



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
July 10, 2020

Members Present telephonically: Robert Charles, Chip Coffey, Mary Coonrod, Cedric Davis, Meaghan Kramer, Heidi Quinlan, Mark Shen, Antwan Trotter

Members Absent: Kimberly Bailey, Gerald Szymanski

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

Staff Present Telephonically: Mona Baskin, A.A.G.

1. Call to Order

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on July 10, 2020 at 9:16 a.m. with Mr. Coffey presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. June 12, 2020, telephonic general meeting minutes

Dr. Davis moved, seconded by Ms. Coonrod, to approve the telephonic general meeting minutes for the June 12, 2020 meeting as submitted. The motion passed unanimously. Mr. Charles abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2020-0087, Gabrielle Annett, LISAC-15126, LPC-17892
2. 2019-0143, Zachariah Clay, LMFT-10435
3. 2020-0048, LaShunda Jones, LPC-18288
4. 2020-0046, Kimberly Popkey, LPC-2248
5. 2020-0122, Christina Van Arsdale, LAC-18374

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. 2020-0056, 2020-0090, Jessica De La Ossa, LPC-18528

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

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Michael Smith, appeared telephonically and were available for questions.

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 maintaining appropriate boundaries with clients during a leave of absence and recording all therapeutic correspondence in the clinical record. The motion passed unanimously.

C. Cases recommended for release from consent agreements.

1. 2019-0049, Ryan Dong, LCSW-14028 (active-restricted)
2. 2020-0082, Gail Brown, LMSW-6349T

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 dismissing with a letter of concern.

N/A

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

N/A

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. Jeremy Courtney, LASAC Applicant

Ms. Zavala summarized the applicant's request to withdraw their application.

The applicant was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Quinlan moved, seconded by Mr. Trotter, to approve the applicant's request to withdraw their application. The motion passed unanimously.

B. 2020-0119, Nancy DeLoera, LISAC-15099

Ms. Zavala summarized the proposed, signed consent agreement.

The complainant was properly noticed, but failed to appear.

The professional and her attorney, Kraig Marton, were properly noticed, but failed to appear.

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to accept the proposed, signed consent agreement for the voluntary surrender of the professional's license as presented. The motion passed unanimously. Mr. Shen recused.

G. 2020-0084, Kathryn Vaughan Robey, LPC-2231

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

The complainant appeared telephonically and addressed the Board.

The complainant and her attorney, Faren Akins, appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Shen, 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)(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. R4-6-1102, Treatment Plan

The motion passed unanimously.

Following further discussion, Dr. Davis moved, seconded by Ms. Coonrod, 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 standards of practice
- The Board may consider continuing education completed since the complaint was opened
- The professional shall have an audit of their practice by a professional pre-approved by the Board

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	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE		X	X	X	X	X	X	X		X
NAY										
Absent	X								X	

The Board took a break at 12:33 p.m., reconvening its public meeting at 12:46 p.m.

H. 2020-0131, 2020-0127, Matthew Wheeler, LPC-16749

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

The complainant and his attorney, Jason Chapman, appeared telephonically and were available for questions.

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

Following review and discussion by members, Mr. Coffey moved, seconded by Mr. Trotter, 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)(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 ACA Code of Ethics:

- C.2.e – Consultations on Ethical Obligations
 - C.7.c – Harmful Practices
- A.R.S. § 32-3251(16)(ff), failing to report in writing to the board information that would cause a reasonable licensee to believe that another licensee is guilty of unprofessional conduct or is physically or mentally unable to provide behavioral health services competently or safely.

The motion passed unanimously. Ms. Quinlan recused.

Following further discussion, Mr. Coffey moved, seconded by Ms. Kramer, to consolidate complaint numbers 2020-0131 and 2020-0127. The motion passed unanimously. Ms. Quinlan recused.

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

- The professional’s license shall be placed on probation for 24 months
- The professional shall complete 3 clock hours of pre-approved continuing education in therapeutic boundaries
- The professional shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional.
- Clinical supervision shall focus on therapeutic boundaries, clinical consultation, ethics and Board statutes/rules
- 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. Ms. Quinlan recused.

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

Following further discussion, Mr. Coffey moved, seconded by Mr. Trotter, to open a complaint on Kim Buck, LPC for further investigation. The motion passed unanimously. Ms. Quinlan recused.

Following further discussion, Mr. Coffey moved, seconded by Mr. Shen, to open a complaint on Floyd Godfrey, LPC, for further investigation. The motion passed unanimously. Ms. Quinlan recused.

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

Counseling

Mr. Shen moved, seconded by Ms. Coonrod, to deny 2 applications based on a failure to meet minimum requirements and 1 application based on a finding of unprofessional conduct and failure to meet minimum requirements. The motion passed unanimously.

Marriage and Family Therapy

Mr. Coffey moved, seconded by Dr. Davis, to deny 1 application based on a failure to meet minimum requirements. The motion passed unanimously.

Social Work

Dr. Davis moved, seconded by Ms. Kramer, to deny 5 applications based on a failure to pass the required examination, 2 applications based on a failure to take the required examination, and 1 application based on a finding of unprofessional conduct. The motion passed unanimously.

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

11. Report from Chair

A. Summary of current events
No Report.

12. Report from the Treasurer

A. Review, consideration, and possible action regarding June financial report
Tabled.

13. Report from the Executive Director and/or staff

A. General Agency Operations
No report.

B. Update to the Board's response to COVID-19

Ms. Zavala shared with the members that there has been no delay in processes due to COVID-19. In addition, Board staff continues to provide communication and resources to licensees such as:

- Information on the website related to COVID-19 and telepractice
- Public outreach through webinars
- Fielding a multitude of inquiries via phone and email

To address safety concerns and comply with recommendations for social distancing, many staff are telecommuting and Board and Committee meetings are being held electronically.

C. Update on Board staff changes

Mr. Coffey introduced the Board's new Assistant Director, Ian Hirmand, and the Board's new legal adviser, Mona Baskin.

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

A. Joseph Vigneux, LISAC-10338 (inactive)

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

15. Future agenda items

Direct client contact definition

16. Call for public comment

Tamara Brazil Christian, LMSW addressed the Board regarding accepting telephonic treatment and telehealth as direct client contact during and after the pandemic.

17. Establishment of future meeting date(s)

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

18. Adjournment

Mr. Trotter moved, seconded by Dr. Davis, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:05 p.m.

Cedric Davis
Secretary/Treasurer

Date

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

COUNSELING - 3

Failure to meet minimum requirements - 2

Laura Gomez
Sonda Bettis

Finding of unprofessional conduct and failure to meet minimum requirements - 1

Karrie Meyer

SOCIAL WORK - 8

Failure to pass the required exam - 5

Bertha Beltran
Nuupure Neher
Richard Wesley
Thomas Cortez
Zonnia Pazmino-Brown

Failure to take the required exam -2

Alison Schaffer
Lisette Barragan

Finding of unprofessional conduct - 1

Ashley Ware

MARRIAGE & FAMILY THERAPY - 1

Failure to meet minimum requirements - 1

Yasmin Galicianava