



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
September 15, 2023

Members Present: Kimberly Bailey, Robert Charles, Mary Coonrod, Cedric Davis, Polly Knape, Meaghan Kramer (out at 9:49 a.m., in at 10:30 a.m.), Adalesa Meek, Mark Shen, Antwan Trotter

Members Absent: Patricia Dobratz, Leanne Henagan, Diane Palacios

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

1. **Call to Order**

A meeting of the Arizona Board of Behavioral Health Examiners was called to order on September 15, 2023 at 9:12 a.m. with Ms. Meek 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. *June 9, 2023, general meeting minutes*
Tabled due to lack of quorum.

C. *June 9, 2023, executive session minutes/agenda item 7F*
Tabled due to lack of quorum.

D. *June 9, 2023, executive session minutes/agenda item 10B*
Tabled due to lack of quorum.

E. *June 9, 2023, executive session minutes/agenda item 12H*
Tabled due to lack of quorum.

F. *July 21, 2023, general meeting minutes*
Tabled due to lack of quorum.

G. *July 31, 2023, teleconference meeting minutes*
Tabled due to lack of quorum.

H. *August 11, 2023, general meeting minutes*

Mr. Trotter moved, seconded by Ms. Bailey, to approve the general meeting minutes for the August 11, 2023 meeting as submitted. The motion passed unanimously. Ms. Knape and Ms. Kramer abstained.

4. Consent Agenda: review, consideration and action

A. Cases recommended for dismissal

1. 2023-0228, Patricia Crockett, LMSW-21131 (closed - passed away)
2. 2023-0156, Julee Gell, LCSW-15725
3. 2023-0164, Felicia Marsh, LPC-17288

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

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

N/A

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. 2023-0088, Elaine Winter, LCSW-11917

Following discussion, Ms. Bailey moved, seconded by Ms. Knape, 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.

1. Chad Calkins, LCSW Applicant
2. Mischa Peck, LCSW-12742

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

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.

1. Celina Gravanda, LMSW-20869

Following discussion, Ms. Kramer moved, seconded by Ms. Bailey, to approve the consent agenda item 4(G). 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		

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

N/A

I. Cases recommended for release from consent agreements.

1. 2023-0085, Zira Franks, LAC-19840
2. 2022-0054, Tracey Frederiksen, LPC-14298 (active-restricted)
3. 2022-0159, Ryan Helton, LPC-16578 (active-restricted)
4. 2023-0018, Karri Macri LCSW-17640 (active-restricted)

5. 2022-0164, Irvin Nunez, LAC-21633

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

The Board took a break 10:21 a.m., reconvening its public meeting at 10:30 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).

N/A

6. Formal Interviews

N/A

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

A. Kevin Cheung, LCSW-20143

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. Knape, to open a complaint and 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		

B. 2023-0162, Amanda Curry, LPC- 18917

Mr. Carver summarized the Board’s investigation.

The complainant was properly notified, but failed to appear.

The professional was properly noticed, but failed to appear.

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

- 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

The motion passed unanimously.

After further discussion, the matter was tabled to provide time for staff to contact the licensee to express the importance of attendance and request medical documentation to support the claim.

C. 2023-0175, 2023-0187, Joshua Johnson, LMSW-7568T, LMSW Applicant

Ms. Zavala summarized the Board’s investigations.

The complainants were properly notified, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Knape moved, seconded by Ms. Kramer, to find the following violations:

- A.R.S. § 32-3251(16)(d), making any false, fraudulent or deceptive statement connected with the practice of behavioral health, including false or misleading advertising by the licensee or the licensee's staff or a representative compensated by the licensee
- 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:
 - 1.06(c) Conflict of Interest

The motion passed unanimously.

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

- 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. § 32-3286, Unlawful practice

The motion passed unanimously.

Following further discussion, Ms. Knape moved, seconded by Ms. Bailey, to deny the application based on a finding of unprofessional conduct pursuant to A.R.S. 32-3275(6). The motion failed with Mr. Charles, Ms. Coonrod, Mr. Davis, Ms. Kramer, Ms. Meek, Mr. Shen, and Mr. Trotter opposed.

Following further discussion, Mr. Trotter moved, seconded by Ms. Kramer, to offer a consent agreement that stipulates the following:

- The applicant shall be placed on probation for 24 months
- Stayed suspension
- No early release
- The applicant shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The applicant shall complete 3 clock hours of the Arizona Statutes/Regulation Tutorial
- The applicant shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on boundaries, Arizona documentation, conflict of interest, professionalism, marketing, termination of services, and Arizona statutes and rules
- A practice restriction shall be in place for no participation in supervised private practice

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		

D. 2023-0141, Jennifer Mullen, LPC-17619
 Ms. Zavala summarized the Board’s investigation.

The complainant was properly notified, but failed to appear.

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

Following further discussion, Mr. Shen moved, seconded by Ms. Bailey, to offer the professional a 12 month non-disciplinary consent agreement for completion of 3 clock hours in the Arizona Statutes/Regulation Tutorial and attestation of training for the EHR platform, 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.

E. 2023-0048, Vincent Ruzzo, LPC-18481

Ms. Zavala summarized the Board’s investigation.

The complainant was properly notified, but failed to appear.

The professional and his attorney, Josh Butner, appeared telephonically and addressed the Board.

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

- The licensee shall be placed on probation for 5 years
- Stayed suspension
- The professional shall complete 10 clock hours of sexual harassment and professional relationships with coworkers
- The professional shall have a license restriction with no supervision of students, interns, staff, and licensed professionals. A quarterly report attesting to this stipulation shall be submitted by the employer
- The professional shall receive clinical supervision from a pre-approved independently licensed behavioral health professional. The frequency for the first 6 months shall be weekly, and then biweekly for the next 6 months. The frequency for the remaining time will be at the recommendation of the clinical supervisor, but no less than monthly for the remaining 12 months
- Clinical supervision shall focus on boundaries, power differential with clients and coworkers, and professionalism with coworkers
- The professional shall receive therapy monthly for 24 months with a pre-approved behavioral health professional.
- Early release available after at the recommendation of the therapist
- Therapy shall focus on the information provided in the report and evaluation and behavioral interaction with others
- A practice restriction shall be in place for no participation in private practice

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
NAY												
Absent					X	X		X		X		

F. 2023-0111, Cally Skalko, LPC-20914

Mr. Carver summarized the Board’s investigation.

The complainant was properly notified, but failed to appear.

The professional appeared and addressed the Board.

Following review and discussion by members, Ms. Bailey moved, seconded by Ms. Knape, to find the following violations:

- A.R.S. § 323251(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.8. Multiple Clients

- 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. R4-6-1106, Telepractice
- 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

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

- The licensee shall be placed on probation for 12 months
- The applicant shall complete the following pre-approved continuing education:
 - 3 clock hours in behavioral health ethics
 - 3 clock hours in Arizona documentation and minimum standards
 - 3 clock hours in family therapy
 - 3 clock hours in self-care and compassion fatigue

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	Leannette 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. 2022-0010, Julia Stan, LMSW-15335 (suspended)

Ms. Zavala summarized the Board's investigation.

The professional appeared and addressed the Board.

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

- 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

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

- The licensee shall be placed on probation for 12 months
- The professional shall attend 3 MADD meetings
- The professional shall participate in a recovery program twice monthly to include a sponsor that can attest to attendance
- The professional shall receive therapy twice monthly with a pre-approved behavioral health professional for six months. The frequency for the remaining time will be at the recommendation of the therapist, but no less than monthly
- Therapy shall focus on the information provided in the report

and to approve the professional's request for release from the interim consent agreement upon acceptance of a consent agreement, and if not signed the professional's license will remain suspended. 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		

H. 2023-0174, 2023-0176, 2023-0186, Taleigha Thompson, LMSW-7616T, LMSW Applicant

Ms. Zavala summarized the Board’s investigations.

The complainants were properly notified, but failed to appear.

The professional appeared and addressed the Board.

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

- A.R.S. § 32-3251(16)(d), making any false, fraudulent or deceptive statement connected with the practice of behavioral health, including false or misleading advertising by the licensee or the licensee's staff or a representative compensated by the licensee
- A.R.S. § 323251(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:
 - 1.06 (C) Conflict of Interest
- 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. § 32-3286, Unlawful practice

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

- The applicant shall be placed on probation for 24 months
- Stayed suspension
- No early release
- The applicant shall complete a pre-approved 3 semester credit hour graduate level course in behavioral health ethics
- The applicant shall complete 3 clock hours of the Arizona Statutes/Regulation Tutorial
- The applicant shall receive clinical supervision weekly from a pre-approved independently licensed behavioral health professional
- Clinical supervision shall focus on boundaries, Arizona documentation, conflict of interest, professionalism, marketing, termination of services, and Arizona statutes and rules
- A practice restriction shall be in place for no participation in supervised private practice

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		

Following further review and discussion by members, Ms. Knape moved, seconded by Mr. Trotter, to open a complaint on applicant’s clinical supervisor. The motion passed unanimously.

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

Counseling

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

Marriage and Family Therapy

Ms. Bailey moved, seconded by Ms. Knape, to deny 2 applications based on a failure to pass the required examination. The motion passed unanimously.

Social Work

Mr. Davis moved, seconded by Ms. Bailey, to deny 11 applications based on a failure to pass the required examination and 16 applications based on a failure to take the required examination. The motion passed unanimously.

Substance Abuse Counseling

Mr. Davis moved, seconded by Ms. Bailey, to deny 1 application based on a failure to pass the required examination. The motion passed unanimously.

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. Discussion regarding investigative reports

Ms. Meek shared her high regards in the organization, detail, professionalism of the investigative reports completed by Board staff.

11. Report from the Treasurer

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

Tabled.

B. Review, consideration, and possible action regarding August financial report

Tabled.

12. Report from the Executive Director and/or staff

A. Update on the Boardal

Ms. Yabu provided an update regarding the Boardal launch. Login issues were resolved by the third-party vendor. It is recommended that licensees attempt to login to ensure that any remaining bugs can be resolved.

B. Update on the submittal of the FY25 budget

Ms. Yabu provided an update regarding the submittal of the FY25 budget. The budget includes a funding issue requesting seven new FTE, which can be supported by existing revenue. New FTE are needed in order to keep up with the demand for licensure and investigations to protect the public.

C. Update on the Boardroom audio

Ms. Yabu provided an update regarding the Boardroom audio, which is still being configured by the third-party vendor; however, the new system has been installed.

D. Review, consideration and action regarding writing disability letters for clients

Tabled.

E. Discussion regarding the Department of Health Services Task Force

Ms. Zavala and Ms. Knape are participating in the Department of Health Services Task Force, in which more information will be provided. Ms. Knape will be serving on this task force in the capacity as an AHCCCS state employee.

F. Update on Board's staff's presence at the annual Southwestern Schools for Behavioral Health Studies annual conference in Tucson

Ms. Zavala shared her experience at the annual Southwestern Schools for Behavioral Health Studies conference to be beneficial. Board staff provided a presentation and manned a booth at the conference. Ms. Zavala also shared that Mr. Carver was in attendance and found it to be a positive experience, as well.

G. Review, consideration and action regarding a Board Members fully funded attendance at the Association of Social Work Boards Delegate Assembly

Mr. Davis moved, seconded by Mr. Trotter, to approve Ms. Henagan's attendance at the Association of Social Work Boards Delegate Assembly. The motion passed unanimously.

H. Discussion regarding the Glenda McDonald Board Administrator Award

Ms. Zavala shared that she has been selected to receive the Glenda McDonald Board Administrator Award. A fully funded trip will be provided to Ms. Zavala to receive the award at the Delegate Assembly.

I. Review, consideration and action regarding Ms. Zavala's nomination for the Board of Director's position to serve the Associations of Social Work Boards

Mr. Davis moved, seconded by Mr. Trotter, to approve Ms. Zavala's nomination for the Board of Director's position to serve the Associations of Social Work Boards. The motion passed unanimously.

J. Discussion regarding boundary violations pursuant to ARS 32-3251(16)(v) and impact on client

Ms. Zavala provided a video to the Board members to watch related to boundary violations pursuant to ARS 32-3251(16)(v) and impact on client. The members discussed the potential impact of a client who has had an inappropriate sexual relationship with a licensee.

K. Review, consideration and action relating to Board action taken at the July 31, 2023, teleconference Board meeting, regarding notice of termination of rulemaking of AAC R4-6-217(B)(2)(a)(i), and ratification of the same
Tabled due to lack of quorum.

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

A. Maria Carmen Preciado, LCSW-2100 (Inactive Status Extension)

Mr. Davis moved, seconded by Mr. Trotter, to approve the request for inactive extension. The motion passed unanimously.

B. Holly Wilkum, LAC-13306 (Inactive Status Extension)

Ms. Kramer moved, seconded by Ms. Bailey, to approve the request for inactive extension. The motion passed unanimously.

14. Future agenda items

- Rulemaking process
- Supervision standards for unlicensed individuals

15. Call for public comment

Halina Brooke, Arizona Sensible Therapy Practice Coalition, appeared and addressed the Board regarding professional stewardship and ethics within and surrounding social media and other nonclinical professional settings and gathering spaces and discourses, as well as the appropriate use, and avoidance of abuse of, ethical consultation and board consultation.

16. Establishment of future meeting date(s)

The next regular meeting is scheduled for Friday, October 13, 2023, at 9:00 a.m., at 1740 W. Adams St., Board Room C.

17. Adjournment

Ms. Meek moved, seconded by Mr. Trotter, to adjourn. The motion passed unanimously and the meeting was adjourned at 1:39 p.m.



Polly Knape (Oct 25, 2023 07:12 PDT)

Polly Knape
Secretary/Treasurer

10/23/23

Date