

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

In the Matter of:

**Lauren E. Hrubik, LAMFT-10724,
Licensed Associate Marriage and Family
Therapist,
In the State of Arizona.**

**CASE NO. 2022-0095
CONSENT AGREEMENT**

RESPONDENT

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 Arizona State Board of Behavioral Health Examiners ("Board"), and pursuant to A.R.S. §§ 32-3281(F) and 41-1092.07(F)(5), Lauren E. Hrubik ("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 or 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.

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

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

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

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13 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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

18 7. Respondent acknowledges and agrees that the acceptance of this Consent
19 Agreement is solely to settle this Board matter and does not preclude the Board from instituting
20 other proceedings as may be appropriate now or in the future. Furthermore, and
21 notwithstanding any language in this Consent Agreement, this Consent Agreement does not
22 preclude in any way any other state agency or officer or political subdivision of this state from
23 instituting proceedings, investigating claims, or taking legal action as may be appropriate now or
24 in the future relating to this matter or other matters concerning Respondent, including but not

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1 limited to violations of Arizona's Consumer Fraud Act. Respondent acknowledges that, other
2 than with respect to the Board, this Consent Agreement makes no representations, implied or
3 otherwise, about the views or intended actions of any other state agency or officer or political
4 subdivision of the state relating to this matter or other matters concerning Respondent.

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

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

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

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

15 **FINDINGS OF FACT**

16 1. Respondent is the holder of License No. LAMFT-10724 for the practice of
17 Marriage and Family Therapy in the State of Arizona.

18 2. From 08/09/21 – 12/15/21, Respondent provided direct behavioral health
19 services to Client.

20 3. Client's goals included processing trauma, increasing coping skills, maintaining
21 healthy relationships and boundaries, and medication management.

22 4. A 09/21/21 progress note indicated Client and Respondent discussed a history of
23 Client's abuse without any explicit statements about a sexual assault.

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1 5. This note completed by Respondent failed to include any mention of possibly
2 reporting this incident to the police or any sort of information regarding when the sexual assault
3 occurred.

4 6. A 09/29/21 progress note indicated Respondent discussed with Client how she
5 used to be prior to the sexual assault.

6 7. A 10/08/21 case management note indicated Respondent contacted Mother to
7 discuss the mandated report regarding the sexual assault.

8 8. During an investigative interview, Respondent represented that Mother was the
9 one to initially reported the sexual assault and Respondent failed to document this conversation
10 she had with Mother due to being inundated with work and it slipping her mind to document the
11 interaction.

12 9. Respondent failed to document anywhere in the clinical record, her report to the
13 police regarding the sexual assault.

14 10. Furthermore, there is no record or indication that a police report was made by
15 Respondent other than her representation during the Board's investigation.

16 11. Respondent failed to make a police report for at least a week following the sexual
17 assault disclosure.

18 12. Respondent represented at the time she was made aware of the sexual assault,
19 she believed it was reportable yet failed to make the report immediately.

20 13. Respondent has made reports regarding sexual assault in the past but this case
21 was different due to the amount of burnout she was feeling at the time.

22 14. Despite Respondent representing she has made reports around sexual abuse in
23 the past, Respondent represents she did not feel supported at Agency and attempted to seek
24 guidance and was not given much guidance on how to report Client's sexual assault.

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1 15. Agency had a policy in place regarding the mandatory reporting of suspected
2 abuse.

3 16. Respondent signed a supervision agreement indicating her understanding that
4 she will bring forward any concerns to her supervisor including suspected child abuse.

5 17. A 06/03/21 group supervision session that Respondent attended included a
6 discussion around mandatory reporting of child abuse and the relevant statute around
7 mandatory reporting of child abuse.

8 18. Respondent in fact should have immediately reported the sexual assault to police
9 or DCS.

10 19. Respondent acknowledged not documenting some of her outreach attempts to
11 other clients due to burnout and lack of support at Agency.

12 20. Respondent did not document her outreach attempts to various clients, Mother's
13 initial report of the sexual assault, and her eventual report to the police.

14 **CONCLUSIONS OF LAW**

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

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

21 A.R.S. §13-3620, Duty to Report Abuse.

22 3. The conduct and circumstances described in the Findings of Fact constitute a
23 violation of A.R.S. § 32-3251(16)(q), failing or refusing to maintain adequate records of
24 behavioral health services provided to a client.

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1 **ORDER**

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

4 1. Respondent's license, LAMFT-10724, will be placed on probation for 24 months,
5 effective from the date of entry as signed below.

6 2. Respondent shall not practice under their license, LAMFT-10724, unless they
7 are fully compliant with all terms and conditions in this Consent Agreement. If, for any reason,
8 Respondent is unable to comply with the terms and conditions of this Consent Agreement, they
9 shall immediately notify the Board in writing and shall not practice under their license until they
10 submit a written request to the Board to re-commence compliance with this Consent
11 Agreement. All such requests shall be pre-approved by the Board Chair or designee.

12 3. In the event that Respondent is unable to comply with the terms and conditions
13 of this Consent Agreement, all remaining time frames shall be tolled and remain tolled until
14 such time as they are granted approval to re-commence compliance with the Consent
15 Agreement.

16 **Continuing Education**

17 4. In addition to the continuing education requirements of A.R.S. § 32-3273, within
18 12 months of the effective date of this Consent Agreement, Respondent shall complete 6 clock
19 hours of the NASW Staying Out of Trouble course or an equivalent course. All required
20 continuing education shall be pre-approved by the Board Chair or designee. Upon completion,
21 Respondent shall submit a certificate of completion of the required continuing education.

22 5. In addition to the continuing education requirements of A.R.S. § 32-3273, within
23 12 months of the effective date of this Consent Agreement, Respondent shall complete 3 clock
24 hours of continuing education in documentation. Upon completion, Respondent shall submit to
25 the Board an official transcript establishing completion of the required course.

1 6. In addition to the continuing education requirements of A.R.S. § 32-3273, within
2 12 months of the effective date of this Consent Agreement, Respondent shall complete 3 clock
3 hours of continuing education in treatment planning and best practice. Upon completion,
4 Respondent shall submit to the Board an official transcript establishing completion of the
5 required course.

6 **Clinical Supervision**

7 7. While on probation, Respondent shall submit to clinical supervision for 24 months
8 by a masters or higher-level behavioral health professional licensed by the Arizona Board of
9 Behavioral Health Examiners at the independent level. Within 30 days of the date of this
10 Consent Agreement, Respondent shall submit the name of a clinical supervisor for pre-approval
11 by the Board Chair or designee. Also, within 30 days of the date of this Consent Agreement, the
12 clinical supervisor shall submit a letter disclosing their prior relationship to Respondent. In that
13 letter, the clinical supervisor must address why they should be approved, acknowledge that they
14 have reviewed the Consent Agreement and include the results of an initial assessment and a
15 supervision plan regarding the proposed supervision of Respondent. The letter from the
16 supervisor shall be submitted to the Board.

17 **Focus and Frequency of Clinical Supervision**

18 8. The focus of the supervision shall relate to Board statutes and rules,
19 documentation, self-care, mandated reporting, and burnout. Each session will include a
20 caseload review. During each supervision session, the supervisor shall review Respondent's
21 caseload and documentation and provide feedback to ensure Respondent is compliant with
22 current behavioral health documentation standards in Arizona. Respondent shall meet
23 individually in person with the supervisor for a minimum of one hour weekly for the first 12
24 months, and after the first 12 months at the recommendation of the clinical supervisor.

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1 **Reports**

2 9. Once approved, the supervisor shall submit quarterly reports for review and
3 approval by the Board Chair or designee. The quarterly reports shall include issues presented in
4 this Consent Agreement that need to be reported and the supervisor shall notify the Board if
5 more frequent supervision is needed. Quarterly reports shall include the following:

- 6 a. Dates of each clinical supervision session.
7 b. A comprehensive description of issues discussed during supervision
8 sessions.
9 c. The results of each clinical documentation review by the supervisor.

10 10. All quarterly supervision reports shall include a copy of clinical supervision
11 documentation maintained for that quarter. All clinical supervision documentation maintained by
12 the supervisor shall comply with requirements set forth in A.A.C. R4-6-212(C).

13 11. After Respondent's probationary period, the supervisor shall submit a final
14 summary report for review and approval by the Board Chair or designee. The final report shall
15 also contain a recommendation as to whether the Respondent should be released from this
16 Consent Agreement.

17 **Change of Clinical Supervisor During Probation**

18 12. If, during the period of Respondent's probation, the clinical supervisor determines
19 that they cannot continue as the clinical supervisor, they shall notify the Board within 10 days of
20 the end of supervision and provide the Board with an interim final report. Respondent shall
21 advise the Board Chair or designee within 30 days of cessation of clinical supervision by the
22 approved clinical supervisor and provide the name of a new proposed clinical supervisor. The
23 proposed clinical supervisor shall provide the same documentation to the Board as was required
24 of the initial clinical supervisor.

1 **Early Release**

2 13. After completion of the stipulations set forth in this consent agreement, and upon
3 the supervisor's recommendation, respondent may request early release from the consent
4 agreement after 12 months.

5 **GENERAL PROVISIONS**

6 **Provision of Clinical Supervision**

7 14. Respondent shall not provide clinical supervision while subject to this Consent
8 Agreement.

9 **Civil Penalty**

10 15. Subject to the provisions set forth in paragraph 16, the Board imposes a civil
11 penalty against the Respondent in the amount of \$1,000.00.

12 16. Respondent's payment of the civil penalty shall be stayed so long as Respondent
13 remains compliant with the terms of this Consent Agreement. If Board staff determines that
14 Respondent is noncompliant with the terms of this Consent Agreement in any respect, with the
15 exception of the tolling provision under paragraph 3, the stay of the civil penalty payment shall
16 be automatically lifted and payment of the civil penalty shall be made by certified check or
17 money order payable to the Board within 30 days after being notified in writing of the lifting of
18 the stay.

19 17. Within 10 days of being notified of the lifting of the stay, Respondent may request
20 that the matter be reviewed by the Board for the limited purpose of determining whether the
21 automatic lifting of the stay was supported by clear and convincing evidence. If the Board
22 receives the written request within 10 days or less of the next regularly scheduled Board
23 meeting, the request will not be heard at that meeting, but will be heard at the next regularly
24 scheduled Board meeting. The Board's decision on this matter shall not be subject to further
25 review.

1 18. The Board reserves the right to take further disciplinary action against
2 Respondent for noncompliance with this Consent Agreement after affording Respondent notice
3 and an opportunity to be heard. If a complaint is filed against Respondent for failure to comply
4 with this Consent Agreement, the Board shall have continuing jurisdiction until the matter is final
5 and the period of probation shall be extended until the matter is final.

6 19. If Respondent currently sees clients in their own private practice, and obtains any
7 other type of behavioral health position, either as an employee or independent contractor, where
8 they provide behavioral health services to clients of another individual or agency, they shall
9 comply with requirements set forth in paragraphs 20 through 22 below.

10 20. Within 10 days of the effective date of this Order, if Respondent is working in a
11 position where Respondent provides any type of behavioral health related services or works in a
12 setting where any type of behavioral health, health care, or social services are provided,
13 Respondent shall provide the Board Chair or designee with a signed statement from
14 Respondent's employer(s) confirming Respondent provided the employer(s) with a copy of this
15 Consent Agreement. If Respondent does not provide the employer's statement to the Board
16 within 10 days of the effective date, the Board will provide Respondent's employer(s) with a
17 copy of the Consent Agreement.

18 21. If Respondent is not employed as of the effective date of this Order, within 10
19 days of accepting employment in a position where Respondent provides any type of behavioral
20 health related services or in a setting where any type of behavioral health, health care, or social
21 services are provided, Respondent shall provide the Board Chair or designee with a written
22 statement providing the contact information of their new employer and a signed statement from
23 Respondent's new employer confirming Respondent provided the employer with a copy of this
24 Consent Agreement. If Respondent does not provide the employer's statement to the Board

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1 within 10 days, as required, Respondent's failure to provide the required statement to the Board
2 shall be deemed a violation of A.R.S. § 32-3251(16)(n) and the Board will provide Respondent's
3 employer(s) with a copy of the Consent Agreement.

4 22. If, during the period of Respondent's probation, Respondent changes
5 employment, resigns, is involuntarily terminated, resigns in lieu of termination, or goes on
6 extended leave of absence for whatever reason that may impact their ability to timely comply
7 with the terms of probation, Respondent shall, within 10 days of the aforementioned acts, inform
8 the Board of their change of employment status. After the change and within 10 days of
9 accepting employment in a position where Respondent provides any type of behavioral health
10 related services or in a setting where any type of behavioral health, health care, or social
11 services are provided, Respondent shall provide the Board Chair or designee a written
12 statement providing the contact information of their new employer(s) and a signed statement
13 from Respondent's new employer(s) confirming Respondent provided the employer(s) with a
14 copy of this Consent Agreement. If Respondent does not provide the employer's statement to
15 the Board within 10 days, as required, Respondent's failure to provide the required statement to
16 the Board shall be deemed a violation of A.R.S. § 32-3251(16)(n) and the Board will provide
17 Respondent's employer(s) with a copy of the Consent Agreement.

18 23. Respondent shall practice behavioral health using the name under which they
19 are licensed. If Respondent changes their name, they shall advise the Board of the name
20 change as prescribed under the Board's regulations and rules.

21 24. Prior to the release of Respondent from probation, Respondent must submit a
22 written request to the Board for release from the terms of this Consent Agreement at least 30
23 days prior to the date they would like to have this matter appear before the Board. Respondent
24 may appear before the Board, either in person or telephonically. Respondent must provide

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1 evidence that they have successfully satisfied all terms and conditions in this Consent
2 Agreement. The Board has the sole discretion to determine whether all terms and conditions of
3 this Consent Agreement have been met and whether Respondent has adequately demonstrated
4 that they have addressed the issues contained in this Consent Agreement. In the event that the
5 Board determines that any or all terms and conditions of this Consent Agreement have not been
6 met, the Board may conduct such further proceedings as it determines are appropriate to
7 address those matters.

8 25. Respondent shall bear all costs relating to probation terms required in this
9 Consent Agreement.

10 26. Respondent shall be responsible for ensuring that all documentation required in
11 this Consent Agreement is provided to the Board in a timely manner.

12 27. This Consent Agreement shall be effective on the date of entry below.


13 28. This Consent Agreement is conclusive evidence of the matters described herein
14 and may be considered by the Board in determining appropriate sanctions in the event a
15 subsequent violation occurs.

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

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Lauren E. Hrubik (Nov 1, 2022 19:30 EDT)
Lauren E. Hrubik

Nov 1, 2022
Date

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

21 By: 
22 TOBI ZAVALA, Executive Director
23 Arizona Board of Behavioral Health Examiners

Nov 1, 2022
Date

24 **ORIGINAL** of the foregoing filed Nov 1, 2022
25 with:

1 Arizona Board of Behavioral Health Examiners
1740 West Adams Street, Suite 3600
2 Phoenix, AZ 85007

Nov 1, 2022

3 **EXECUTED COPY** of the foregoing sent electronically
to:

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

7 Lauren E. Hrubik
Address of Record
8 Respondent

9 Bretton Barber
2 N. Central Ave, #1200
10 Phoenix, AZ 85004
Attorney for Respondent

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