



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
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DOUGLAS A. DUCEY
Governor

HEIDI HERBST PAAKKONEN, M.P.A.
Executive Director

Committee on Behavior Analysts

REGULAR SESSION MINUTES

April 30, 2021 - 9:30 a.m.

Held via Zoom

1. CALL TO ORDER

The meeting was called to order at 9:31 a.m.

2. Committee Members Present

Donald Stenhoff, Ph.D., BCBA-D – Chair
Diana Davis-Wilson, DBH, BCBA
Bryan Davey, Ph.D., BCBA-D
Tisha Denton, M.Ed., BCBA

Committee Members Absent

Paige Raetz, Ph.D., BCBA-D

Staff Present

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelsen, Deputy Director
Kathy Fowkes, Licensing Specialist

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

3. REMARKS/ANNOUNCEMENTS

- **General Committee Remarks, Announcements and Updates**

Dr. Stenhoff thanked board staff for their work to assemble a record-breaking number of applications for licensure, and thanked the Committee members for the time they invested in preparing for the meeting. He welcomed the guests and stakeholders who were present.

4. APPROVAL OF MINUTES

- **April 2, 2021 Meeting Minutes**

MOTION: Dr. Davis-Wilson offered a motion that the minutes be approved as drafted. Ms. Denton seconded the motion.

VOTE: The motion was approved 4-0.

5. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING COMPLAINTS AND RECOMMENDATIONS TO THE BOARD

• **Complaint No. 21-16, Cierra Walling, M.Ed.**

Dr. Davis-Wilson summarized the complaint consisting of a report received in March from E.K., a Human Resources lead for Team4Kids Pediatric Therapy alleging that when Ms. Walling resigned from her position with the agency, she abandoned her clients, in violation of the BACB ethics code and she failed to respond to a number of agency attempts to contact her for purposes of closing out her cases and ensuring transfer of their care to another provider. She noted that Ms. Walling submitted a response consisting of a timeline of events including a period of quarantining due to COVID exposure, and the events around her resignation. Ms. Walling explained that she notified her supervisor of that decision on a Friday and by Monday she was locked out of the company's system and could not access any information. She further explained her attempts to reach a colleague through LinkedIn to assist with this process. She indicated she did not receive the notice of the exit interview scheduled, and that she was under the impression that the system lock-out indicated that her services were no longer needed by the agency. Finally, the response reflected that she has relocated to Nevada and will not renew her Arizona license. Mr. Bob Hermann representing the agency explained that he sent Ms. Walling a text message expressing disappointment in her lack of response to agency attempts to contact her.

Ms. Walling was present and addressed the Committee. She explained that this complaint is a misunderstanding as the indications she had received from the company was that she was terminated immediately following her submission of her notice and that she would not be allowed to remain for the two-week period she has anticipated following that notice. Ms. Walling was asked how she intended to make contact to agency staff to discuss the transfer of her patient load; she explained that by being locked out of the system she could not do so. She also explained that she was upset by the agency's actions toward her. She mentioned that her attempt to contact the colleague through LinkedIn preceded Mr. Hermann's text message to her. She also affirmed that she was not contacted at her personal email address by the agency.

Ms. Walling asserted that she had asked at the time of her resignation for a patient transfer-of-care meeting; over the weekend she was in quarantine and provide care to her room mates.

Mr. Hermann indicated to the Committee that he did not have immediate access to any documented attempts to contact Ms. Walling other than the text message he sent. In response to questioning, he explained that due to fact Ms. Walling was not responding to communication attempts, the decision was made to lock her out of her account. The Committee asked about the agency expectations of Ms. Walling once she learned she was locked out of her work communications; Mr. Hermann indicated they expected that she would reach out to them. He stated the company felt justified in curtailing her access to company records. Mr. Hermann affirmed that the cases were successfully transferred to other providers.

The Committee deliberations reflected that better decisions could have been made by both sides of this situation – the agency could have better facilitated the exit process, and Ms. Walling could have availed herself of other opportunities to reach out to the agency. The discussion noted that this situation serves as a learning lesson to all those involved, including that better efforts need to be made to document actions taken. The members debated whether this is an employment issue and whether the behavior analyst assumed the appropriate level of responsibility under the BACB ethical code. Much of the discussion focused on the sequence of events that occurred. The discussion also indicated that there appears to be a lack of committed action by both parties that was intended to address the needs of the clients.

MOTION: Dr. Davis-Wilson moved to move the case to the Board with a recommendation to issue a non-disciplinary letter of concern addressing the lack of effort by Ms. Walling to ensure continuation of client services and to put their needs first. Dr. Davey seconded the motion.

The discussion of the motion indicated that communication failures are the basis of the case, but these do not rise to the level of warranting discipline. Additionally it was noted that the licensee is the party saddled with the letter

of concern, but the record must reflect that the agency has room for improvement as well.

MOTION: Ms. Denton moved to meet in Executive Session for purposes of receiving legal advice. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 4-0.

Upon resuming the meeting in public session a roll call vote on the motion was held with the following results:

Dr. Davis-Wilson – yes
Dr. Davey – yes
Dr. Stenhoff – yes
Ms. Denton – yes

The motion was approved 4-0. Ms. Galvin advised Ms. Walling that she will be notified when this case will be considered by the Board.

DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OF BEHAVIOR ANALYST APPLICANTS

6.

A. Behavior Analyst Applications for Licensure

1) Allison Ring, M.S.

Dr. Davis-Wilson announced that she is recused from the consideration of this application. Dr. Davis-Wilson disclosed for the record that the applicant was a student in one of her courses but she has no knowledge of her work and therefore can objectively vote on the application. The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

2) Allyson Perreault, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

3) Ashley Coker, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules, but a correction to reflect a “not applicable” entry should be added to question 6. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

4) Brittany Messina, M.Ed. (FAIR)

Dr. Davis-Wilson and Ms. Denton announced their recusals from the consideration of the application. This application will be rescheduled to the next Committee meeting due to a lack of quorum.

5) Cara W. Craddock, M.Ed.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

6) Christa (McDiffett) Leon, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules with the exception of the fact that her documentation reflects a shortage of about 300 hours of supervised experience. The Committee determined the application can be forwarded to the Board with a recommendation for approval should the documentation be acquired in time for that review.

7) Christian Ortiz, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

8) Eva Santana, M.Ed. (FAIR)

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

9) Genoveva Machado, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

10) Hannah Luecht, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

11) Jacob Jarvis, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

12) Jocelyn Gidley, M.Ed.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

13) Julie K. Daniel, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The

Committee determined the application can be forwarded to the Board with a recommendation for approval.

14) Kelsey Webb, M.S.

Ms. Denton disclosed for the record that she was an adjunct profession for the program the applicant attended but she is able to objectively vote on the application. The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

15) Madeline P. Carlino, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

16) Melissa Ann Harrison, M.A. (FAIR)

Dr. Davis-Wilson announced that she is recused from the consideration of this application. Dr. Stenhoff disclosed that Ms. Harrison is a former student but that he is able to vote on the application objectively.

MOTION: Dr. Davey moved to meet in Executive Session for purposes of receiving legal advice. Ms. Denton seconded the motion. The motion was approved 4-0.

Upon resuming the meeting in public session the Committee noted that Ms. Harrison was not present although she was noticed of this review. Ms. Galvin asked whether the Committee is able to make a decision given her absence. The Committee indicated that it is essential that she be present for the discussion of her application and therefore the application was tabled and will be placed on the next meeting agenda.

17) Melissa Kreitner, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

18) Peter Alfano, M.S.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

19) Ryan T. Glasgow, M.A. (FAIR)

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

20) Sara West, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules with the exception of the fact that one of Ms. West's supervisors in Texas provided supervision prior to having been granted her license. The Committee determined the application will require a FAIR letter to address the deficient supervised hours.

21) Tiffany May, M.Ed.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules with the exception of the fact that her first supervisor indicated not having observed the experience on the application noted at 3a and 3c. While not uncommon for this to not have been observed within the first 500 hours of supervision, a written explanation should be obtained. The Committee determined the application will require a FAIR letter to acquire the explanation.

22) Zandra Galimba, M.A.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

23) Ingrid (Belmont) Lucas, M.Ed.

The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

MOTION: Dr. Davis-Wilson moved to forward the following applications to the Board with a recommendation for approval: Allison Ring, M.S.; Allyson Perreault, M.A.; Ashley Coker, M.S.; Cara W. Craddock, M.Ed.; Christa (McDiffett) Leon, M.A.; Christian Ortiz, M.S.; Eva Santana, M.Ed.; Genoveva Machado, M.A.; Hannah Luecht, M.A.; Jacob Jarvis, M.S.; Jocelyn Gidley, M.Ed.; Julie K. Daniel, M.A.; Kelsey Webb, M.S.; Madeline P. Carlino, M.S.; Melissa Kreitner, M.S.; Peter Alfano, M.S.; Ryan T. Glasgow, M.A.; Zandra Galimba, M.A.; and Ingrid (Belmont) Lucas. The motion reflected that the applications for Brittany Messina, M.Ed. and Melissa Ann Harrison, M.A. will be placed on a future meeting agenda, that Tiffany May, M.Ed. and Sara West, M.A. be issued FAIR letters as reflected by the discussion, and that the recusals be reflected as indicated. Ms. Denton seconded the motion.

VOTE: The motion was approved 4-0.

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON ASSEMBLING A LIST OF BEHAVIOR ANALYST PRACTICE MONITORS

Ms. Paakkonen reminded the Committee that previously a motion was adopted to move forward with a plan to develop a list of behavior analyst practice monitors. Ms. Galvin has affirmed the Committee can manage this process without requiring Board approval throughout the process. She further explained that she envisions that she and Ms. Michaelsen can have a presentation with an overview of this role and its responsibilities ready to share with interested individuals assembled by the AzABA Committee. Ms. Jessica Belokas affirmed that the AzABA leadership is in support of this partnership. Dr. Stenhoff agreed to serve in an advisory role to the committee.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING FUTURE MEETINGS WITH STAKEHOLDERS

Ms. Paakkonen requested the Committee schedule the next meeting with stakeholders. The members confirmed June 11, 2021 at 8:30 a.m. as the next meeting date and time. The Committee formulated plans to contact Dr. Weatherly at his current address, to circle back to Dr. Sundberg, and also reach out to another potential resource. The Committee advised that the explanation should indicate the Committee is looking specifically for input from practitioners who are providing services outside of the autism space (such as OBM).

The Committee members gave direction to Board staff on items to include on the June 11 meeting agenda.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION ON EXECUTIVE ORDER 2021-02 REQUIREMENT TO REVIEW WAIVED AND SUSPENDED RULES DURING PUBLIC HEALTH STATE OF EMERGENCY FOR COVID-19, AND IMPACTS OF THE SAME

Ms. Paakkonen reminded the Committee that she was directed to contact the BACB for purposes of gaining insights into the anticipated date of the lifting of the temporary deviation from the requirement of client observations. She noted that the response received was non-specific and would be impacted by certain factors related to the pandemic. The Committee concurred with Ms. Paakkonen's suggestion that when she responds to the Governor's Executive Order specific to this licensure waiver, she indicate that an answer cannot be provided at this time as it is predicated on the decision of another organization.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECENT UPDATES FROM, AND ISSUES CONCERNING, THE BEHAVIOR ANALYST CERTIFICATION BOARD (BACB)

Ms. Paakkonen summarized the communique from the BACB introducing the potential future use of badges and micro-credentials by licensure boards. She mentioned that the Board's future licensing system could have the capacity to explore this type of technology, at least where continuing education is concerned.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION INCLUDING, BUT NOT LIMITED TO HB2267, HB2454 & SB1253

Ms. Paakkonen reported that HB 2267 appears to be permanently stalled. HB 2454 has now passed the second chamber (the Senate), and very recently an emergency clause was placed on this bill, meaning all of its provisions are immediately in effect including the out-of-state provider telehealth registry. She indicated that she is currently evaluating how to put a short-term solution in place to manage the registry process until the new management system is launched.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING FORMATION OF APPLICATION EFFICIENCIES WORKGROUP

Dr. Davis-Wilson reminded the Committee that based on input from some stakeholders concerning the Board's current application processing time frames, a proposal was made to the Board to formulate a committee to look at some strategies and solutions intended to bring improvements to the process. The Board voted to support that proposal.

12. NEW AGENDA ITEMS FOR FUTURE MEETINGS

No items were suggested.

13. ADJOURNMENT

MOTION: Dr. Davis-Wilson moved to adjourn the meeting. Dr. Davey seconded the motion.

VOTE: The motion was approved by a 4-0 vote. The meeting adjourned at 12:10 p.m.