



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

TOBI ZAVALA
Executive Director

May 17, 2022



Dear Mrs. Montrie:

On May 13, 2022, the Arizona Board of Behavioral Health Examiners (“Board”) reviewed your application for licensure as a licensed marriage and family therapist 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)(l), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession.
2. A.R.S. § 32-3251(16)(k) engaging in any conduct or practice that is contrary to recognized standards of ethics in the behavioral health profession or that constitutes a danger to the health, welfare or safety of a client, as it relates to the following section of the AAMFT Code of Ethics:
 - a. 1.5 Sexual Intimacy with Former Clients and Others
Sexual intimacy with former clients or with known members of the client’s family system is prohibited.

These violations were based on the following findings:

1. On 07/30/21, the Board received Applicant’s LMFT application by endorsement.
2. Since 1999, Applicant has held a Licensed Marriage and Family Therapist license and Licensed Mental Health Counselor license in Indiana.
3. Within Applicant’s LMFT application, she disclosed the following regarding a previous action against her license in another state:
 - a. In 06/16, an unsubstantiated complaint was filed against Applicant based on hearsay information.
 - b. Applicant’s former client (“Client”) never filed a complaint against Applicant.
 - c. There was an investigation and Indiana Office of the Attorney General (“OAG”) determined no action would be taken.

4. Applicant provided the 5 separate complaints filed against her Indiana licenses which included the following in part:
 - a. Complainant 1 reported Applicant engaged in sexual relations with a client while Applicant was treating him.
 - b. Complainant 2 reported Applicant had an affair with a former client.
 - c. Complainant 3 reported that Applicant self-reported she engaged in a sexual relationship with one of her clients.
 - d. Complainant 4 reported that Applicant self-reported engaging in a sexual relationship with one of her clients.
 - e. Complainant 5 reported that Client and Applicant engaged in a sexual relationship and Client ended the relationship but Applicant continued contacting Client with sexual references until 06/16.
5. Applicant provided a 08/12/16 Affidavit which she provided to OAG in response to the Indiana complaints which included the following:
 - a. From 06/14 – 07/15, Applicant treated Client and in Spring of 2015 Client began sending texts to Applicant that were personal in nature.
 - b. By 06/15, Applicant realized the nature of the texts might interfere with her objectivity in the therapeutic relationship.
 - c. Applicant discussed this with Client and ended the therapy relationship, and no personal relationship ever occurred while Client was her patient.
 - d. Several weeks after terminating the therapy relationship, Applicant and Client began meeting on a social basis and on three occasions they engaged in non-intercourse sexual activity.
 - e. In 12/15, this personal relationship with Client ended but from 01/16 – 06/16 Applicant and Client exchanged occasional texts of a general nature.
 - f. On 06/15/16, Applicant texted Client concerning a group discussion she was leading on the topic of erotic countertransference.
 - g. After reviewing materials for this discussion, Applicant realized the potential implications of her relationship with Client and texted him expressing concern for his wellbeing based on her conduct.
 - h. Applicant has been a therapist for 25 years and has never engaged in a personal relationship with a current or former client, and this will never happen again.
 - i. Applicant realizes her relationship with Client was wrong and made a mistake using very poor judgment.
 - j. Applicant has processed this with her own therapist and had Supervisor assist her in her own practice in Indiana.
6. Applicant provided a number of reference/character letters with her application as well which included a 05/09/17 letter from an un-named former client.
7. In Applicant's 08/22/21 written statement to the Board, she represented the following:
 - a. In 06/14, Client came to Applicant after several critical incidents involving alcohol and Applicant referred Client to a treatment center for a 30-day inpatient program.
 - b. In 09/14, Client attempted suicide and Applicant was contacted to come to the scene and talk to Client.
 - c. Applicant was in a SWAT vehicle for over 8 hours talking to Client until Client finally came out of his home and this was traumatizing and Applicant formed a trauma bond with Client.

- d. Client then went to an inpatient facility for 60 days and returned to therapy with Applicant in 11/14.
 - e. Client fell in love with Applicant because she saved his life and Client would text Applicant every night and she would respond.
 - f. When Applicant realized she was caught up this “enactment” she decided to end Client’s therapy and referred him to another therapist.
 - g. Applicant is aware of the mistake she made and admits meeting with Client after terminating therapy services and kissing each other on several occasions.
8. Applicant represented the following in her investigative interview with Board staff:
 - a. From 06/14 – 06/15, Applicant saw Client for roughly 100 sessions.
 - b. The texting between Applicant and Client did not become sexual in nature until she terminated services with Client.
 - c. The romantic relationship between Applicant and Client began after she terminated services with Client.
 - d. Applicant felt it was apparent throughout therapy sessions that Client had fallen in love with her, and Applicant realized things were shifting “inside her” so she ended the therapeutic relationship.
 - e. After the termination of services, Client continued to text Applicant and Applicant felt she got “hooked” on rescuing Client.
 - f. The texting would occur daily and there were three occasions where they met for lunch and kissed intensely.
 - g. Applicant acknowledged developing romantic and intimate feelings towards Client after the termination of services.
 - h. Applicant denied any sort of oral copulation, intercourse, or touching of genitals.
 - i. Applicant considers kissing as sexual activity, and was also told by her attorney to word her statement that way.
 9. Applicant knew it would be highly inappropriate to engage in a dual relationship, so she terminated services with Client.
 10. Applicant knew her feelings toward Client were changing and that the texting could interfere with her objective assessment of Client, yet she continued an inappropriate romantic relationship with Client after terminating services.
 11. Client attended roughly 100 sessions in a one-year period with Applicant, showing Client’s vulnerability and need for higher frequency of services.
 12. Once services were terminated with Client, Applicant engaged in an inappropriate relationship with Client.
 13. By Applicant’s own admission, she reported this relationship was sexual in nature and views kissing as sexual conduct.
 14. Applicant admitted her conduct with Client was inappropriate.

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 21, 2022**, 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,



Tobi Zavala
Executive Director