



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](http://www.azbbhe.us)  
Email Address: [information@azbbhe.us](mailto:information@azbbhe.us)

DOUGLAS A. DUCEY  
Governor

TOBI ZAVALA  
Executive Director

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BOARD OF BEHAVIORAL HEALTH EXAMINERS  
TELECONFERENCE MEETING MINUTES  
May 8, 2020

Members Present telephonically: Kimberly Bailey, Robert Charles (out at 2:00 p.m.), Chip Coffey, Mary Coonrod, Cedric Davis, Meaghan Kramer, Heidi Quinlan, Mark Shen, Gerald Szymanski, Antwan Trotter (in at 9:24 a.m.)

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

**1. Call to Order**

A telephonic meeting of the Arizona Board of Behavioral Health Examiners was called to order on May 8, 2020 at 9:09 a.m. with Mr. Coffey presiding.

**2. Roll Call**

See above.

**3. Minutes: review, consideration and action**

A. *April 10, 2020, general meeting minutes*

Ms. Kramer moved, seconded by Dr. Davis, to approve the general meeting minutes for the April 10, 2020 meeting as submitted. The motion passed unanimously. Ms. Bailey abstained.

**4. Consent Agenda: review, consideration and action**

A. Cases recommended for dismissal

1. *2020-0092, Heidi Quinlan, LPC-13084, LISAC-11071*

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

2. *2020-0118, Annette Ruskin, LCSW-10157*

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

3. *2020-0042, Jared McGrath, LPC-18163*

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(A)(3). The motion passed unanimously.

4. *2020-0030, Betty Wittels, LPC-0371*

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

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

N/A

C. Cases recommended for release from consent agreements.

N/A

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

1. *Jamie Sparrowgrove, LAC Applicant*

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(D)(1). 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

2. *Jennifer Steiner, LMSW Applicant*

Following discussion, Dr. Davis moved, seconded by Ms. Coonrod, to approve the consent agenda item 4(D)(2). 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	X	
NAY										
Absent										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.

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).

A. *2020-0016, Amy King, LMFT-0469*

Marc Harris, A.A.G., appeared on behalf of the state.

Ann Froedge, A.A.G., appeared to provide independent legal advice to the Board.

The professional was properly noticed, but failed to appear.

Mr. Harris made an opening statement.

Jacqueline Harris, Investigator, was sworn and testified.

Mr. Harris admitted State's Exhibits 1-12 into evidence.

Mr. Harris, A.A.G., made a closing statement.

Following review and discussion by members, Mr. Trotter moved, seconded by Mr. Shen, to accept the factual allegations as findings of fact. The motion passed unanimously.

Following further discussion, Mr. Trotter moved, seconded by Ms. Bailey, to accept the charges as conclusions of law. The motion passed unanimously.

Following further discussion, Mr. Trotter moved, seconded by Ms. Kramer, to issue an Order of Revocation of the professional's license. 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	X
NAY										
Absent		X								

**6. Formal Interviews**

N/A

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

*A. 2020-0124, Roberta Appleton, LAC-17650*

Ms. Zavala summarized the proposed, signed interim consent agreement.

Following review and discussion by members, Ms. Coonrod moved, seconded by Ms. Kramer, to accept the proposed, signed interim consent agreement as presented. 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	X	X
NAY										
Absent										

*B. 2020-0028, Shawn Ingersoll, LPC-11170*

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

The complainant appeared telephonically and addressed the Board.

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

Laura Waterman, LPC, appeared and addressed the Board on behalf of the professional.

Following review and discussion by members, Mr. Szymanski 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)(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)(j), engaging in conduct that the board determines is gross negligence or repeated negligence in 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

- A.A.C. R4-6-1103, Client Record
- A.R.S. § 32-3251(16)(q), failing or refusing to maintain adequate records of behavioral health services provided to a client
- 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. § 12-2297, Retention of Records
  - A.R.S. § 32-3211, Protocol for Storage, Transfer and Access of Records
- 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)(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 sections of the ACA Code of Ethics:
  - A.11.c – Appropriate Termination
  - A.6.d – Role Changes in the Professional Relationship

The motion passed unanimously.

Following further discussion, Mr. Szymanski moved, seconded by Mr. Trotter, 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. 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	X	X
NAY										
Absent										

*C. 2020-0061, Jared McGrath, LPC-18163*

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

Two of the professional’s clients 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, Ms. Bailey 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)(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:
  - A.6.e – Nonprofessional Interactions or Relationships
- 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
- A.R.S. § 32-3251(16)(x), exploiting a client, former client or supervisee. For the purposes of this subdivision, "exploiting" means taking advantage of a professional relationship with a client, former client or supervisee for the benefit or profit of the licensee

- A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity or professional judgment or create a risk of harm to the client.
- 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. R4-6-1102, Treatment Plan
  - A.A.C. R4-6-1103, Client Record
  - A.A.C. R4-6-1104, Financial and Billing Records
- 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.A.C. R4-6-212, Clinical Supervision Requirements

The motion passed unanimously.

Following further discussion, Ms. Bailey moved, seconded by Ms. Kramer, 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. 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	X	X
NAY										
Absent										

Following further discussion, Ms. Bailey moved, seconded by Mr. Shen, to open a complaint on Jamie McGrath, LAC. The motion passed unanimously.

*The Board took a break at 10:37 a.m., reconvening its public meeting at 10:48 a.m.*

*D. Karrie Meyer, LPC Applicant*

Ms. Zavala summarized the background information.

Several complainants appeared telephonically and addressed the Board.

The applicant and her attorney, Flynn Carey, appeared telephonically and addressed the Board.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Trotter, to open a complaint and 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)(x), exploiting a client, former client or supervisee. For the purposes of this subdivision, "exploiting" means taking advantage of a professional relationship with a client, former client or supervisee for the benefit or profit of the licensee
- A.R.S. § 32-3251(16)(y), engaging in a dual relationship with a client that could impair the licensee's objectivity or professional judgment or create a risk of harm to the client.
- A.R.S. § 32-3251(16)(b), using fraud or deceit in connection with rendering services as a licensee or in establishing qualifications pursuant to this chapter

The motion passed unanimously.

Following further discussion, Dr. Davis 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	Meaghan Kramer	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X	X	X	X	X	X
NAY										
Absent		X								

*E. 2019-0050, 2019-0153, William Murnighan, LISAC-10531*

Ms. Zavala summarized the proposed, signed, modified consent agreement.

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

Following review and discussion by members, Ms. Kramer moved, seconded by Ms. Bailey, to accept the proposed, signed, modified consent agreement for the voluntary surrender of the professional's license. 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	X	X
NAY										
Absent										

*The Board took a break at 12:52 p.m., reconvening its public meeting at 1:06 p.m.*

*F. 2020-0062, Daniel Oakes, LPC-11233*

Ms. Zavala summarized the proposed signed consent agreement.

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

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Shen, to accept the proposed, signed consent agreement as presented. 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	X	X
NAY										
Absent										

*G. 2020-0041, Diana Vigil, LPC-0805*

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

The complainant appeared telephonically and addressed the Board.

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

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

*H. Ashley Ware, LMSW Applicant*

Ms. Zavala summarized the background information.

The applicant appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Quinlan moved, seconded by Ms. Coonrod, to open a complaint. The motion passed unanimously. Mr. Coffey recused.

Following further discussion, Ms. Quinlan 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)(f), engaging in active habitual intemperance in the use of alcohol or active habitual substance abuse

The motion passed unanimously. Mr. Coffey recused.

Following further discussion, Ms. Quinlan 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 carried with Mr. Szymanski and Mr. Trotter opposed. Mr. Coffey 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									X	X
Absent			recused							

**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 and 3 applications based on a failure to meet minimum requirements. 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 April financial report*

Following review and discussion by members, Dr. Davis moved, seconded by Ms. Coonrod, to accept the April 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 crisis counseling hours*

Ms. Zavala shared with members that in the past crisis counseling hours were not considered toward independent licensure. Ms. Zavala demonstrated by research and guidance from various resources that the Board should reconsider accepting some of the hours. Ms. Zavala proposed that the members consider accepting 50% of the hours from crisis counseling if submitted.

Following review and discussion by members, Dr. Davis moved, seconded by Mr. Trotter, to allow the Board to accept up to 25% of the supervised work experience hours required for independent licensure to be received in a setting where the applicant’s primary job responsibility is crisis counseling.

This would allow for up to 400 hours of direct client contact, up to 400 hours of indirect and up to 25 hours of clinical supervision to be accepted. The motion passed unanimously.

*C. 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.

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

*N/A*

**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, June 12, 2020, at 9:00 a.m., at 1740 W. Adams St., Board Room C.*

**18. Adjournment**

Dr. Davis moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 2:56 p.m.

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Cedric Davis  
Secretary/Treasurer

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Date



Arizona Board of Behavioral Health Examiners  
Licenses recommended for denial - May 8, 2020 meeting

**COUNSELING - 4**

**Failure to pass the required exam - 1**

Ruth Morgan Spann

**Failure to meet minimum requirements - 3**

David Salgado

Maria Garcia

Heather Vance