



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
1740 WEST ADAMS STREET, SUITE 3600
PHOENIX, AZ 85007
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

May 18, 2021

Michael Pava



Dear Mr. Pava:

On May 14, 2021, the Arizona Board of Behavioral Health Examiners ("Board") reviewed your application for licensure as a licensed associate substance abuse counselor and determined that you are not eligible for licensure pursuant to A.R.S. § 32-3275(A)(6). 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)(f), engaging in active habitual intemperance in the use of alcohol or active habitual substance abuse.

These violations were based on the following findings:

1. On 01/20/21, Applicant submitted his LASAC application.
2. Applicant answered "yes" to background questions (4), indicating the following:
 - a. In 11/03, Applicant was charged with a DUI.
 - Although Applicant was a minor, he was charged as an adult.
 - Applicant had a prior DIU charge, but was charged in juvenile court because he was a minor.
 - b. In 06/10, Applicant pleaded guilty to a marijuana charge and received 12 months of unsupervised probation.
 - c. In 04/15, Applicant entered into a 6-month alcohol treatment program with the Salvation Army and represented the following:
 - This was the first time Applicant took complete ownership of his poor behaviors and sought help to overcome his alcohol addiction.
 - Applicant used a 12-step program to keep himself accountable, honest, and dependable.
3. Records from the Salvation Army indicate Applicant represented the following during a 06/13/15 assessment:
 - a. Applicant uses alcohol daily, up to 3 bottles per day.

- b. Applicant has tried marijuana, cocaine, and barbiturates.
- c. Applicant has blacked out from alcohol with his longest blackout being 6-10 hours.
4. On 02/08/21, Applicant submitted a written statement to Board staff indicating the following:
 - a. His sobriety date is 10/05/20.
 - b. The relapse lasted two weeks.
 - c. Applicant returned to AA.
 - d. He attends 12-step meetings 4-6 times per week.
 - e. Applicant meets with church pastors and Sponsor throughout the week.
 - f. Applicant has completed the 12-steps of AA with Sponsor and now practices steps 10, 11, and 12.
 - g. Applicant reaches out to Sponsor when he struggles with any emotions and life stressors.
5. On 02/09/21, Board staff received a letter from Applicant's sponsor indicating the following:
 - a. Sponsor has been sponsoring Applicant since 10/07/20.
 - b. Applicant has completed his 12 steps and has worked diligently from the beginning of their time together.
6. After receiving follow-up questions from Board staff on 03/18/21, Applicant sent an email requesting to withdraw his LASAC application.
7. During a 03/19/21 telephone conversation with Board staff, Applicant admitted to a recent relapse with alcohol and being terminated from his employer, The River Source.
8. Applicant's personnel file from The River Source indicated the following:
 - a. It has been reported that Applicant was intoxicated and disruptive while at work on 03/11/21.
 - b. On 03/12/21, Applicant was involuntarily terminated and is not eligible for rehire.

Pursuant to A.R.S. § 41.1092.03 (B), you may request a formal hearing by notifying the Board, in writing, within 35 days from the date of this letter. The hearing will be held within 60 days after the Board receives your request. (A.R.S. § 41-1092.05)(A)) At the hearing, you will have the burden of proof to demonstrate that you are qualified for licensure regarding the matters set forth above. The Office of the Attorney General will represent the State of Arizona at the hearing. In addition, if you request a hearing, you have the right to request a settlement conference. (A.R.S. § 41-1092.06) Please note that if you do not request a hearing by the close of business on **June 22, 2021**, your file will be closed without recourse to appeal. If you desire licensure in the future you will be required to submit a new application and fee. Please be further advised that pursuant to the Board's licensure statutes only persons holding licenses to practice behavioral health may do so unless they are exempt from licensure pursuant to A.R.S. § 32-3271.

Notice to Licensure Applicant:

Pursuant to A.R.S. § 41-1093.01, an agency shall limit all occupational regulations to regulations that are demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Pursuant to A.R.S. § 41-1093.02 and A.R.S. § 41-1093.03, you have the right to petition this agency to repeal or modify the occupational regulation or bring an action in a court

of general jurisdiction to challenge the occupational regulation and to ensure compliance with
A.R.S. § 41-1093.01.

If you have any questions, I can be reached at (602) 542-1617.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tobi Zavala', with a long horizontal flourish extending to the right.

Tobi Zavala
Executive Director