



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
July 16, 2021

Members Present: Leanette Henagan, Mary Coonrod, Cedric Davis, Patricia Dobratz, Meaghan Kramer, Kasondra Parr, Heidi Quinlan, Gerald Szymanski, Antwan Trotter

Members Absent: Kimberly Bailey, Robert Charles, Mark Shen

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

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on July 16, 2021 at 9:00 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. June 11, 2021, general meeting minutes

Mr. Davis moved, seconded by Mr. Trotter, to approve the general meeting minutes for the June 11, 2021 meeting as submitted. The motion passed unanimously. Ms. Henagan abstained.

B. June 30, 2021, telephonic general meeting minutes

Mr. Davis moved, seconded by Ms. Henagan, to approve the telephonic general meeting minutes for the June 30, 2021 meeting as submitted. The motion passed unanimously. Ms. Parr abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2021-0078, Marisol Gomez Avalos, LMSW-6641T
2. 2021-0099, Barbara Kiffmeyer, LMSW-12917
3. 2021-0128, Heidi Quinlan, LPC-13084, LISAC-11071

Following discussion, Mr. Davis moved, seconded by Ms. Henagan, to approve the consent agenda item 4(A)(1). The motion passed unanimously.

2. 2021-0099, Barbara Kiffmeyer, LMSW-12917

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

The complainant appeared and addressed the Board.

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

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Kramer, to

dismiss the complaint. The motion passed unanimously. Ms. Quinlan recused.

3. *2021-0128, Heidi Quinlan, LPC-13084, LISAC-11071*
Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared and addressed the Board.

The professional appeared and was available for questions.

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

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

1. *2021-0100, Jessica Hedgepeth, LAC-17196*
2. *2021-0111, L. D. Lumpkin, LCSW-4026, LISAC-11050*
3. *2021-0104, David Schmuckler, LCSW-10103*
4. *2021-0053, Shanna Stone, LAC-19102*

Following discussion, Mr. Davis moved, seconded by Ms. Henagan, to approve the consent agenda items 4(B)(1, 2, 4). The motion passed unanimously. Szymanski recused.

3. *2021-0104, David Schmuckler, LCSW-10103*
Ms. Zavala summarized the results of the Board's investigation.

The professional appeared telephonically and his attorney, Charles Hover, appeared in-person and addressed the Board.

Following review and discussion by members, Ms. Parr moved, seconded by Ms. Kramer, to dismiss the complaint with a letter of concern. The motion passed unanimously. Szymanski recused.

C. Cases recommended for release from consent agreements.

1. *2021-0012, Floyd Godfrey, LPC-10466*
2. *2018-0097, Jeanette Vogan, LPC-13620*

Following discussion, Mr. Davis moved, seconded by Ms. Parr, 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. *2021-0101, Bonnie Tokoph, LISAC-11717*
Ms. Zavala summarized the results of the Board's investigation.

The complainant appeared and addressed the Board.

Following review and discussion, Mr. Davis moved, seconded by Ms. Kramer, 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. 2020-0037, Russell Beazer, LMFT-10047

Ms. Zavala summarized the proposed signed modified consent agreement.

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

Following review and discussion by members, Mr. Trotter moved, seconded by Mr. Szymanski, to accept the proposed signed modified consent agreement as presented. 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
NAY												
Absent	X	X								X		

B. Colin Bennett, LAC-17779

Ms. Zavala summarized the background information.

The professional and his attorney, Sara Stark, appeared telephonically and addressed the Board.

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

Following further discussion, Mr. Szymanski moved, seconded by Mr. Trotter, to order the professional to complete a psychosexual evaluation with a pre-approved psychologist within 60 days. The motion passed unanimously.

C. 2021-0090, Skylar Cook, LAC-19047

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

The complainant appeared and addressed the Board.

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

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

- 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
 - A.A.C. R4-6-1103, Client Record

The motion passed unanimously.

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

- The professional 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 documentation
- The professional shall receive clinical supervision biweekly from a pre-approved independently licensed behavioral health professional for the first three months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but not less than once monthly
- Clinical supervision shall focus on HIPPA compliance, session management, safety practices, documentation, and Board statutes and rules

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	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
NAY												
Absent	X	X								X		

D. 2021-0148, Melody Day, LAC-17702

Ms. Zavala summarized 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, Ms. Quinlan moved, seconded by Ms. Parr, to find the following violations:

- 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 2014 ACA Code of Ethics:
 - F.3.a. Extending Conventional Supervisory Relationships
 - F.3.d. Friends or Family Members

The motion passed unanimously.

Following further review, Ms. Quinlan moved, seconded by Ms. Henagan, to offer a consent agreement that stipulates the following:

- The professional 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 3 clock hours each of continuing education in dual relationships and boundaries
- The professional shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on ACA Code of Ethics, dual relationships, Board statutes and rules, boundaries, and documentation

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.

The Board took a break at 10:24 a.m., reconvening its public meeting at 10:35 a.m.

E. Charles Fenigstein, LISAC-11498

Ms. Zavala summarized the background information.

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

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

Following further discussion by members, Mr. Davis moved, seconded by Ms. Henagan, to offer an interim consent agreement. The motion passed unanimously.

Following further discussion by members, Mr. Szymanski moved, seconded by Mr. Trotter, to issue an order for a substance abuse evaluation by a licensed addictionologist within 60 days. 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
NAY												
Absent	X	X								X		

F. Richard Jewell, LASAC Applicant

Ms. Zavala summarized the background information.

The applicant appeared and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Kramer, to open a complaint pursuant to A.R.S. § 32-3275(A)(5). The motion passed unanimously.

Following further review by members, Mr. Szymanski moved, seconded by Ms. Kramer, to find the following violations:

- 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.
- 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 review, Mr. Szymanski moved, seconded by Ms. Henagan, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 24 months
- Stayed suspension
- The professional shall attend recovery meetings weekly
- The professional shall submit to biological fluid testing bimonthly for the first year, and then reduced to no less than monthly in the second year
- The professional shall receive therapy twice monthly for the first year with a licensed behavioral health professional with experience in substance abuse. The frequency for the remaining time will be at the recommendation of the therapist, but no less than monthly
- Therapy shall focus on issues identified in the Board’s report, triggers, coping skills, lying/manipulation/honesty, and a relapse prevention plan

and if not signed, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. § 32-3275 (A)(5). 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
NAY												
Absent	X	X								X		

G. 2021-0149, Katherine Perez, LPC-16744

Ms. Zavala 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, Ms. Quinlan moved, seconded by Ms. Coonrod, to find the following violations:

- 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 2014 ACA Code of Ethics:
 - F.3.a. Extending Conventional Supervisory Relationships
 - F.3.d. Friends or Family Members

The motion passed unanimously.

Following further review, Ms. Quinlan moved, seconded by Ms. Kramer, to offer a consent agreement that stipulates the following:

- The professional 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 pre-approved continuing education in the following:
 - 12 clock hours in Arizona-specific clinical supervision
 - 3 clock hours in boundaries
 - 3 clock hours in dual relationships
- The professional shall receive clinical supervision bimonthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on dual relationships, Board statutes and rules, supervision, roles, and countertransference

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	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
NAY												
Absent	X	X								X		

H. 2021-0115, Scott Peterson, LPC-1823

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

The complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

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

- 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
 - A.A.C. R4-6-1103, Client Record

The motion passed unanimously.

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

- The professional shall be placed on probation for 12 months
- The licensee shall have an audit of his practice within 60 days and submit an audit plan for approval
- The licensee shall obtain a practice monitor to carry out the audit plan
- Practice monitor to go in once monthly

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	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
NAY												
Absent	X	X								X		

I. Julia Stan, LMSW-15335

Ms. Zavala summarized the proposed signed interim consent agreement.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Henagan, to open a complaint and accept the proposed signed interim consent agreement as presented. 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
NAY												
Absent	X	X								X		

J. 2021-0064, Kathryn Tiffany, LPC-19612

Ms. Zavala summarized the proposed modified consent agreement.

The professional appeared telephonically and her attorney, Flynn Carey, appeared in-person and addressed the Board.

Following review and discussion by members, Ms. Davis moved, seconded by Mr. Kramer, to accept the proposed modified consent agreement as presented. 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
NAY												
Absent	X	X								X		

The Board took a break at 12:32 p.m., reconvening its public meeting at 12:42 p.m.

K. 2021-0112, Rebecca Tolman, LCSW-13050

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

The complainant appeared and addressed the Board.

The professional and her attorney, Flynn Carey, appeared in-person and addressed the Board.

Following further discussion, Mr. Szymanski moved, seconded by Ms. Coonrod, 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, 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.

L. Jillian Vanselow, LASAC-13339

Ms. Zavala summarized the background information.

The applicant's attorney, Flynn Carey, appeared and addressed the Board.

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

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. Davis moved, seconded by Ms. Parr, to deny 4 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.

Social Work

Mr. Davis moved, seconded by Ms. Parr, to deny 6 applications based on a failure to pass the required examination, 7 applications based on a failure to take the required examination, and 1 application based on failure to meet the minimum requirements. The motion passed unanimously.

Substance Abuse

Mr. Szymanski moved, seconded by Ms. Parr, to deny 2 applications based on a failure to pass the required examination, 1 application based on failure to take the required exam, and 1 application based on 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. Discussion regarding supervised private practice

Tabled

C. Discussion regarding the scope of practice for substance abuse counselors

Tabled

D. Review, consideration and possible action regarding the 2022 Board meeting schedule

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Parr, to approve the 2022 Board meeting schedule. The motion passed unanimously.

E. Update regarding Ms. Zavala's participation at the Regulatory Education and Leadership Committee Meeting in Washington D.C.

Ms. Zavala shared that it was an informative meeting focused on education and leadership skills.

F. Discussion regarding telehealth

Board members reviewed R4-6-1106 as it relates to providing psychotherapy to Arizona clients while residing outside of the state. Additionally, the members reviewed R4-6-212(D)(1) as it relates to face-to-face and what that means.

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

A. Lina Macia, LMSW-12316 (inactive)

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

15. Future agenda items

- Telepractice
- Staff recommendations

16. Call for public comment

No one was present to respond to the call for public comment.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, August 13, 2021, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Trotter moved, seconded by Ms. Parr, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:24 p.m.

Dr. Cedric E. Davis, LCSW

Dr. Cedric E. Davis, LCSW (Sep 9, 2021 16:16 PDT)

Cedric Davis
Secretary/Treasurer

Sep 9, 2021

Date