



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
MEETING MINUTES
March 11, 2022

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Patricia Dobratz, Meaghan Kramer, Kasondra Parr, Mark Shen, Gerald Szymanski, Antwan Trotter

Members Absent: Leanette Henagan, Kasondra Parr

Staff Present: Mona Baskin, A.A.G., Tobi Zavala, Executive Director; Erin Yabu, Deputy Director; Jarett Carver, Investigations Manager

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on March 11, 2022 at 9:02 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. February 11, 2022, general meeting minutes

Mr. Davis moved, seconded by Ms. Kramer, to approve the general meeting minutes for the February 11, 2022 meeting as submitted. The motion passed unanimously. Mr. Charles, Ms. Parr, and Mr. Szymanski abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

N/A

B. Cases recommended for dismissal with a letter of concern.

- 1. 2022-0005, Mary Blessington, LCSW-0391*
- 2. 2021-0140, Rustin Foster, LMSW-17528*
- 3. 2022-0051, Heidi Quinlan, LPC-13084, LISAC-11071*

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(B)(2). The motion passed unanimously.

- 1. 2022-0005, Mary Blessington, LCSW-0391*

Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Dominique Barrett, appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Shen, to dismiss the complaint with a letter of concern to include discussing and explaining the diagnosis with the client. The motion passed unanimously.

3. 2022-0051, Heidi Quinlan, LPC-13084, LISAC-11071
Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Faren Akins, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Bailey, to dismiss the complaint with a letter of concern to include being responsive to client's requests. The motion passed unanimously.

C. Cases recommended for release from consent agreements.

1. 2020-0114, Shadi Bastani, LPC-16954 (active-restricted)
2. 2020-0037, Russell Beazer, LMFT-10047 (active-restricted)
3. 2019-0002, Barbara Collier, LPC-12794 (active-restricted)
4. 2022-0041, Meagan Foxx, LPC-13589 (active-restricted), LISAC-11604 (active-restricted)
5. 2020-0137, Kerry Martin-Doehring, LMFT-15410 (active-restricted)
6. 2021-0135, Erica McCullough, LAMFT-10732

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(C). The motion passed unanimously.

D. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.

1. Rebecca Holmes, LMSW Applicant

Following discussion, Mr. Davis moved, seconded by Mr. Trotter, to approve the consent agenda item 4(D). The motion passed unanimously.

E. Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement.

1. Jill Ord, LMFT Applicant

Following discussion, Mr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(E). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

F. Cases recommended for opening a complaint and dismissing with a letter of concern.

N/A

G. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

1. 2021-0152, Candace Quibell, LCSW-10838

Following discussion, Mr. Davis moved, seconded by Mr. Trotter, to approve the consent agenda item 4(G). The motion passed unanimously.

H. Cases recommended for acceptance of a proposed signed disciplinary consent agreement. The Board will review, discuss, and may vote to take action on the following case(s).

N/A

The Board took a break at 10:02 a.m., reconvening its public meeting at 10:12 a.m.

5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues in the following matter(s). During the administrative hearing, the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38- 431.03(A)(3).

N/A

6. Formal Interviews

N/A

7. Complaints and other disciplinary matters: review, consideration and action

A. 2019-0114, 2021-0156, Christina Aguilar, LPC-17472 (active restricted)

Ms. Zavala summarized the signed proposed modified consent agreement.

The professional’s attorney, Flynn Carey, appeared and addressed the Board.

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Bailey, to accept the proposed signed modified consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

B. Kristy Beerman, LMSW-19442

Ms. Zavala summarized the background information.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Bailey, to open a complaint for further investigation. The motion passed unanimously.

C. 2022-0080, Gaylon Calahan, LMSW-15215

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Coonrod, to dismiss the complaint with a letter of concern addressing the importance of boundaries. The motion passed unanimously.

D. 2022-0074, Joseph Dunbar, LASAC-15385

Ms. Zavala summarized the Board’s investigation.

The complainant appeared, but did not address the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Kramer, to find the following violations:

- A.R.S. § 32-3251(16)(aa), sexually harassing a client, former client, research subject, supervisee or coworker. For the purposes of this subdivision, "sexually harassing" includes sexual advances, sexual solicitation, requests for sexual favors, unwelcome comments or gestures or any other verbal or physical conduct of a sexual nature
- 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

- A.R.S. § 32-3251(16)(j), engaging in conduct that the board determines is gross negligence or repeated negligence in the licensee's profession
- A.R.S. § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession
- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(r), providing behavioral health services that are clinically unjustified or unsafe or otherwise engaging in activities as a licensee that are unprofessional by current standards of practice
- 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.A.C R4-6-205, Change of Contact Information

The motion passed unanimously.

Following further discussion by members, Ms. Bailey moved, seconded by Ms. Coonrod, to offer the professional a consent agreement for the voluntary surrender of the professional's license, and if not accepted, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

E. 2021-0160, Marian Eberly, LCSW-4127

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Anne McClellan, appeared and addressed the Board.

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to find the following violations:

- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience
- A.R.S. § 32-3251(16)(kk), failing to make client records in the licensee's possession promptly available to the client, a minor client's parent, the client's legal guardian or the client's authorized representative on receipt of proper authorization to do so from the client, a minor client's parent, the client's legal guardian or the client's authorized representative

The motion passed unanimously. Mr. Szymanski abstained.

Following further review, Mr. Davis moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 6 clock hours of pre-approved continuing education in family systems and highly contested family matters

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to a formal hearing. The motion passed unanimously. Mr. Szymanski abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X		X
NAY											
Absent						X		X		abstained	

F. 2021-0136, Stacy Foglesong, LAC-19578

Ms. Zavala summarized the Board’s investigation.

The complainant appeared, but did not address the Board.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Bailey, to find the following violation:

- 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

The motion passed unanimously.

Following further review, Ms. Dobratz moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 24 months
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 6 clock hours of pre-approved continuing education in family systems
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision from a pre-approved independently licensed behavioral health professional. The frequency for the first 6 months shall be weekly, and then biweekly for the next 6 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor
- Early release available after 12 months at the recommendation of the therapist
- Clinical supervision shall focus on boundaries, behavioral health ethics, scope of practice, Arizona Statutes/Rules, and writing letters on behalf of clients

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

The Board took a break at 11:34 a.m., reconvening its public meeting at 12:06 p.m.

G. 2021-0169, Roshelle Johnson, LISAC-15130, LPC-17747

Ms. Zavala summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional and her attorney, Charles Hover, appeared and addressed the Board.

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Bailey, to find the following violations:

- A.R.S. § 32-3251(16)(s), terminating behavioral health services to a client without making an appropriate referral for continuation of care for the client if continuing behavioral health services are indicated
- 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. § 13-3620, Duty to report abuse

The motion passed unanimously.

Following further review, Ms. Dobratz moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 6 clock hours of pre-approved continuing education in high conflict families
- The professional shall receive clinical supervision monthly from a pre-approved independently licensed behavioral health professional that has systemic experience
- Early release available after 6 months at the recommendation of the clinical supervisor
- Clinical supervision shall focus on high conflict families, documentation, Arizona Statutes/Rules, behavioral health ethics, and duty to report

and if not signed, to invite the professional to participate in a formal interview and, if not accepted, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

H. Joshua Masterson LMSW-18860

Ms. Zavala summarized the background information.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to offer the professional an interim consent agreement not to practice, and if not signed, ordered to complete a substance abuse evaluation by a pre-approved addictionologist within 60 days. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

I. 2021-0147, Angel Montemayor, LPC-16467

Ms. Zavala summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional and his attorney, Anne McClellan, appeared and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Bailey, to find the following violations:

- 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
- A.R.S. § 32-3251(16)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee

to safely and competently practice the licensee's profession

- 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.A.C R4-6-205, Change of Contact Information

The motion passed unanimously.

Following further review, Mr. Shen moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 24 months
- Stayed revocation
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional for 6 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but not less than monthly
- Clinical supervision shall focus on self-care, client care, behavioral health ethics, documentation, and Arizona Statutes/Rules.
- Clinical supervisor will monitor the need for a therapy referral

and if not accepted, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X		X		X	X	X
NAY											
Absent						X		X			

J. 2022-0039, Mary Ellen Passaro, LMSW-19166

Ms. Zavala summarized the signed proposed consent agreement.

The professional’s attorney, Anne McClellan, appeared and addressed the Board.

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Bailey, to accept the signed proposed consent agreement. The motion passed unanimously. Ms. Dobratz recused.

Following further review, Ms. Coonrod moved, seconded by Ms. Kramer, to refer the case to the Arizona Board of Psychologist Examiners regarding Dr. Crago. The motion passed unanimously. Ms. Dobratz recused.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X			X		X	X	X
NAY											
Absent					recused	X		X			

K. Veronica Ramirez, LAC-20522

Ms. Zavala summarized the background information.

The professional and her attorney, Flynn Carey, appeared and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Mr. Trotter, to open a complaint for further investigation. The motion passed unanimously.

8. Assistant Attorney General’s Report: Mona Baskin, A.A.G.

N/A

9. Temporary licenses: review, consideration and action

N/A

10. Applications for licensure and educational programs: review, consideration and action

A. Review, consideration, and possible action regarding applications for licensure

Counseling

Mr. Shen moved, seconded by Ms. Bailey to deny 2 applications based on a failure to pass the required examination, 1 application based on a failure to take the required examination, and 2 applications based on a failure to meet the minimum requirements. The motion passed unanimously.

Social Work

Mr. Davis moved, seconded by Ms. Bailey, to deny 10 applications based on a failure to pass the required examination and 5 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Bailey, to deny 1 application based on a failure to take the required examination and 1 application based on a failure to meet the minimum requirements and a finding of unprofessional conduct. The motion passed unanimously.

B. Review, consideration, and possible action regarding applications for educational programs

N/A

11. Report from Chair

A. Summary of current events

No report.

B. Discussion regarding Ms. Zavala's annual performance review

Ms. Dobratz requested constructive feedback from members for Ms. Zavala's annual performance review by April 7, 2022. Feedback to include areas growths, goals, strengths, and any other items to note. Discussions will take place at the Personnel Committee Meetings in April and May. Ms. Zavala's performance review will then be presented at the May Board meeting.

12. Report from the Treasurer

A. Review, consideration, and possible action regarding January financial report

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Kramer, to accept the January financial report as presented. The motion passed unanimously.

C. Review, consideration, and possible action regarding February financial report

Tabled

13. Report from the Executive Director and/or staff

A. Update on Board member status

Ms. Zavala shared that Ms. Kramer, Mr. Trotter, and Mr. Charles have been reappointed to the Board for another term. Mr. Szymanski and Mr. Shen have been replaced with new appointments. Ms. Zavala and members thanked them for their service.

B. Review, consideration, and possible action regarding Board member duties

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Bailey, to temporarily designate Ms. Zavala to conduct consent agreement compliance reviews. The motion passed unanimously.

C. Review, consideration, and possible action regarding Petition regarding rule R4-6-1106(B) pursuant to A.R.S. Section 41-1033(G)

- *Correspondence between Petitioner and Executive Director*

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to propose no changes to rule R4-6-1106(B) pursuant to A.R.S. Section 41-1033(G). The motion passed unanimously.

D. Discussion regarding supervised private practice and possible rule modifications

Ms. Zavala shared several areas where clarification is needed with regard to supervised private practice. Following review and discussion by members, this item will be discussed further at the April Board meeting.

E. Review, consideration and possible action regarding requesting an exemption to the rulemaking moratorium pursuant to Executive Order 2022-01 related to the following:

- *Comply with new statutory guidelines related to supervised work experience, telepractice, direct client contact definition, and verbal consent.*
- *Clarify requirements and/or definitions related to supervised private practice, clinical supervision, foreign degree evaluations, telepractice, documentation, license renewal, and school curriculum.*
- *Remove duplicate license fee.*
- *Other technical corrections found since the last rulemaking.*

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Kramer, to approve the request for an exemption to the rulemaking moratorium pursuant to Executive Order 2022-01. The motion passed unanimously.

14. Request for extension of inactive status: review, consideration and action

A. Connie Mullen, LISAC-0960 (inactive)

Following review and discussion by members, Mr. Davis moved, seconded by Mr. Trotter, to grant the request for extension of inactive status. The motion passed unanimously.

B. Carmen Diamond, LPC-0288 (inactive)

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Kramer, to grant the request for extension of inactive status. The motion passed unanimously.

15. Future agenda items

- Supervised private practice

16. Call for public comment

No one was present to respond to the call for public comment.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, April 15, 2022 at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Davis moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:46 p.m.

Cedric Davis
Secretary/Treasurer

Date