supervisor had completed additional clinical supervision training beyond the 6 hours identified in her request for pre-approval
9. None of the training certificates submitted related to clinical supervision training

The professional and his attorney, Burr Shields, appeared in person and addressed the committee. Mr. Shields indicated that the professional's representations to the Board that his proposed clinical supervisor had completed additional clinical supervision training beyond the 6 hours identified in her request for pre-approval were made in good faith. He also indicated that the proposed clinical supervisor completed an additional 6 hours of clinical supervision training on October 6, 2010.

Members reviewed the professional's history of misrepresenting information to the Board, his non-compliance with his pending consent agreement, and his recent misrepresentations regarding his proposed supervisor's clinical supervision training. Following review and discussion, Ms. Dawson moved, seconded by Ms. Foltz, to recommend to the Board to have the suspension of the professional's license remain in effect as previously ordered. The motion passed unanimously.

G. Cecelie Evans, LMSW applicant

Ms. Rinaudo 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. Foltz, to open a complaint and 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 applies to:
 - Nevada Administrative Code §641B.200
 - 21(b), a licensee shall notify the Board within writing within 10 days after a criminal charge is filed against the licensee; and
 - Nevada Revised Statutes §641.400(3)(a), use of fraud or deception in applying for a license
- A.R.S. §32-3251(12)(o), failing to furnish information within a specified time to the Board or its investigators

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Mitchell, to recommend to the Board to deny the application based on a finding of unprofessional practice pursuant to A.R.S. §32-3275(6). The motion passed unanimously.

H. Terri Waibel, LMSW applicant

Ms. Rinaudo summarized the Chair's request for further review of the background investigation.

The applicant appeared in person and addressed the committee.

Mr. Mitchell moved, seconded by Dr. Davis, to go into executive session to review records exempt from public inspection pursuant to A.R.S. §38-431.03(A)(2). The motion passed unanimously and the Board went into executive session at 12:15 p.m., reconvening its public meeting at 12:20 p.m.

Mr. Mitchell moved, seconded by Ms. Dawson, to open a complaint and direct the applicant to have a substance abuse evaluation by an addictionologist within 60 days. The motion passed unanimously.

I. Tiffany Gallego, LMSW-12639 and LCSW applicant

Ms. Rinaudo summarized the following:

- a. The professional's submission of work experience and clinical supervision hours acquired in an agency owned by her father.
- b. The professional's failure to disclose a prior arrest on her LMSW and LCSW applications.

The professional addressed the committee telephonically.

Mr. Mitchell moved, seconded by Dr. Davis, to go into executive session to receive legal advice pursuant to A.R.S. §38-431.03(A)(3). The motion passed unanimously and the Board went into executive session at 1:50 p.m., reconvening its public meeting at 2:00 p.m.

Following review and discussion by members, Mr. Mitchell moved, seconded by Dr. Davis, to rescind this committee's July 16, 2010, motion to recommend to the Board to license the professional as a Licensed Clinical Social Worker upon passage of the required exam. The motion passed unanimously.

Following further review and discussion, Mr. Mitchell moved, seconded by Dr. Davis, to recommend to the Board to deny the LCSW application based on a finding that the professional's work experience and clinical supervision hours failed to comply with A.A.C. R4-6-210(1). The motion passed unanimously.

Following further review and discussion, Ms. Dawson moved, seconded by Ms. Foltz, to open a complaint and recommend to the Board to dismiss the complaint and issue a letter of concern. The motion passed unanimously.

The committee took a break at 2:00 p.m., reconvening its public meeting at 2:06 p.m.

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*

None

B. Application review training

Members reviewed the steps for completing a substantive review of an application. Members agreed that it is extremely important for each member reviewing an application to carefully review the entire application in order to determine whether an applicant meets minimum requirements.

C. Member and staff personal safety issues

Members discussed personal safety issues during public meetings. Ms. Rinaudo advised members that any member with a safety concern should advise the person creating the concern to modify his/her conduct or the Board's security officer will remove them from the meeting room.

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. Michelle Shea (Julie Espinoza, LPC)

Members reviewed information submitted in support of the supervisor exemption request.

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to grant the request for a supervisor exemption for clinical supervision hours provided by Julie Espinoza, LPC. The motion passed unanimously. Ms. Foltz was not present for the vote.

B. Michelle Shea (Steve Wales, LPC)

Members reviewed information submitted in support of the supervisor exemption request.

Following review and discussion, Mr. Mitchell moved, seconded by Ms. Dawson, to grant the request for a supervisor exemption for clinical supervision hours provided by Steve Wales, LPC. The motion passed unanimously.

10. Applications for renewal: review, consideration and action

None

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

Ms. Dawson moved, seconded by Dr. Davis, to approve the consent agenda as reviewed by Mr. Mitchell granting inactive status to Fredrika Hunter. The motion passed unanimously.

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

None

13. Review, consideration and action regarding applications for licensure

Appeals

A. *Hannah Rawhouser*

Members reviewed the information submitted in support of the appeal.

The applicant appeared in person and addressed the committee.

Following review and discussion by members, Ms. Dawson moved, seconded by Dr. Davis, to deny the appeal based on the professional's failure to establish that her supervised work experience was in the practice of psychotherapy. The motion passed unanimously.

The committee took a break to review files at 2:45 p.m., reconvening its public meeting at 4:05 p.m.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to deny Amy Preusch and Cecilie Evans as Licensed Master Social Workers based on a finding of unprofessional conduct pursuant to A.A.C. R4-6-3275(6). The motion passed unanimously.

Mr. Mitchell moved, seconded by Ms. Foltz, to recommend to the Board to approve Joyce Seelig as a Licensed Master Social Worker upon receipt of a passing score on the required exam, receipt of the required license issuance fee and upon the Board's dismissal of the pending complaint. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve Darren Powell as a Reciprocal Licensed Clinical Social Worker upon receipt of the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve Heather Burt and Maria Wallach as Licensed Master Social Workers upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve Tiffany Ferguson as a Licensed Master Social Worker upon receipt of a passing score on the required exam, a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve Rebecca Horn as a Reciprocal Licensed Clinical Social Worker upon receipt of a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve Rita Maniscalco as a Reciprocal Licensed Clinical Social Worker upon receipt of a passing score on the required exam, a favorable fingerprint report and the required license issuance fee. The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve the following 4 applicants as Licensed Clinical Social Workers upon receipt of a passing score on the required exam and upon receipt of the required license issuance fee:

Michelle Shea	Danny Guckenburg
Todd Curtis	Celeste Chervenka

The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve the following 23 applicants as Licensed Master Social Workers upon receipt of a passing score on the required exam and upon receipt of the license issuance fee:

Julio Landero	Janelle Moody	Mallory Lebovitz	Jamie Reinhardt-LaRue
Rita Stageman	Kelly Wurst	Amanda Jackson	Leslie Perez-Whitehead
Socorro Dominguez	Bradley Steelman	Kristie Everett	Shelley Prasad
Tiffany McDonald	Cathleen Phelan	Christine Levenda	Chylae Taylor
Angela Sacco	Kirstie McLean	Nicole Ayres	Joannah Schindler
Micquaia McNeal	Jennifer Morris	David Hobert	

The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve the following 6 applicants as Licensed Master Social Workers upon receipt of the required license issuance fee:

Barbara Moffitt	Elizabeth Segleau	Claudia Perkins
Andrea Alfred	David Follmer	DeLynn Lamb

The motion passed unanimously.

Dr. Davis moved, seconded by Ms. Foltz, to recommend to the Board to approve John Lopez as a Licensed Bachelor Social Worker upon receipt of a passing score on the required exam and the required license issuance fee. 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, November 12, 2010, at 9:00 a.m. at 3443 North Central Avenue, 9th floor conference room.

17. Adjournment

Dr. Davis moved, seconded by Ms. Foltz, to adjourn. The motion passed unanimously and the meeting was adjourned at 4:10 p.m.

Steve Lankton, Secretary

Date