



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
1740 WEST ADAMS STREET, SUITE 3600
PHOENIX, AZ 85007
PHONE: 602.542.1882 FAX: 602.364.0890
Board Website: www.azbbhe.us
Email Address: information@azbbhe.us

DOUGLAS A. DUCEY
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS MEETING MINUTES
January 10, 2020

Members Present: Kimberly Bailey, Chip Coffey, Mary Coonrod, Cedric Davis, Meaghan Kramer, Mark Shen, Gerald Szymanski, Antwan Trotter

Members Absent: Robert Charles, Gary Goodwin, Heidi Quinlan

Staff Present: Tobi Zavala, Executive Director; Marc Harris, A.A.G.; Donna Dalton, Deputy Director; Joey Ordonez, Assistant Director

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on January 10, 2020 at 9:05 a.m. with Mr. Coffey presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. *December 13, 2019, general meeting minutes*

Dr. Davis moved, seconded by Mr. Trotter, to approve the general meeting minutes for the December 13, 2019 meeting as submitted. The motion passed unanimously.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. *2019-0129, Sherry Craft, LPC-13641*
2. *2019-0130, Tamara Zuniga, LPC-13443*
3. *2020-0022, Nicole McCollum, LMSW-16064*
4. *2020-0011, Andrew Ross, LPC-10294*
5. *2019-0119, Kathleen Todd, LCSW-0656 (suspended)*

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

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

1. *2020-0010, Margymar Veguilla De Jesus, LMSW-17954*

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

C. Cases recommended for release from consent agreements.

1. *2019-0113, Katharine Dean, LPC-10950 (active-restricted)*
2. *2019-0123, Kara Thomas, LPC-17571 (active-restricted)*
3. *2019-0079, Jennifer Walker, LPC-13665*

Following discussion, Dr. Davis moved, seconded by Ms. Bailey, 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.

1. *Gail Brown, LMSW Applicant*
2. *Ashlie Larriva, LAC Applicant*
3. *Jennifer Sayavan, LMSW-12700*

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

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

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

N/A

F. Cases recommended for acceptance of a proposed signed consent agreement.

1. *2019-0144, Shelley Kaufman, LPC-0597*

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

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

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. *2020-0027, Daniel Annett, LAC applicant, LASAC applicant*

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

The applicant was properly noticed, but failed to appear.

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

- A.R.S. § 32-3251(16)(f), engaging in active habitual intemperance in the use of alcohol or active habitual substance abuse
- 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)(v), engaging in any sexual conduct between a licensee and a client or former client

The motion passed unanimously.

Following further discussion, Ms. Bailey moved, seconded by Mr. Shen, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

Following further discussion, Ms. Bailey moved, seconded by Mr. Trotter to refer the case to law enforcement. The motion passed unanimously.

B. Gabrielle Annett, LPC-17892, LISAC-15126

Ms. Zavala summarized the background information.

The professional's attorney, Anne McClellan, appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Kramer, to open a complaint for further investigation. The motion passed unanimously.

The Board took a break at 10:26 a.m., reconvening its public meeting at 10:37 a.m.

C. 2020-0029, Deborah Carson, LPC-14109

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

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Charles Hover, appeared and addressed the Board.

Following review and discussion by members, Ms. Coonrod moved, seconded by Mr. Shen, to offer the professional a non-disciplinary consent agreement for completion of:

- 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- 3 clock hours of pre-approved continuing education in treatment planning
- 3 clock hours of pre-approved continuing education in family law and ethics
- The Board may consider continuing education completed since the complaint was opened

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.

D. 2019-0138, Victoria Congdon, LMSW-17032

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

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Roger Frazier, appeared and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Mr. Trotter, to find the following violations:

- 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. § 13-3620, Duty to Report
- 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

The motion passed unanimously.

Following further discussion, Mr. Shen moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The professional’s license shall be placed on probation for 12 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 3 clock hours of pre-approved continuing education in burnout and self-care
- The professional shall complete 1 clock hour of pre-approved continuing education in mandated reporting

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.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

E. 2020-0044, Andrew Henry, LPC-12990

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

The complainant was properly noticed, but failed to appear.

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

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Trotter, to find the following violation:

- A.R.S. § 32-3251(16)(hh), failing to retain records pursuant to section 12-2297

The motion passed unanimously.

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

- The professional’s license shall be placed on probation for 12 months
- The professional shall complete 3 clock hours of pre-approved continuing education in HIPAA law
- The professional shall complete 3 clock hours of pre-approved continuing education in treatment planning

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.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

F. Samuel Lample, LPC-10690

Ms. Zavala summarized the background information.

The professional’s attorney, Artie Eaves, appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Kramer, to open a complaint for further investigation. The motion passed unanimously.

The Board took a break at 11:34 a.m., reconvening its public meeting at 12:15 p.m.

G. 2020-0008, Carolyn Nessinger, LAC-15339

Mr. Ordonez summarized the results of the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Shen, to find the following violation:

- A.R.S. § 32-3251(16)(1), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The license shall be placed on probation for 24 months
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall complete 3 clock hours of pre-approved continuing education in collaborative documentation
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional for 12 months.
- Clinical supervision shall focus on boundaries, accountability, insight, documentation, time management, self care, burnout, Board statutes/rules and honesty
- Early release available after 12 months at the recommendation of the clinical supervisor

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.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

H. 2019-0043, Christine Pellegrino, LAC-17139 (interim suspension)

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

The professional appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to issue an interim order for the professional to submit to a hair follicle complete panel drug test from a preapproved laboratory within 7 days pursuant to A.R.S. § 32-3281(B). The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

I. 2019-0109, Patricia Porras, LSAT-15120

Mr. Ordonez summarized the results of Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, to find the following violation:

- A.R.S. § 32-3251(16)(1), engaging in any conduct, practice or condition that impairs the ability of the licensee to safely and competently practice the licensee's profession

The motion passed unanimously.

Following further discussion, Mr. Szymanski moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The license shall be placed on probation for 24 months
- Stayed Revocation
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall complete 6 clock hours of the NASW Staying Out of Trouble course or its pre-approved equivalent
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional for 6 months, and after that at the recommendation of the clinical supervisor but not less than twice monthly.
- Clinical supervision shall focus on accountability, ethics and documentation
- Early release is available at the recommendation of the clinical supervisor

and if not signed, to remand the matter to a formal hearing. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

J. Shirley Reimer, LPC-2218 (inactive)

Mr. Ordonez summarized the background information.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Kramer, to open a complaint and accept the proposed signed interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

K. 2019-0094, Jennifer Washum, LAC-16629
 Ms. Zavala summarized the background information.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Coonrod moved, seconded by Mr. Trotter, to accept the proposed signed modified consent agreement as presented. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Chip Coffey	Mary Coonrod	Cedric Davis	Gary Goodwin	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X		X		X	X	X
NAY											
Absent		X				X		X			

8. Assistant Attorney General’s Report: Marc Harris, 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

Counseling

Mr. Shen moved, seconded by Ms. Bailey, to deny 1 application based on a failure to pass the required examination, 1 application based on a failure to take the required examination and 1 application based on a failure to meet minimum requirements. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Mr. Shen, to deny 3 applications based on a failure to pass the required examination and 1 application based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Bailey, to deny 1 application based on a failure to pass the required examination. 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 December financial report

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

13. Report from the Executive Director and/or staff

A. General Agency Operations

No report.

B. Review, consideration, and possible action regarding changing the March Board meeting date

Following review and discussion by members, Ms. Kramer moved, seconded by Dr. Davis, to move the March Board meeting date from March 13, 2020 to March 20, 2020. The motion passed unanimously.

C. Review, consideration, and possible action regarding the adoption and/or modifications of the initial draft of proposed rulemaking

Tabled.

D. Discussion regarding unlicensed individuals at DHS licensed agencies

Tabled.

E. Discussion regarding the Executive Director's compensation

Mr. Coffey informed members that Ms. Zavala is at the top of her pay grade and will be unable to receive a pay increase without a change of grade. Members asked that this item go on the agenda in January of 2021.

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

A. Erica Robertson, LPC-13785 (expired)

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Trotter, to deny 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 dates

The next regular meeting is scheduled for Friday, February 14, 2020, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Dr. Davis moved, seconded by Ms. Bailey, to adjourn. The motion passed unanimously and the meeting was adjourned at 12:50 p.m.

Cedric Davis
Secretary/Treasurer

Date

Arizona Board of Behavioral Health Examiners
Licenses recommended for denial - January 10, 2020 meeting

COUNSELING - 3

Failure to pass the required exam - 1

Anita Huffman

Failure to take the required exam - 1

Alycia Botkin

Failure to meet minimum requirements - 1

Ashley Rader

SOCIAL WORK - 4

Failure to pass the required exam - 3

Kaylenn Furuya

LaToya Spencer

Joalba Drabner

Failure to take the required exam - 1

Amaris Gayden

SUBSTANCE ABUSE COUNSELING - 1

Failure to pass the required exam - 1

Hermila Bradley