



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
MEETING MINUTES
October 8, 2021

Members Present: Kimberly Bailey, Mary Coonrod, Cedric Davis, Patricia Dobratz, Leannette Henagan, Heidi Quinlan (out at 10:17 a.m.), Mark Shen, Gerald Szymanski, Antwan Trotter

Members Absent: Robert Charles, Meaghan Kramer, Kasondra Parr

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 October 8, 2021 at 9:04 a.m. with Ms. Dobratz presiding.

2. Roll Call

See above.

3. Minutes: review, consideration and action

A. August 13, 2021, general meeting minutes

Mr. Davis moved, seconded by Mr. Trotter, to approve the general meeting minutes for the August 13, 2021 meeting as submitted. The motion passed unanimously. Ms. Coonrod abstained.

B. September 10, 2021, general meeting minutes

Tabled due to lack of quorum of members to vote.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2021-0096, Leslie Filsinger, LPC-15299
2. 2022-0021, Heidi Quinlan, LPC-13084, LISAC-11071
3. 2021-0124, Julie Wonsowicz-Moore, LPC-12692

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

1. 2021-0096, Leslie Filsinger, LPC-15299

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

The complainant appeared telephonically and addressed the Board.

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

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

2. *2022-0021, 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 in-person and her attorney, Faren Akins, appeared telephonically and addressed the Board.

Ms. Dobratz moved, seconded by Ms. Bailey 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 9:33 a.m., reconvening its public meeting at 10:05 a.m.

Following review and discussion by members, Mr. Davis 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. *2022-0002, Annette Ladd, LPC-10653*
2. *2022-0003, Vincent Ruzzo, LPC-18481, LISAC-15112*
3. *2021-0107, Oscar Yepiz Rios, LMSW-16902*

Following discussion, Mr. Davis moved, seconded by Ms. Henagan, to approve the consent agenda item 4(B)(1, 3). The motion passed unanimously.

2. *2022-0003, Vincent Ruzzo, LPC-18481, LISAC-15112*
Ms. Zavala summarized the results of the Board's investigation.

The complainant and interested party appeared telephonically and addressed the Board.

The professional and his attorney, Gary Fadell, appeared and addressed the Board.

Following review and discussion by members, Mr. Shen moved, seconded by Mr. Trotter, to offer the professional a non-disciplinary consent agreement for 12 months for completion of pre-approved continuing education as follows:

- 12 clock hours in clinical supervision
- 3 clock hours in sexual harassment

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.

C. Cases recommended for release from consent agreements.

1. *2021-0003, Tawny Bill, LAC-16427*
2. *2021-0043, Addie DiRoberts, LPC-17476*
3. *2021-0060, Beverly Sailors, LCSW-12299 (active-restricted)*
4. *2021-0112, Rebecca Tolman, LCSW-13050*
5. *2020-0127, 2020-0131, Matthew Wheeler, LPC-16749 (active-restricted)*
6. *2019-0082, Sharon Wright, LAC-15677 (active-restricted)*

Following discussion, Mr. Davis moved, seconded by Mr. Trotter, 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. *Esai Amaya, LASAC Applicant*

2. *Maxwell Jaskolski, LAC Applicant*

Following discussion, Mr. Davis moved, seconded by Mr. Trotter, 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 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. *2021-0135, Erica McCullough, LAMFT-10732*
2. *2021-0146, Joshua Reish, LMFT-15553*

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

2. *2021-0146, Joshua Reish, LMFT-15553*

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

The complainant appeared and addressed the Board.

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

Following review and discussion by members, Ms. Bailey moved, seconded by Mr. Trotter, to accept the proposed modified non-disciplinary consent agreement for 12 months for completion of 6 clock hours in cultural diversity, 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.

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. *2020-0094, Ricky Engram, LPC-1118 (suspended)*

Ms. Zavala summarized the professional’s request for a continuance of the October 28, 2021 formal hearing.

Mona Baskin, A.A.G., appeared on behalf of the state.

Ms. Baskin stated that she did not oppose a one-time continuance of the formal hearing to be scheduled in January 2022.

The professional was properly noticed, but failed to appear.

Michael Raine, A.A.G. appeared telephonically and was available to provide independent legal advice.

Following review and discussion by members, Mr. Davis moved, seconded by Ms. Bailey, to grant a one-time continuance of the formal hearing to be scheduled in January 2022.

	Kimberly Bailey	Robert Charles	Mary Coonrod	Cedric Davis	Patricia Dobratz	Leannette 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 10:08 a.m., reconvening its public meeting at 10:17 a.m.

6. Formal Interviews

N/A

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

A. 2021-0129, Darsi Axford, LPC-10757

Mr. Hirmand summarized the Board’s investigation.

The complainant appeared and addressed the Board.

The professional appeared telephonically and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Henagan, 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 NASW Code of Ethics:
 - A.6.b Multiple Clients
- 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
- 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)(kk), failing to make client records in the licensee's possession promptly available to the client, a minor client's parent, the client's legal guardian or the client's authorized representative on receipt of proper authorization to do so from the client, a minor client's parent, the client's legal guardian or the client's authorized representative

The motion passed unanimously.

Following further review, Ms. Bailey moved, seconded by Mr. Shen, 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 credit hour graduate level course in marriage and family therapy
- The professional shall complete 6 clock hours each of pre-approved continuing education in:
 - NASW Staying Out of Trouble course or its pre-approved equivalent
 - Treating children
 - Boundaries and conflict of interest
- The professional shall have a practice restriction to not accept new clients that are children or couples
- The professional shall receive clinical supervision for the couples currently receiving treatment for two hours per month from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on family relationships, conflict of interest, 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.

	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
NAY												
Absent		X					X	X	X			

B. 2021-0130, Michael Elder, LCSW-19275

Ms. Zavala summarized the Board's investigation.

The complainant was properly noticed, but failed to appear.

The professional appeared in-person and his attorney, Bretton Barber, appeared telephonically and addressed the Board.

Following review and discussion by members, Mr. Szymanski moved, seconded by Ms. Bailey, 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)(q), failing or refusing to maintain adequate records of behavioral health services provided to a client

The motion passed unanimously.

Following further review, Mr. Szymanski moved, seconded by Ms. Bailey, to offer a consent agreement that stipulates the following:

- The professional shall be placed on probation for 12 months
- The professional shall complete pre-approved continuing education as follows:
 - 6 clock hours in the NASW Staying Out of Trouble course or its pre-approved equivalent
 - 12 clock hours in telehealth to be taken in-person or through video

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
NAY												
Absent		X					X	X	X			

The Board took a break at 11:06 a.m., reconvening its public meeting at 11:16 a.m.

C. 2022-0006, Vincent Kinsey, LPC-11606

Mr. Hirmand summarized the background information.

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, Mr. Shen moved, seconded by Ms. Bailey, 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
 - A.A.C. R4-6-1104, Financial and Bills Records
 - A.A.C. R4-6-1106, Telepractice

The motion passed unanimously.

Following further review, Mr. Shen 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 6 clock hours of pre-approved continuing education in behavioral health clinical 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.

	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
NAY												
Absent		X					X	X	X			

D. 2021-0138, Norma Maisonet, LPC-19596

Ms. Zavala summarized the background information.

The complainant was properly noticed, but failed to appear.

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

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)(q), failing or refusing to maintain adequate records of behavioral health services provided to a client

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 12 months
- The professional shall complete pre-approved continuing education as follows:
 - 6 clock hours in the NASW Staying Out of Trouble course or its pre-approved equivalent
 - 12 clock hours in telehealth to be taken in-person or through video

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
NAY												
Absent		X					X	X	X			

E. Janet Swift, LAC-15671

Ms. Zavala summarized the Board's investigation.

The professional was properly noticed, but failed to appear.

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

Following further discussion, Mr. Trotter moved, seconded by Ms. Henagan, to accept the proposed signed 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
NAY												
Absent		X					X	X	X			

F. 2022-0045, Brooke Swisher, LPC-15273

Ms. Zavala summarized the background information.

The complainant appeared and addressed the Board.

The professional was properly noticed, but failed to appear.

Following review and discussion by members, Mr. Trotter moved, seconded by Ms. Bailey, to accept the proposed signed 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	Leanne Henagan	Meaghan Kramer	Kasondra Parr	Heidi Quinlan	Mark Shen	Gerald Szymanski	Antwan Trotter
AYE	X		X	X	X	X				X	X	X
NAY												
Absent		X					X	X	X			

The Board took a break at 12:23 p.m., reconvening its public meeting at 12:33 p.m.

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

A. 2021 Legislative Update

Tabled

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 4 applications based on a failure to pass the required examination and 7 applications based on a failure to take the required examination. The motion passed unanimously.

Social Work

Mr. Davis moved, seconded by Ms. Bailey, to deny 7 applications based on a failure to pass the required examination, 1 application based on failure to meet the minimum requirements, 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 September financial report

Tabled

13. Report from the Executive Director and/or staff

A. Discussion regarding all licensee letter emailed on September 24, 2021

Tabled

B. Update regarding Ms. Zavala's participation in the Council of State Governments for Social Work Compacts

Tabled

C. Review, consideration and possible action regarding R4-6-214

Tabled

D. Review, consideration and possible action regarding expired licenses and re-application

Tabled

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

A. Shelley Ireland, LAC-15879 (inactive)

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

15. Future agenda items

- Court-appointed cases

16. Call for public comment

None.

17. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, November 5, 2021, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

18. Adjournment

Mr. Davis moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:20 p.m.

Dr Cedric E Davis, LCSW

Dr Cedric E Davis, LCSW (Nov 17, 2021 15:01 MST)

Cedric Davis
Secretary/Treasurer

Nov 17, 2021

Date