



STATE OF ARIZONA
BOARD OF BEHAVIORAL HEALTH EXAMINERS
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KATIE HOBBS
Governor

TOBI ZAVALA
Executive Director

BOARD OF BEHAVIORAL HEALTH EXAMINERS
MEETING MINUTES
May 5, 2023

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Patricia Dobratz, Leanette Henagan (out at 12:17 p.m.), Polly Knape, Adalesa Meek, Diane Palacios, Antwan Trotter

Members Absent: Cedric Davis, Meaghan Kramer, Mark Shen

Staff Present: Tobi Zavala, Executive Director; Mona Baskin, A.A.G., Erin Yabu, Deputy Director; Jarett Carver, Investigations Manager

Staff Present
Telephonically: Diane DeDea, A.A.G.

1. Call to Order

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 5, 2023 at 9:01 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. February 8, 2023, teleconference meeting minutes
Tabled due to lack of quorum.

B. March 10, 2023, general meeting minutes

Ms. Palacios moved, seconded by Mr. Trotter, to approve the general meeting minutes for the March 10, 2023 meeting as submitted. The motion passed unanimously. Mr. Charles and Ms. Henagan abstained.

C. April 14, 2023, general meeting minutes

Mr. Trotter moved, seconded by Ms. Henagan, to approve the general meeting minutes for the April 14, 2023 meeting as submitted. The motion passed unanimously. Ms. Bailey and Ms. Knape abstained.

D. April 14, 2023, executive session minutes/agenda item 7N

Ms. Palacios moved, seconded by Mr. Trotter, to approve the executive session meeting minutes, agenda item 7N for the April 14, 2023 meeting as submitted. The motion passed unanimously. Ms. Bailey and Ms. Knape abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2023-0019, Heidi Quinlan, LPC-13084, LISAC-11071
2. 2023-0029, Joe Santos, LCSW-2033
3. 2023-0138, Veronica Suarez, LMSW-18493
4. 2023-0061, Cassandra Wisdom, LAC-19501

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

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

1. 2022-0144, Elizabeth Winters, LPC-0550
Ms. Zavala summarized the Board's investigation.

The complainant appeared telephonically and addressed the Board.

The professional and her attorney, Anne Fulton-Cavett, appeared telephonically and addressed the Board.

Following discussion, Ms. Meek moved, seconded by Ms. Bailey, to dismiss the complaint with a letter of concern. The motion passed unanimously.

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

N/A

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

1. 2023-0130, Jonathan Haley, LASAC-15316
2. 2022-0182, Deborah Hammond, LPC-14428

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

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

N/A

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

N/A

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

N/A

H. Cases recommended for opening a complaint and denying for unprofessional conduct.

N/A

I. Cases recommended for release from consent agreements.

1. 2022-0160, Susan Hallowell, LPC-0540
2. 2023-0024, Jenna Jarrold, LPC-21172
3. 2022-0158, Gary Miller, LMSW-12279
4. 2022-0170, Carly Welch, LAC-16025 (active restricted)

Following discussion, Ms. Meek moved, seconded by Ms. Knape, to approve the consent agenda item 4(I). The motion passed unanimously.

The Board took a break 10:10 a.m., reconvening its public meeting at 10:20 a.m.

5. Administrative Hearings

Administrative Hearing Pursuant to A.R.S. §§ 32-3281 and 41-1092.07, the Board will conduct administrative hearings or consider related procedural issues 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).

A. 2023-0122, Erik Bracht, LPC Applicant
Mona Baskin, A.A.G., appeared on behalf of the state.

Diane DeDea, A.A.G., appeared to provide independent legal advice to the Board.

The professional and his attorney, Jeff Hunter, appeared telephonically and addressed the Board.

Mr. Hunter made an opening statement.

Ms. Baskin made an opening statement.

Eric Bracht, applicant, was sworn and testified.

Tobi Zavala, Executive Director, was sworn and testified.

Mr. Trotter moved, seconded by Ms. Knape to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice. The motion passed unanimously and the Board went into executive session at 3:23 pm, reconvening its public meeting at 3:28 pm.

Ms. Baskin admitted State's Exhibits 1-12 into evidence with items 2-6 under seal.

Mr. Hunter made a closing statement.

Ms. Baskin, A.A.G., made a closing statement.

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Knape, to affirm the denial of licensure application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(A)(5) and A.R.S. 32-3275(A)(6) and to incorporate the factual findings and conclusion of law as stated in the Board denial order. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X		X		X	X		X
NAY												
Absent				X		X		X			X	

6. Formal Interviews

N/A

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

A. Karina Chandler-Ziegler, LAMFT Applicant

Ms. Zavala summarized the background information.

The applicant appeared and addressed the Board.

Following review and discussion by members, Ms. Palacios moved, seconded by Ms. Coonrod, to open a complaint and 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, Ms. Palacios moved, seconded by Mr. Trotter, to offer a consent agreement that stipulates the following:

- The applicant shall be placed on probation for 24 months
- The applicant shall complete the following pre-approved continuing education:
 - 3 clock hours in behavioral health ethics

- 6 clock hours in providing substance use disorder treatment or psychotherapy while in recovery
- The applicant shall receive therapy twice monthly for one year with a pre-approved behavioral health professional. The frequency for the remaining time will be at the recommendation of the therapist, but not less than once monthly
- Therapy shall focus on the relapse prevention plan, internal and external triggers, accountability, self-care, and assessing readiness to provide psychotherapy
- The applicant shall submit to random biological fluid testing at a minimum of twice monthly. Testing from existing probation can be used
- The applicant shall participate in a recovery program once weekly
- Recovery program shall focus on the relapse prevention plan and identifying a mentor

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 carried with Ms. Bailey opposed.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE		X	X		X	X	X		X	X		X
NAY	X											
Absent				X				X			X	

B. 2022-0147, Wanza Hinton, LASAC-15364

Mr. Carver summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared and addressed the Board.

Ms. Dobratz moved, seconded by Mr. Trotter to go into executive session pursuant to A.R.S. § 38-431.03(A)(3) to obtain legal advice. The motion passed unanimously and the Board went into executive session at 10:32 am, reconvening its public meeting at 10:41 am.

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

- A.R.S. § 32-3251(16)(m), engaging or offering to engage as a licensee in activities that are not congruent with the licensee's professional education, training or experience

The motion passed unanimously.

Following review and discussion by members, Ms. Dobratz moved, seconded by Ms. Bailey, 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
 - A.A.C. R4-6-1106, Telepractice

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X		X		X	X		
NAY						X						X
Absent				X				X			X	

The motion carried with Ms. Henagan and Mr. Trotter opposed.

Following further review, Ms. Henagan moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates

the following:

- The licensee shall be placed on probation for 12 months
- The professional shall complete the following pre-approved continuing education:
 - 3 clock hours in behavioral health ethics
 - 3 clock hours in clinical supervision to include scope of practice
 - 3 clock hours in the Arizona Statutes/Regulation Tutorial

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	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X	X	X		X	X		X
NAY												
Absent				X				X			X	

The Board took a break 11:43 a.m., reconvening its public meeting at 12:17 p.m.

Following further review, Ms. Henagan moved, seconded by Ms. Knape, to open up a complaint for Patti Gillespie, Kristopher Schlepp, Megan Cox, and Roxanne DalPos. The motion passed unanimously.

C. 2023-0180, Sarah Kircher, LMSW-19191

Ms. Zavala summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional was properly noticed, but failed to appear.

Following discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to accept the signed proposed interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X	X	X		X	X		X
NAY												
Absent				X				X			X	

D. 2023-0068, Rachel Maas, LMSW-20441

Ms. Zavala summarized the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following discussion by members, Ms. Coonrod moved, seconded by Ms. Palacios, to accept the signed proposed interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanne Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X	X	X		X	X		X
NAY												
Absent				X				X			X	

E. 2023-0165, Mustafa Moyenda, LPC-20716

Ms. Zavala summarized the Board’s investigation.

The complainant appeared telephonically and addressed the Board.

The professional’s attorney, Sara Stark, appeared and addressed the Board.

Following discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, to accept the signed proposed consent agreement for the voluntary surrender of the professional’s license. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X		X		X	X		X
NAY												
Absent				X		X		X			X	

The Board took a break 1:00 p.m., reconvening its public meeting at 1:13 p.m.

F. Snaha Patel, LPC-17806 (Active Restricted)

Ms. Zavala summarized the Board’s investigation.

The professional was properly noticed, but failed to appear.

Following discussion by members, Mr. Charles moved, seconded by Ms. Palacios, to open a complaint. The motion passed unanimously.

Following further discussion by members, Mr. Charles moved, seconded by Ms. Meek, to accept the signed proposed interim consent agreement. The motion passed unanimously.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X	X	X		X	X		X
NAY												
Absent				X				X			X	

G. 2023-0078, Angela Viles Shop, LMSW-19204

Mr. Carver summarized the Board’s investigation.

The complainant was properly noticed, but failed to appear.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Ms. Meek moved, seconded by Ms. Henagan, to find the following violation:

- A.R.S. § 32-3251(16)(t), disclosing a professional confidence or privileged communication except as may otherwise be required by law or permitted by a legally valid written release

The motion passed unanimously.

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

- The licensee shall be placed on probation for 12 months
- The professional shall complete the following pre-approved continuing education:
 - 3 clock hours in behavioral health ethics
 - 3 clock hours in HIPPA
- The professional shall receive clinical supervision once monthly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on Board statutes and rules, behavioral health ethics, HIPPA, health and wellness, professional practice, and self-advocacy as a professional

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	Leanette Henagan	Polly Knape	Meaghan Kramer	Adalesa Meek	Diane Palacios	Mark Shen	Antwan Trotter
AYE	X	X	X		X	X	X		X	X		X
NAY												
Absent				X				X			X	

The Board took a break 2:52 p.m., reconvening its public meeting at 3:01 p.m.

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

N/A

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

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

1. Sandra Dyson - LASAC Applicant

Following discussion, Mr. Trotter moved, seconded by Ms. Palacios, to rescind the April 14, 2023 motion to deny Sandra Dyson's LASAC application. The motion passed unanimously.

Counseling

Ms. Palacios moved, seconded by Ms. Bailey, to deny 3 applications based on a failure to pass the required examination, 2 applications based on a failure to take the required examination, and 3 applications based on a failure to meet the minimum requirements. The motion passed unanimously.

Marriage and Family Therapy

N/A

Social Work

Ms. Henagan moved, seconded by Ms. Bailey, to deny 8 applications based on a failure to pass the required examination and 4 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse Counseling

N/A

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

N/A

10. Report from Chair

A. Summary of current events

No report.

B. Review, consideration and possible action regarding Ms. Zavala's annual performance review

Tabled.

11. Report from the Treasurer

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

Tabled.

12. Report from the Executive Director and/or staff

A. Discussion regarding the public's expectations of behavioral health services

Ms. Zavala continued the discussion of the public's expectations of behavioral services and reminded that a link has been added to the website for review. Members provided input with regard to the content of the page intended for the public.

B. Discussion regarding Ms. Zavala's participation at the Association of Social Work Boards

Ms. Zavala shared her experience at Association of Social Work Boards conference to be beneficial.

C. Discussion regarding R 4-6-212 (C)

The members discussed R4-6-212(C)(4) to clarify the intent and purpose of it. It was discussed that the clinical

supervisor must maintain contemporaneous documentation, defined as 10 business days, as set forth in A.A.C. R4-6-101(A)(15) from each entity that at a minimum include the following:

- a. Date and duration of the clinical supervision session;
- b. A detailed description of topics discussed to include themes and demonstrated skills;
- c. Beginning on July 1, 2006, name and signature of the individual receiving clinical supervision; and
- d. Name and signature of the clinical supervisor and the date signed and whether the clinical supervision occurred on a group or individual basis.

D. Update regarding a recent security incident

Ms. Zavala provided an update regarding a recent security incident in the building and that it did not appear that the Board's suite was impacted.

E. Discussion regarding DHS referrals

Members discussed that at times when licensees come before the Board who are working at a DHS licensed facility, it may be prudent to refer agency concerns to DHS for consideration. Ms. Zavala reminded the members that when cases like these come before the Board, the focus should remain on the licensee and possible unprofessional conduct.

F. Discussion regarding the content of Facebook and newsletter posts

Ms. Zavala stated that the content of Facebook and newsletter posts is intended to get to know staff and Board members and to provide important reminders specific to Board statutes and rules.

G. Update regarding the July Board meeting

Ms. Zavala reminded members that the July meeting has been changed to July 21, 2023.

H. Update regarding Gary Tupper's filings

Ms. Zavala provided an update on Gary Tupper's filings in multiple AZ courts.

I. Update regarding Boardal

Ms. Zavala shared that the Boardal should be completed by the end of May, and the launch date is tentatively set for June. More information will be sent to licensees and the public.

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

N/A

14. Future agenda items

None.

15. Call for public comment

Tamara Passey, student, appeared and addressed the Board with regard to the need for more training on the negative impact of a sexual relationship with clients as an extension of one of the cases heard.

16. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, June 9, 2023, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

17. Adjournment

Mr. Trotter moved, seconded by Ms. Bailey, to adjourn. The motion passed unanimously and the meeting was adjourned at 3:45 p.m.



Polly Knape (Jun 14, 2023 15:10 PDT)

Polly Knape
Secretary/Treasurer

Date