



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

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
TELECONFERENCE MEETING MINUTES
April 9, 2021

Members Present: Patricia Dobratz

Members Present telephonically: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Leanette Henagan (out at 1:33 p.m.), Meaghan Kramer, Kasondra Parr, Heidi Quinlan, Mark Shen, Gerald Szymanski (out at 10:57 a.m., in at 12:08 p.m.), Antwan Trotter

Staff Present: Mona Baskin, A.A.G., Tobi Zavala, Executive Director; Donna Dalton, Deputy Director; Ian Hirmand, Assistant Director; Alissa Vander Veen, Operations Manager

1. Call to Order

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on April 9, 2021 at 9:03 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. March 12, 2021, telephonic general meeting minutes

Dr. Davis moved, seconded by Ms. Quinlan, to approve the telephonic general meeting minutes for the March 12, 2021 meeting as submitted. The motion passed unanimously. Mr. Shen and Mr. Szymanski abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2021-0033, Elisha Au Franklin, LASAC-13313
2. 2021-0062, Russell Beazer, LMFT-10047
3. 2020-0148, Katrina Brown Harrell, LPC-18784
4. 2021-0068, Barbara Kiffmeyer, LMSW-12917
5. 2021-0071, Barbara Kiffmeyer, LMSW-12917
6. 2021-0072, Heather Lober, LMFT-0455
7. 2021-0023, Molly Mahoney, LCSW-1326
8. 2021-0093, Heidi Quinlan, LPC-13084, LISAC-11071
9. 2021-0018, Abigail Sassano, LCSW-13526
10. 2021-0040, Angelina Unale-Hale, LMSW-15832

Following discussion, Ms. Coonrod moved, seconded by Ms. Kramer, to approve the consent agenda item 4(A)(9). The motion passed unanimously. Ms. Dobratz recused.

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(A)(5). The motion passed unanimously.

Following discussion, Dr. Davis moved, seconded by Ms. Bailey, to approve the consent agenda item 4(A)(1, 3, 6, 7 and 10). The motion passed unanimously.

2. 2021-0062, *Russell Beazer, LMFT-10047*

Ms. Zavala summarized the results of the Board’s investigation.

The complainant and client appeared telephonically and addressed the Board.

The professional and his attorney, Flynn Carey, appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Kramer, to dismiss the complaint with a letter of concern addressing the importance of securing appropriate releases of information when working with couples and families. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X	X
NAY												
Absent												

4. 2021-0068, *Barbara Kiffmeyer, LMSW-12917*

Ms. Zavala summarized the results of the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Andrew Turk, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Henagan, to dismiss the complaint. The motion passed unanimously. Dr. Davis recused.

8. 2021-0093, *Heidi Quinlan, LPC-13084, LISAC-11071*

Ms. Zavala summarized the results of the Board’s investigation.

The complainant and his attorney, Derek Zazueta, appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Shen, to dismiss the complaint. The motion passed unanimously. Ms. Quinlan recused.

B. Cases recommended for dismissal with a letter of concern.

1. 2021-0026, *Ronald Boyce, LCSW-15514*

2. 2021-0027, *Suma Hodge, LPC-19154*

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(B)(2). The motion passed unanimously.

1. 2021-0026, *Ronald Boyce, LCSW-15514*

Ms. Zavala summarized the results of the Board’s investigation.

The professional and his attorney, Scott King, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Ms. Bailey, to dismiss the complaint with a letter of concern regarding the importance of contemporaneous documentation of clinical records. The motion passed unanimously.

C. Cases recommended for release from consent agreements.

1. 2020-0093, Susan Barrette-Mozes, LPC-15210 (active-restricted)
2. 2021-0058, Tammy Brewer, LPC-16724 (active-restricted)
3. 2019-0027, Lee Ann Hull, LASAC-15119 (active-restricted)
4. 2020-0025, 2020-0069, Andria Jennings, LCSW-3617 (active-restricted)
5. 2018-0105, Victor Macias, LAC-15750 (active-restricted)
6. 2018-0019, Kelly McGuirk, LISAC-11106 (active-restricted)
7. 2021-0055, Caitlin Meaney, LMFT-15158 (active-restricted)
8. 2020-0079, Mariana Tademy, LAC-19072

Following discussion, Dr. Davis moved, seconded by Mr. Shen, to approve the consent agenda item 4(C). The motion passed unanimously.

D. Cases recommended for opening a complaint and acceptance of a proposed signed non-disciplinary consent agreement.

N/A

E. Cases recommended for opening a complaint and acceptance of a proposed signed disciplinary consent agreement.

N/A

F. Cases recommended for opening a complaint and dismissing with a letter of concern.

N/A

G. Cases recommended for acceptance of a proposed signed non-disciplinary consent agreement.

1. 2021-0051, Irene Jacobs, LPC-13643

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Totter, to accept the proposed signed non-disciplinary consent agreement. The motion passed unanimously.

5. Administrative Hearings

Pursuant to A.R.S. §§ 32-3253(A)(10) and 41-1092.07, the Board will conduct administrative hearings in the following matter(s). During the administrative hearing, the Board may go into executive session to discuss confidential records pursuant to A.R.S. § 38-431.03(A)(2) or to obtain legal advice pursuant to A.R.S. § 38-431.03(A)(3).

N/A

6. Formal Interviews

N/A

7. Complaints and other disciplinary matters: review, consideration and action

A. 2021-0103, Beverly Drinkard, LAMFT-10625

Ms. Zavala summarized the results of the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared telephonically and addressed the Board.

Ms. Quinlan moved, seconded by Ms. Bailey, to go into Executive Session pursuant to A.R.S. § 38-431.03(A)(2) to review medical records exempt from public inspection. The motion passed unanimously and the Board went into executive session at 12:18 pm, reconvening its public meeting at 12:39 pm.

Following review and discussion by members, Ms. Quinlan moved, seconded by Ms. Bailey, to consolidate complaint numbers 2021-0103 and 2020-0095. The motion passed unanimously.

B. 2020-0131, Beverly Drinkard, LAMFT-10625

Members reviewed the information and took no action at this time.

C. 2020-0095, Beverly Drinkard, LAMFT-10625

Following further discussion, Ms. Quinlan moved, seconded by Ms. Coonrod, to offer the professional an interim consent agreement not to practice and if not accepted to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X	X	X
NAY												
Absent												

D. 2021-0126, 2021-0127, Kyle Irwin, LMSW-18895

Ms. Zavala summarized the proposed signed interim consent agreement.

The complainant appeared telephonically and addressed the Board.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Totter moved, seconded by Dr. Davis, to consolidate complaint numbers 2021-0126 and 2021-0127. Mr. Szymanski abstained.

Following further discussion, Mr. Totter moved, seconded by Ms. Bailey, to accept the signed interim consent agreement as presented. The motion passed unanimously. Mr. Szymanski abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X		X
NAY												
Absent											abstain	

The Board took a break at 11:15 a.m., reconvening its public meeting at 11:33 a.m.

E. 2021-0066, Deborah Matula Angell, LMSW-17758

Ms. Zavala summarized the proposed modified consent agreement.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Totter moved, seconded by Ms. Bailey, to accept the proposed modified consent agreement as presented. The motion passed unanimously. Mr. Szymanski abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X		X
NAY												
Absent											abstain	

F. 2021-0060, Beverly Sailors, LCSW-12299

Mr. Hirmand summarized the results of the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Bailey, to find the following violations:

- A.R.S. § 32-3251(16)(s), terminating behavioral health services to a client without making an appropriate referral for continuation of care for the client if continuing behavioral health services are indicated
- A.R.S. § 32-3251(16)(p), failing to conform to minimum practice standards as developed by the board as it relates to:
 - A.A.C. R4-6-1101, Consent for Treatment
 - A.A.C. R4-6-1103, Client Record
 - A.A.C. R4-6-1106, Telepractice

The motion passed unanimously. Mr. Szymanski abstained.

Following further review, Dr. Davis moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete 6 clock hours of pre-approved continuing education in:
 - Behavioral health ethics
 - NASW Staying Out of Trouble course or its pre-approved equivalent

and if not signed, to invite the professional to participate in a formal interview and, if not accepted to remand the matter to a formal hearing. The motion passed unanimously. Mr. Szymanski abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X		X
NAY												
Absent											abstain	

G. 2021-0025, Gary Tupper, LMFT-15134

Ms. Zavala summarized the results of the Board’s investigation.

The complainant and her attorney, Bretton Barber, appeared telephonically and addressed the Board.

The professional and his attorney, Mandi Karvis, appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Kramer, to find the following violations:

- 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
- A.R.S. § 32-3251(16)(ii), violating any federal or state law, rule or regulation applicable to the practice of behavioral health, as it relates to:
 - A.R.S. § 32-3208, Mandatory Reporting of Criminal Charges
- A.R.S. § 32-3251(16)(c)(i), making any oral or written misrepresentation of a fact to secure or attempt to secure the issuance or renewal of a license

The motion passed unanimously. Mr. Szymanski abstained.

Following further review, Ms. Bailey moved, seconded by Ms. Coonrod, to offer the professional a consent agreement for the voluntary surrender of the professional’s license, and if not accepted to remand the

matter to a formal hearing. Mr. Szymanski abstained.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X	X	X	X	X	X	X	X	X	X		X
NAY												
Absent											abstain	

The Board took a break at 12:59 p.m., reconvening its public meeting at 1:06 p.m.

8. Assistant Attorney General’s Report: Mona Baskin, A.A.G.

N/A

9. Temporary licenses: review, consideration and action

N/A

10. Applications for licensure and educational programs: review, consideration and action

A. Review, consideration, and possible action regarding applications for licensure

Social Work

Dr. Davis moved, seconded by Ms. Bailey, to deny 5 applications based on a failure to pass the required examination and 2 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Bailey, to deny 2 applications based on a failure to pass the required examination and 2 applications based on a failure to take the required examination. The motion passed unanimously.

B. Review, consideration, and possible action regarding applications for educational programs

N/A

C. Review, consideration and possible action regarding rescinding the motion to deny Karen Mavrikos’s LPC application

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Shen, to rescind the motion to deny Karen Mavrikos’s LPC application. The motion passed unanimously.

11. Report from Chair

A. Summary of current events

No Report.

12. Report from the Treasurer

A. Review, consideration, and possible action regarding March financial report

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Trotter, to accept the March financial report as presented. The motion passed unanimously.

13. Report from the Executive Director and/or staff

A. Update on staff changes

Ms. Zavala reminded the members that Ms. Dalton is retiring from the state and her last day is April 30th. She shared her sincere appreciation for her seven plus years of service to the Board. The members also expressed their appreciation.

Additionally, Ms. Zavala shared that she has hired a new Deputy Director, Erin Yabu, who will start on April 26th.

B. Update on Senate Bill 1089

Ms. Zavala shared with members that Senate Bill 1089 was signed by Governor Ducey on March 18th and will go into effect 90 days after the Legislature adjourns.

C. Discussion regarding writing letters on behalf of your clients

Members discussed licensees writing letters on behalf of their clients. It was discussed that if a letter is requested, the licensee may want to seek legal advice, and if a letter is written it should be factual only without opinions.

D. Discussion regarding mandated reporting laws

Members discussed A.R.S. § 32-3208, Mandatory Reporting of Criminal Charges, for a licensee and the importance of reporting criminal charges within 10 working days after the charge is filed.

Additionally, the members discussed A.R.S. § 13-3620, Duty to report abuse, and that our licensees are mandated reporters. The members discussed that they have a duty to report if they have a reasonable belief that a minor is or has been abused.

E. Discussion regarding A.R.S. § 32-3251(16)(ff)

Members discussed the duty to report if a licensee is aware that another licensee is guilty of unprofessional conduct or is physically or mentally unable to provide behavioral health services. They also discussed protecting client privileged information unless the information indicated clear and imminent danger to the client or others or is otherwise subject to mandatory reporting requirements.

14. Request for extension of inactive status: review, consideration and action

A. Rhonda Makowichuk, LBSW-15633 (inactive)

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Parr, to approve the request for extension of inactive status. The motion passed unanimously.

15. Future agenda items

None.

16. Call for public comment

None.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, May 14, 2021, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Dr. Davis moved, seconded by Mr. Totter, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:55 p.m.

Dr. Cedric E. Davis LCSW

Dr Cedric E Davis LCSW (Jun 8, 2021 15:12 PDT)

Cedric Davis
Secretary/Treasurer

Jun 8, 2021

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - April 9, 2021 meeting

SOCIAL WORK - 7

Failure to pass the required exam - 5

Shawn Merriman Christian Zendejas Higuera
Stephanie Noriega
Karen Humphrey
Sulaiman Adejumobi

Failure to take the required exam - 2

Jose Baeza
Rosa Villegas Smith

SUBSTANCE ABUSE COUNSELING - 4

Failure to pass the required exam - 2

Shawna Tremoulis
Tony Williams

Failure to take the required exam - 2

Wallace Clark
Ylanda Lindsey