

1 **BEFORE THE ARIZONA BOARD**
2 **OF BEHAVIORAL HEALTH EXAMINERS**

3 **In the Matter of:**

4 **Kevin Christopher, LASAC-13280,**
5 **Licensed Associate Substance Abuse**
6 **Counselor,**
7 **In the State of Arizona.**

8 **RESPONDENT**

CASE NO. 2022-0098
CONSENT AGREEMENT
FOR VOLUNTARY SURRENDER

9 In the interest of a prompt and speedy settlement of the above captioned matter,
10 consistent with the public interest, statutory requirements and responsibilities of the Arizona
11 State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(F)
12 and 41-1092.07(F)(5), Kevin Christopher ("Respondent") and the Board enter into this Consent
13 Agreement, Findings of Fact, Conclusions of Law and Order ("Consent Agreement") as a final
14 disposition of this matter.

15 **RECITALS**

16 Respondent understands and agrees that:

17 1. Any record prepared in this matter, all investigative materials prepared or
18 received by the Board concerning the allegations, and all related materials and exhibits may be
19 retained in the Board's file pertaining to this matter.

20 2. Respondent has the right to a formal administrative hearing at which Respondent
21 can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably
22 waives their right to such formal hearing concerning these allegations and irrevocably waives
23 their right to any rehearing or judicial review relating to the allegations contained in this Consent
24 Agreement.

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1 3. Respondent has the right to consult with an attorney prior to entering into this
2 Consent Agreement.

3 4. Respondent acknowledges and agrees that upon signing this Consent
4 Agreement and returning it to the Board's Executive Director, Respondent may not revoke their
5 acceptance of this Consent Agreement or make any modifications to it. Any modification of this
6 original document is ineffective and void unless mutually approved by the parties in writing.

7 5. The findings contained in the Findings of Fact portion of this Consent Agreement
8 are conclusive evidence of the facts stated herein between only Respondent and the Board for
9 the final disposition of this matter and may be used for purposes of determining sanctions in any
10 future disciplinary matter.

11 6. This Consent Agreement is subject to the Board's approval, and will be effective
12 only when the Board accepts it. In the event the Board in its discretion does not approve this
13 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,
14 nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except
15 that Respondent agrees that should the Board reject this Consent Agreement and this case
16 proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its
17 review and discussion of this document or of any records relating thereto.

18 7. Respondent acknowledges and agrees that the acceptance of this Consent
19 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
20 other proceedings as may be appropriate now or in the future. Furthermore, and
21 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
22 preclude in any way any other state agency or officer or political subdivision of this state from
23 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
24 in the future relating to this matter or other matters concerning Respondent, including but not
25 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other

1 than with respect to the Board, this Consent Agreement makes no representations, implied or
2 otherwise, about the views or intended actions of any other state agency or officer or political
3 subdivision of the state relating to this matter or other matters concerning Respondent.

4 8. Respondent understands that once the Board approves and signs this Consent
5 Agreement, it is a public record that may be publicly disseminated as a formal action of the
6 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

7 The Board issues the following Findings of Fact, Conclusions of Law and Order:

8 **FINDINGS OF FACT**

9 1. Respondent is the holder of License No. LASAC-13280 for the practice of
10 substance abuse counseling in the State of Arizona.

11 2. Since 06/12, Respondent has been licensed with the Board as a LASAC.

12 3. On 02/19/21, Respondent was approved for the Board's Supervised Private
13 Practice program and his Board approved practice was called Sonoran Life Coaching &
14 Counseling.

15 4. On 12/18/21, the Board received a complaint against Respondent regarding a
16 DCS report from Complainant who was a client's ("Client") ex-spouse.

17 5. Respondent responded to the Board complaint representing from 05/20 – 09/21,
18 Client was a life coaching client.

19 6. Respondent provided Client's life coaching records which included the following:

20 a. Client signed a confidentiality form which outlined payment and cancellation
21 notices, Privacy Policies, and Limits to Confidentiality.

22 7. Respondent had Client sign this form which appeared to include several Board
23 requirements for psychotherapy, despite representing it was life coaching only.

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1 8. Client's session notes had check boxes whether the services were
2 psychotherapy or coaching, and Respondent indicated the sessions were all individual life
3 coaching.

4 9. Client's session notes included Board requirements pursuant to A.A.C. R4-6-
5 1103 along with some telehealth requirements pursuant to A.A.C. R4-6-1106.

6 10. In his response to the complaint Respondent represented that these services
7 were life coaching.

8 11. It appears that Respondent was providing counseling services to some of his
9 clients which were outside of his scope of practice.

10 12. As a LASAC, Respondent's scope is limited to substance abuse issues only and
11 Client's records discussed general mental health issues with no mention of substance use, and
12 included a letter Respondent wrote where he reports to have been providing counseling
13 services to Client.

14 13. Based on Client's records not including any mention of substance use, it appears
15 Respondent was practicing outside the scope of his license as a LASAC.

16 14. Board staff subpoenaed Respondent for his clients lists for the timeframes
17 05/01/19 – 02/18/21 and 02/19/21 – present.

18 15. Respondent's client lists showed he transitioned at least 18 clients from life
19 coaching services to substance abuse counseling once he was approved through Supervised
20 Private Practice.

21 16. The fact that Respondent transitioned 18 clients from life coaching to substance
22 abuse counseling after being approved to be in private practice, suggests that those clients
23 needed psychotherapy services beyond just life coaching.

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