

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

2 **In the Matter of:**

3 **Amanda B. McCarron, LPC-17309,**
4 **Licensed Professional Counselor,**
5 **In the State of Arizona.**

6 **RESPONDENT**

CASE NO. 2023-0183


**RELEASE FROM
NON-DISCIPLINARY CONSENT
AGREEMENT AND ORDER**

7 The Board received a request from Respondent to release them from the terms and
8 conditions of the Non-Disciplinary Consent Agreement and Order dated April 17th, 2023. After
9 consideration, the Board voted to release Respondent from the terms and conditions of the
10 Non-Disciplinary Consent Agreement and Order dated April 17th, 2023.

11 **ORDER**

12 **GOOD CAUSE APPEARING, IT IS THEREFORE ORDERED THAT:**

13 Respondent is hereby released from all terms and conditions of the Non-Disciplinary
14 Consent Agreement and Order dated April 17th, 2023.

15 By:  Oct 17, 2023
16 **TOBI ZAVALA, Executive Director** **Date**
Arizona Board of Behavioral Health Examiners

17
18 **ORIGINAL** of the foregoing filed Oct 17, 2023
19 with:

20 Arizona Board of Behavioral Health Examiners
21 1740 West Adams Street, Suite 3600
22 Phoenix, AZ 85007

23 **EXECUTED COPY** of the foregoing sent electronically Oct 17, 2023
24 to:

25 Amanda B. McCarron
Address of Record
Respondent

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

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

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11 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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

16 7. Respondent acknowledges and agrees that the acceptance of this Consent
17 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
18 other proceedings as may be appropriate now or in the future. Furthermore, and
19 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
20 preclude in any way any other state agency or officer or political subdivision of this state from
21 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
22 in the future relating to this matter or other matters concerning Respondent, including but not
23 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other
24 than with respect to the Board, this Consent Agreement makes no representations, implied or

25 ...

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

3 8. Respondent understands that once the Board approves and signs this Consent
4 Agreement, it shall constitute a public record that may be disseminated as a formal action of the
5 Board.

6 9. Respondent further understands that any violation of this Consent Agreement
7 constitutes unprofessional conduct pursuant to A.R.S. § 32-3251(16)(n) and may result in
8 disciplinary action pursuant to A.R.S. § 32-3281.

9 10. The Board therefore retains jurisdiction over Respondent and may initiate
10 disciplinary action against Respondent if it determines that they have failed to comply with the
11 terms of the Consent Agreement or of the practice act.

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

13 **FINDINGS OF FACT**

14 1. Respondent is the holder of License No. LPC-17309 for the practice of
15 counseling in the state of Arizona.

16 2. On 12/06/22, Respondent was arrested for driving under the influence.

17 3. Respondent's breathalyzer results were measured at 0.153 %.

18 4. Respondent acknowledges having two drinks prior to driving.

19 **CONCLUSIONS OF LAW**

20 1. The Board has jurisdiction over Respondent pursuant to A.R.S. § 32-3251 *et seq.*
21 and the rules promulgated by the Board relating to Respondent's professional practice as a
22 licensed behavioral health professional.

23 2. Pursuant to A.R.S. § 32-3281(D)(3), if the Board finds that Respondent's
24 conduct is not of sufficient seriousness to merit direct action against them, it may issue a
25 nondisciplinary order requiring Respondent to complete a prescribed number of hours of

1 continuing education in an area or areas prescribed by the Board to provide them with the
2 necessary understanding of current developments, skills, procedures or treatment.

3 **ORDER**

4 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to
5 the provisions and penalties imposed as follows:

6 **Continuing Education**

7 1. In addition to the continuing education requirements of A.R.S. § 32-3273, within
8 12 months of the effective date of this Consent Agreement, Respondent shall take and pass a
9 three semester credit hour graduate level course in substance use disorders from a regionally
10 accredited college or university, pre-approved by the Board Chair or designee. Upon
11 completion, Respondent shall submit to the Board an official transcript establishing completion
12 of the required course.

13 **Licensee Name**

14 2. Respondent shall practice behavioral health using the name under which they
15 are licensed. If Respondent changes their name, they shall advise the Board of the name
16 change as prescribed under the Board's regulations and rules.

17 **Early Release**

18 3. After completion of the required continuing education, Respondent may request
19 early release from this Consent Agreement.

20 **General Provisions**

21 4. Respondent must submit a written request to the Board for release from the
22 terms of this Consent Agreement at least 30 days prior to the date they would like to have this
23 matter presented before the Board. Respondent may appear before the Board, either in person
24 or telephonically. Respondent must provide evidence that they have successfully satisfied all
25 terms and conditions in this Consent Agreement. The Board has the sole discretion to

1 determine whether all terms and conditions of this Consent Agreement have been met and
2 whether Respondent has adequately demonstrated that they have addressed the issues
3 contained in this Consent Agreement. In the event that the Board determines that any or all
4 terms and conditions of this Consent Agreement have not been met, the Board may open up a
5 complaint which will be subject to the provisions of A.R.S. § 32-3281.

6 5. Respondent shall bear all costs relating to completion of all terms required in this
7 Consent Agreement.

8 6. Respondent shall be responsible for ensuring that all documentation required in
9 this Consent Agreement is provided to the Board in a timely manner.

10 7. This Consent Agreement shall be effective on the date of entry below.

11 8 This Consent Agreement is conclusive evidence of the matters described herein
12 and may be considered by the Board in determining appropriate sanctions in future cases.

13
14 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

15 *Amanda McCarron*

Amanda McCarron (Mar 24, 2023 08:18 PDT)

Amanda B. McCarron

Mar 24, 2023

Date

17 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

18 By:

Mpli Zavala

19 TOBI ZAVALA, Executive Director
20 Arizona Board of Behavioral Health Examiners

Apr 17, 2023

Date

21
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Phoenix, AZ 85007

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1 to:

2 Mona Baskin
3 Assistant Attorney General
4 2005 North Central Avenue
5 Phoenix, AZ 85004

6 Amanda B. McCarron
7 Address of Record
8 Respondent
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