

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

3 **In the Matter of:**

4 **Sherri Mikels-Romero, LCSW-22213,**
5 **Licensed Clinical Social Worker,**
6 **In the State of Arizona.**

7 **RESPONDENT**

CASE NO. 2024-0343

DECREE OF CENSURE

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

14 **RECITALS**

15 Respondent understands and agrees that:

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

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

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

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11 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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 is a public record that may be publicly disseminated as a formal action of the
5 Board, and that it shall be reported as required by law to the National Practitioner Data Bank.

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 this 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. LCSW-22213 for the practice of social
15 work in Arizona.

16 2. From 07/01/04 – 12/31/23, Respondent was licensed as an LCSW in Arizona.

17 3. On 12/31/23, Respondent's license expired, and she did not renew her license.

18 4. Despite Respondent's license being expired, she continued to see clients in her
19 private practice.

20 5. Respondent represented the following in a written statement and during a phone
21 conversation with Board staff:

22 a. In 12/23, Respondent reached out to Board staff, before her license
23 expiration date, about the renewal application process, and she was informed
24 she had up to 90 days to complete the renewal application process with a late
25 fee.

1 b. Despite researching statutes, rules, and policies, Respondent did not find
2 mention or reference of not being able to practice psychotherapy or to
3 provide therapeutic services while within the 90-day late renewal period.

4 c. Respondent believed she could still practice during her renewal period, and if
5 she had known she could not, she would not have.

6 6. For approximately three months, Respondent provided psychotherapy services in
7 Arizona without a valid license.

8 **CONCLUSIONS OF LAW**

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

12 2. The conduct and circumstances described in the Findings of Fact constitute a
13 violation of A.R.S. § 32-3251(16)(ii), violating any federal or state law, rule or regulation
14 applicable to the practice of behavioral health, as it relates to:

15 A.R.S. § 32-3286, Unlawful Practice

16 **ORDER OF CENSURE**

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

19 1. Respondent is hereby censured, which is an official action against their license,
20 for their conduct as set forth in the Findings of Fact.

21 2. This Consent Agreement shall be effective on the date of entry below.

22 3. This Consent Agreement is conclusive evidence of the matters described herein
23 and may be considered by the Board in determining appropriate sanctions in the event a
24 subsequent violation occurs.

25 ...

1 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

2 Sherri Mikels-Romero

3 Sherri Mikels-Romero (Apr 24, 2024 14:37 PDT)

4 Sherri Mikels-Romero

5 Apr 24, 2024

6 Date

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

8 By: M. Zaval

9 _____

10 TOBI ZAVALA, Executive Director
11 Arizona Board of Behavioral Health Examiners

12 May 11, 2024

13 Date

14 **ORIGINAL** of the foregoing filed May 11, 2024
15 with: _____

16 Arizona Board of Behavioral Health Examiners
17 1740 West Adams Street, Suite 3600
18 Phoenix, AZ 85007

19 **EXECUTED COPY** of the foregoing sent electronically May 11, 2024
20 to: _____

21 Mona Baskin
22 Assistant Attorney General
23 2005 North Central Avenue
24 Phoenix, AZ 85004

25 Sherri Mikels-Romero
26 Address of Record
27 Respondent