



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  
Board Website: [www.azbbhe.us](http://www.azbbhe.us)  
Email Address: [information@azbbhe.us](mailto:information@azbbhe.us)

DOUGLAS A. DUCEY  
Governor

TOBI ZAVALA  
Executive Director

January 11, 2019

Cordelia Holbert  
[REDACTED]

Dear Ms. Holbert:

On December 14, 2018, the Arizona Board of Behavioral Health Examiners ("Board") reviewed your application for licensure as a licensed clinical social worker and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(A)(6) and 32-3275 (A)(7), as it relates to A.R.S. § 3275(B). Specifically, the Board found that you engaged in conduct that had you been licensed would have constituted grounds for disciplinary action. The Board determined that the disciplinary action invoked the following violations that were based upon the conduct referenced thereafter:

1. A.R.S § 32-3251(16)(n), failing to comply with or violating, attempting to violate or assisting in or abetting the violation of any provision of this chapter, any rule adopted pursuant to this chapter, any lawful order of the board, or any formal order, consent agreement, term of probation or stipulated agreement issued under this chapter.
2. A.R.S § 32-3251(16)(b), using fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter.
3. A.R.S § 32-3251(16)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to A.R.S. § 32-3286 Unlawful practice; unlawful use of title; violation; classification; civil penalty; exception.
4. A.R.S § 32-3251(16)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license.
5. A.R.S § 32-3251(16)(c)(ii), making any oral or written misrepresentation of a fact in any statements providing during an investigation or disciplinary proceeding by the board.

These violations were based on the following findings:

1. Ms. Holbert ("Applicant") was previously licensed by the Board as an LCSW.
2. In 05/17, Applicant signed a Consent Agreement requiring that she surrender her LCSW license.
3. Applicant's surrender was based on numerous violations of unprofessional conduct relating to the services she provided in two separate cases.
4. Pursuant to A.R.S. § 32-3275(B), it is Applicant's responsibility to demonstrate to the Board that her conduct has been corrected, monitored and resolved since the revocation of her previous license.
5. In review of all the information Applicant has submitted, there is very little information suggesting that she has taken sufficient corrective or rehabilitative measures.
6. In all, Applicant submitted 97 hours of continuing education to the Board.

7. All but about 12 of those hours appear to have been taken prior to her revocation or taken to satisfy the renewal requirements of her Kansas license, as numerous certificates of completion cite her Kansas license number.
8. As part of Applicant's previous surrender order regarding her LCSW license, she was ordered to submit a practice termination plan, which specifically set forth the requirements prescribed by the Board.
9. The surrender order required compliance with a series of detailed processes, procedures, and written protocols.
10. Applicant did not comply with the terms and conditions of her order for the following reasons:
  - a. At no point did the Board receive a practice termination plan.
  - b. There is no written protocol for the secure storage, transfer and access of records.
  - c. The Board was not made aware of the procedure by which Applicant intended to notify her clients about the future location of records and how those records could be accessed.
  - d. There is no written protocol with respect to continuation of care.
  - e. The Board did not receive a list of Applicant's clients and the timeframe for which she would terminate her services.
11. Since 2014, Applicant has been contracted with the Western Arizona Council of Government ("WACOG") as a mental health services consultant.
12. Pursuant to Rule 1302.91(e)(8) of the Administration for Children and Families, WACOG must ensure all mental health consultants are licensed or certified mental health professionals.
13. In 05/17, Applicant's LCSW license was surrendered to the Board, which is otherwise considered the same as a revocation.
14. Despite that revocation, on two subsequent occasions in 08/17 and 08/18, Applicant renewed her employment contracts with WACOG, signing her name atop of the designation: "LCSW."
15. In 09/18, the Director of WACOG contacted the Board and indicated the following:
  - a. WACOG's national standards require that their program must ensure all mental health consultants are licensed or certified mental health professionals.
  - b. WACOG is seeking guidance regarding their currently contracted mental health consultant, Applicant, whom they have worked with for over 5 years.
  - c. It was recently brought to their attention that Applicant's LCSW license was revoked.
  - d. "The LCSW did not notify us of the revocation and has continued to provide mental health consultation services for our program."
  - e. She has continued to represent herself as an LCSW in their contract.
16. Soon after informing WACOG that indeed, Applicant's LCSW license was revoked in 05/17, the Board received a copy of a termination letter from WACOG to Applicant, which states:
  - a. "It has come to our attention that you currently do not meet the requirements set forth in the [WACOG] Performance Standards for a mental health consultant."
  - b. "Therefore, since you currently do not meet the above stated requirements, [WACOG] has no choice but to termination our contract with you for Mental Health Services, effectively immediately."
17. In response to this issue, Applicant indicated the following during her investigative interview with Board staff:
  - a. When Board staff attempted to explain that the WACOG contract specifically states that they are required by law to contract a mental health consultant who is licensed or certified, Applicant responded, "Yes! And I still have an LSCSW."
  - b. When Board staff further attempted to clarify that Applicant's contract is signed as an LCSW and not an LSCSW, Applicant responded, "That is not what they said and that is not what was said. It says that an agency has to contract with someone who either has an LSCSW or a background in mental health."
  - c. After 3 more attempts to clarify that Board staff was specifically talking about the LCSW designation, not the State of Kansas LSCSW that she was referencing, Applicant responded:

- "I have an LSCSW."
  - "I have an LSCSW! It is not state-dependent. That is not what the contract or requirement states."
18. In contrast to Applicant's response, it is evident from WACOG's communication with the Board as well as WACOG's immediate termination of Applicant's services that, she entered into her employment contracts under the guise of deceit.
  19. It is an undisputable fact that Applicant signed her name to the 2017 and 2018 contracts with the designation of LCSW, which is a clear misrepresentation.
  20. Since 2001, Applicant has maintained a license in the State of Kansas.
  21. Pursuant to Kansas' rules and regulations, she is required to renew her license every 2 years.
  22. During Applicant's most recent 08/17 Kansas license renewal application, Applicant answered "No" to the following background questions:
    - a. "Since your last renewal, has a complaint or lawsuit been filed against you for unethical behavior, unprofessional conduct, or incompetence?"
    - b. "Since your last renewal, has your license in Kansas or any other state been limited, restricted, suspended, revoked or subjected to disciplinary action?"
  23. Contrary to her responses, Applicant was in fact the subject of two complaints filed against her Arizona license in 09/15 and 08/16.
  24. Furthermore, Applicant's Arizona license was revoked in 05/17 as a result of those two complaints.
  25. In response to questions by Board staff, the Kansas Board's Assistant Director provided the following information:
    - a. On 08/08/17, Applicant renewed her LSCSW license.
    - b. "No, [Applicant] did not answer yes to having disciplinary action or to the question about having had a complaint filed against her."
    - c. If she had, she would not have been allowed to renew her license online.
  26. Prior to receive the aforementioned information, Board staff directly asked Applicant during her investigative interview if she informed the Kansas Board of her previous revocation.
  27. Applicant responded by saying, "Why? I can't have a license in another state? . . . Yes!"
  28. It should be noted that, following Applicant's review of the Board's investigative report, Applicant submitted a letter to the Kansas licensing board informing them that she inappropriately failed to list her prior sanctions in Arizona when she completed her online Kansas renewal application.

Per A.R.S. §41.1092.03.B, you may request a Formal Hearing by notifying the agency in writing within thirty-five (35) days from the date of this letter. If you do request a Formal Hearing, you also have the right, pursuant to A.R.S. §41-1092.06, to request a settlement conference. If you do not request a Formal Hearing by the close of business on February 15, 2019, your file will be closed without further recourse to appeal and the licensure denial will be reported to the federal data banks that record this information. If you desire licensure at a later date, you must submit a new application and fee.

PLEASE BE FURTHER ADVISED that, pursuant to the Board's licensure statute, as of July 1, 2004, only persons holding licenses to practice social may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

Sincerely,



Tobi Zavala  
Executive Director

**CC: Professional's Attorney**