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BEFORE THE ARIZONA BOARD OF BEHAVIORAL HEALTH EXAMINERS

In the Matter of:

Karen L. Mueller, LCSW-17417, Licensed Clinical Social Worker. In the State of Arizona.

RESPONDENT

CASE NO. 2023-0043

CONSENT AGREEMENT FOR VOLUNTARY SURRENDER

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

RECITALS

Respondent understands and agrees that:

- 1. Any record prepared in this matter, all investigative materials prepared of received by the Board concerning the allegations, and all related materials and exhibits may be retained in the Board's file pertaining to this matter.
- 2. Respondent has the right to a formal administrative hearing at which Respondent can present evidence and cross examine the State's witnesses. Respondent hereby irrevocably waives their right to such formal hearing concerning these allegations and irrevocably waives their right to any rehearing or judicial review relating to the allegations contained in this Consent Agreement.
- 3. Respondent has the right to consult with an attorney prior to entering into this Consent Agreement.

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- 4. Respondent acknowledges and agrees that upon signing this Consent Agreement and returning it to the Board's Executive Director, Respondent may not revoke their acceptance of this Consent Agreement or make any modifications to it. Any modification of this original document is ineffective and void unless mutually approved by the parties in writing.
- 5. The findings contained in the Findings of Fact portion of this Consent Agreement are conclusive evidence of the facts stated herein between only Respondent and the Board for the final disposition of this matter and may be used for purposes of determining sanctions in any future disciplinary matter.
- 6. This Consent Agreement is subject to the Board's approval, and will be effective only when the Board accepts it. In the event the Board in its discretion does not approve this Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value, nor shall it be relied upon or introduced in any disciplinary action by any party hereto, except that Respondent agrees that should the Board reject this Consent Agreement and this case proceeds to hearing, Respondent shall assert no claim that the Board was prejudiced by its review and discussion of this document or of any records relating thereto.
- 7. Respondent acknowledges and agrees that the acceptance of this Consent Agreement is solely to settle this Board matter and does not preclude the Board from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Agreement, this Consent Agreement does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other than with respect to the Board, this Consent Agreement makes no representations, implied or

otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondent.

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

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

FINDINGS OF FACT

- Respondent is the holder of License No. LCSW-17417 for the practice of social work in the State of Arizona.
- 2. On 09/28/22, the Board received a complaint from a therapist ("Therapist") alleging unprofessional conduct.
- 3. Therapist recently began working with a family consisting of mother ("Mother"), father ("Father"), and 17-year-old daughter ("Daughter") for family therapy to process the impact of Father's past substance abuse which had reportedly ceased prior to the start of services.
- 4. On 09/09/22, during a family session, Daughter disclosed experiencing bad thoughts of suicidal ideation.
- 5. When Therapist inquired as to whether Daughter and Respondent have created a safety plan for this, she responded with, "What's a safety plan?"
- 6. Therapist explained and Daughter reported discussing what to do but not having anything written down.
- 7. On 09/16/22, Therapist and Mother spoke in which she reported feeling very distressed after meeting with Respondent.
- 8. She explained that they met to discuss Daughter's increasing suicidal ideation which had reportedly progressed to Daughter having a plan and method, and Mother explained

that Respondent had stated that Mother needs to change the environment for Daughter by leaving her husband or to ask him to leave the family home.

- 9. Mother stated the recent beneficial shift in the family dynamic which Daughter reported hopefulness regarding this shift, and that she and Father have started couples' therapy for her reported conflicted feelings surrounding this suggestion.
- 10. Therapist obtained ROI's for Respondent after this conversation and called Respondent to collaborate care after Therapist staffed with her supervisor.
- 11. Respondent spoke to the nature of the parents' marital relationship in this call in which she stated that Mother "is an enabler" to Father's drinking and that Father had secretly been drinking while she was out of town for work.
- 12. Respondent also disclosed how the family's oldest daughter is being impacted by the family situation and described specific emotional processes surrounding protection and a "parentified" role within the family and her relationship to her sister and parents.
- 13. Therapist requested that the safety plan be sent to her, and Respondent shared that it was a verbal agreement and that it was not a formal plan so she did not have it written down.
- 14. Therapist inquired as to what interventions and approaches were being utilized to stabilize Daughter within individual therapy, and Respondent stated that family needs to change the environment at home because of how Daughter was being impacted by mixed messages and the parent's relationship.
- 15. Daughter disclosed to Therapist that she and Respondent meet at Kneader's by Daughter's house, and that Daughter feels uncomfortable meeting in a public place for sessions because she feels she does not have the privacy to open up about what she is going through.

- 16. Therapist brought parents in alone to follow up on Respondent's claims of "mixed messages" surrounding the trajectory of the marriage, and Therapist followed up on sobriety which was confirmed.
 - 17. Mother disclosed that both of her daughters are clients of Respondent.
- 18. On 10/06/22, the Board received Respondent's response that stated she is surrendering her license, and has retired and will not be practicing in the field anymore.
- 19. Respondent also stated that she has no intention of defending this baseless complaint at this life stage.
- 20. On 12/12/22, the Board received a letter from Respondent requesting that her license be "REVOKED" and is very aware of the consequences of her license being revoked which she welcomes that action.
 - 21. Due to Respondent's request, the complaint was not thoroughly investigated.

CONCLUSIONS OF LAW

- The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 et seq.
 and the rules promulgated by the Board relating to Respondent's professional practice as a
 licensed behavioral health professional.
- 2. The conduct and circumstances described in the Findings of Fact constitute a violation of A.R.S. § 32-3251(16)(I), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.

ORDER

Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to the provision and penalties imposed as follows:

- Respondent's license, LCSW-17417, shall be surrendered to the Board, effective from the date of entry as signed below.
 - 2. The surrender shall be considered a revocation of Respondent's license.

1 PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT 2 karen l Mueller Jan 11, 2023 Karen L. Mueller Date 3 4 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT** 5 Feb 21, 2023 Ву: 6 TOBI ZAVALA, Executive Director Date Arizona Board of Behavioral Health Examiners 7 8 **ORIGINAL** of the foregoing filed $\underline{\text{Feb}}$ 21, 2023 9 with: 10 Arizona Board of Behavioral Health Examiners 1740 West Adams Street, Suite 3600 11 Phoenix, AZ 85007 12 **EXECUTED COPY** of the foregoing sent electronically Feb 21, 2023 to: 13 Mona Baskin 14 **Assistant Attorney General** 2005 North Central Avenue 15 Phoenix, AZ 85004 16 Karen L. Mueller Address of Record 17 Respondent 18 19 20 21 22 23 24

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