

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

3 **In the Matter of:**

4 **Thomas A. Wood, LAC-22163,**
5 **Licensed Associate Counselor,**
6 **In the State of Arizona.**

7 **RESPONDENT**

CASE NO. 2024-0241
CONSENT AGREEMENT

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), Thomas A. Wood (“Respondent”) and the Board enter into this Consent
12 Agreement, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as a final
13 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 and the lifting of the stay of revocation.

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. LAC-22163 for the practice of
15 counseling in the State of Arizona.

16 2. From 05/31/23 – 06/19/23, Respondent provided direct behavioral health
17 services to Client at Agency.

18 3. Client's services focused on boundaries, triggers, and communication.

19 4. In a large majority of Client's progress notes, Respondent documented that
20 Client would benefit from one-on-one therapy to address individual issues as part of his
21 aftercare.

22 5. While Respondent was Client's active therapist at Agency, Respondent provided
23 Client his personal cell phone number, picked Client up from a hotel, then took Client back to
24 Respondent's home to swim, eat, and watch a movie.

25 ...

1 6. Respondent represents he met with Client outside of the therapeutic setting
2 because Client was isolating and Respondent felt it would be beneficial to spend time together
3 and get Client out of the hotel room.

4 7. Respondent further acknowledged that while Respondent and Client were at
5 Respondent's home, Respondent gave Client a massage on Client's neck and shoulders.

6 8. Respondent's phone records also showed two phone calls and 15 text messages
7 exchanged with Client with 9 texts around 12:00am and 3 texts around 5:00am.

8 9. Respondent also acknowledged that he attended a church service with another
9 separate client previously.

10 10. Respondent engaged in this unprofessional interaction with Client by bringing
11 him to his personal home and spending time together.

12 11. Additionally, this interaction was not documented anywhere within Client's clinical
13 records.

14 12. Despite Respondent representing that this conduct occurred prior to his previous
15 Board complaint regarding boundaries with clients, it is unclear how Respondent felt engaging
16 in any sort of non-therapeutic interaction with clients would be appropriate.

CONCLUSIONS OF LAW

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

21 2. The conduct and circumstances described in the Findings of Fact constitute a
22 violation of A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could
23 impair the Respondent's objectivity or professional judgment or create a risk of harm to the
24 client. For the purposes of this subdivision, "dual relationship" means a Respondent

25 ...

1 simultaneously engages in both a professional and nonprofessional relationship with a client
2 that is avoidable and not incidental.

3 **ORDER NOT TO RENEW**

4 Based upon the foregoing Findings of Fact and Conclusion of Law, the parties agree to
5 the provision and penalties imposed as follows:

- 6 1. As of the effective date of the Consent Agreement, Respondent shall not practice
7 under their license.
- 8 2. Respondent's license, LAC-22163, shall by rule, expire on 04/30/25.
- 9 3. Respondent agrees not to renew their license.
- 10 4. Respondent agrees not to submit any type of new license application to the
11 Board for a minimum of five (5) years.
- 12 5. This Consent Agreement is conclusive evidence of the matters described herein
13 and may be considered by the Board in determining appropriate sanctions in the event a
14 subsequent violation occurs.

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

16 *Thomas A. Wood* Sep 17, 2024
Thomas A. Wood (Sep 17, 2024 12:20 PDT) Date
17 Thomas A. Wood

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

19 By: *Mpli Zavala* Oct 15, 2024
20 TOBI ZAVALA, Executive Director Date
21 Arizona Board of Behavioral Health Examiners

22 **ORIGINAL** of the foregoing filed Oct 15, 2024
23 with:

24 Arizona Board of Behavioral Health Examiners
25 1740 West Adams Street, Suite 3600
Phoenix, AZ 85007

1 **EXECUTED COPY** of the foregoing sent electronically Oct 15, 2024
to:

2
3 Mona Baskin
4 Assistant Attorney General
5 2005 North Central Avenue
6 Phoenix, AZ 85004

7 Thomas Wood
8 Address of Record
9 Respondent

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