

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

3 **In the Matter of:**

4 **Elizabeth J. Fedrick, LPC-17899,**
5 **Licensed Professional Counselor,**
6 **In the State of Arizona.**

CASE NO. 2024-0305
DECREE OF CENSURE

7 **RESPONDENT**

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), Elizabeth J. Fedrick (“Respondent”) and the Board enter into this
12 Consent Agreement, Findings of Fact, Conclusions of Law and Order (“Consent Agreement”) as
13 a final 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.

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11 Consent Agreement, this Consent Agreement is withdrawn and shall be of no evidentiary value,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. LPC-17899 for the practice of
15 counseling in the State of Arizona.

16 2. Since 2019, Respondent has owned and operated Agency.

17 3. On 09/09/23, Applicant submitted his LAC application with the Board.

18 4. Applicant indicated he had been employed with Agency as a life coach since
19 08/19/23.

20 5. Applicant's employment records noted the following:

21 a. From 06/23 – 08/23, Applicant was a clinical intern with Agency, providing
22 clinical services.

23 b. Applicant transitioned to the role of a life coach as of 08/19/23 and was no
24 longer providing clinical services.

25 6. Applicant's 08/23 supervision agreement for coaching outlined the following:

- a. Coach is a masters level life coach who required supervision provided by a supervisor.
- b. Responsibilities of the supervisor will meet requirements of A.A.C. R4-6-211(B)(1) and maintain documentation of coaching sessions for at least 7 years.
- c. Responsibilities of the coach include verifying that the supervisor has been approved by the Board and prepare for supervision using case materials related to the coach's counseling practice.
- d. Coach will cease practicing within 60 days of the agreement termination dated until such time as a subsequent agreement is provided to the Board and approved.

7. Despite the work agreement being for a life coach role, which should not be providing psychotherapy services, it cited Board rules around supervision.

8. While Applicant was an intern with Agency, he provided therapy services to at least 25 clients, and once he transitioned to being a life coach, he transitioned at least 9 of those 25 clients to life coaching services.

9. Per a client list of Applicant's clients at Agency, in total, he provided coaching services to at least 16 clients.

10. Respondent represented the following in her written response and during her investigative interview:

- a. In or around August or September 2021, Respondent and Supervisor consulted about the gaps that occurred between interns' internship and licensure, and how they could best ensure some continuity of care, where appropriate.

...

- 1 b. Supervisor suggested that the interns could serve as coaches until such time
2 as they obtained licensure.
- 3 c. Only clients who could benefit from coaching were permitted to transition,
4 while the rest were required to be referred out to clinically-licensed providers.
- 5 d. Coaching became a service utilized at Agency in the fall of 2021.
- 6 e. No formalized training was provided to the life coaches as there was not a
7 purpose to.
- 8 f. Agency stopped providing coaching services at Agency on 12/22/23.
- 9 g. The life coaching role was a temporary role for clinicians who awaited
10 licensure by the Board.
- 11 h. After these individuals obtained licensure, they would transition back to
12 providing therapy services.
- 13 i. Respondent would say 3 other individuals providing life coaching services at
14 Agency and indicated their personnel records would reflect their transition
15 from intern to life coach.
- 16 j. From 2021 – 2023, 4 interns at Agency transitioned from intern to life coach.

17 **CONCLUSIONS OF LAW**

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)(n), failing to comply with or violating, attempting to violate or
23 assisting in or abetting the violation of any provision of this chapter, any rule adopted pursuant
24 to this chapter, any lawful order of the board, or any formal order, consent agreement, term of
25 probation or stipulated agreement issued under this chapter, as it relates to:

1 A.R.S. § 32-3286. Unlawful practice; unlawful use of title; violation; classification;
2 civil penalty; exception

3 **ORDER of CENSURE**

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

6 1. Respondent is hereby censured, which is an official action against their license,
7 for their conduct as set forth in the Findings of Fact.

8 2. This Consent Agreement shall be effective on the date of entry below.

9 3. This Consent Agreement is conclusive evidence of the matters described herein
10 and may be considered by the Board in determining appropriate sanctions in the event a
11 subsequent violation occurs.

12
13 **PROFESSIONAL ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

14 Elizabeth Fedrick Aug 29, 2024
Elizabeth Fedrick (Aug 29, 2024 09:58 PDT)
15 Elizabeth J. Fedrick Date

16
17 **BOARD ACCEPTS, SIGNS AND DATES THIS CONSENT AGREEMENT**

18 By: M. Zavala Sep 9, 2024
19 TOBI ZAVALA, Executive Director Date
Arizona Board of Behavioral Health Examiners

20
21 **ORIGINAL** of the foregoing filed Sep 9, 2024
22 with:

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

25 **EXECUTED COPY** of the foregoing sent electronically Sep 9, 2024
to:

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

Elizabeth J. Fedrick
Address of Record
Respondent

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Mitchell Stein Carey Chapman
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Attorney for Respondent