



Governor
Douglas A. Ducey

Arizona Board of Psychologist Examiners

1740 W. Adams St., Suite 3403
Phoenix, Arizona 85007
Phone (602) 542-8163 Fax (602) 542-8279
<https://psychboard.az.gov>

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Complaint Screening Committee **REGULAR SESSION MINUTES**

February 20, 2019
1740 W. Adams St.
Conference Room C (1st Floor)
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona Board of Psychologist Examiners Complaint Screening Committee was called to order by Chairman Donaldson at 8:30 a.m. on February 20, 2019. No Executive Sessions were held.

2. ROLL CALL

Committee Members Present

Joseph C. Donaldson – Chair
Janice K. Brundage, Ph.D.
Lynn L. Flowers, Ph.D.

Staff Present

Jenna Jones, Executive Director
Heather Broaddus, Deputy Director

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

3. APPROVAL OF MINUTES

- January 16, 2019, Regular Session

Dr. Brundage made a motion, seconded by Dr. Flowers to approve the January 16, 2019, regular session minutes as drafted. The motion carried unanimously (3-0), by a voice vote.

4. CASE DISCUSSION/DECISION

a. John Moran, Ph.D., Complaint No. 18-23

Dr. Flowers summarized the case, including salient points of the investigation and pertinent records. The Complainant was present via telephone, made a statement and answered Committee

members' questions. Dr. Gates was present via telephone and made a statement. The Licensee and the Licensee's attorney, Faren Akins, Esq., were present, requested to speak, made statements and answered Committee members' questions. After deliberation, Dr. Brundage made a motion, seconded by Dr. Flowers, to dismiss this matter as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

b. Peter Morton, Psy.D., Complaint No. 18-29

Mr. Donaldson summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee and the Licensee's attorney, Charles Hover, Esq., were present, requested to speak, made statements and answered Committee members' questions. After deliberation, Dr. Flowers made a motion, seconded by Dr. Brundage, to dismiss this matter as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

c. Peter Morton, Psy.D., Complaint No. 18-30

Mr. Donaldson summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee and the Licensee's attorney, Charles Hover, Esq., were present and answered Committee members' questions. After deliberation, Dr. Flowers made a motion, seconded by Mr. Donaldson, to dismiss this matter as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

d. Ruth Tenreiro, Psy.D., Complaint 18-31

Dr. Flowers recused from reviewing this matter and exited the meeting room. Dr. Brundage summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee and the Licensee's attorney, Charles Hover, Esq., were present and answered Committee members' questions. The Committee expressed concern that Dr. Tenreiro lost documentation of the supervision she provided and expressed concern that she did not retain adequate records. After deliberation, Dr. Brundage made a motion, seconded by Mr. Donaldson, to forward Complaint No. 18-31 to the Board for possible violation of A.R.S. 32-2061(h) for possibly failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient and A.R.S. §32-2061(p) for possibly falsely or fraudulently claiming to have performed a professional service, charging for a service or representing a service as the licensee's own when the licensee has not rendered the service or assumed supervisory responsibility for the service. The motion carried (2-0-1), by a voice vote with Dr. Flowers recused.

e. Mark Magier, Psy.D., Complaint 18-33

Dr. Brundage summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. The Licensee and the Licensee's attorney, Charles Hover, Esq., were present and answered Committee members' questions. The Committee expressed concern that Dr. Magier did not submit all of the records pertaining to this case to the Board when requested. The Committee expressed concern that Dr. Magier had his son send a text message to the client to reschedule an appointment. The Committee expressed concern regarding Dr. Magier's lack of correspondence with the client. The Committee expressed concern that Dr. Magier may not have retained adequate records. After deliberation, Dr. Brundage made a motion, seconded by Dr. Flowers, to forward Complaint No. 18-33 to the Board for possible violation of A.R.S. 32-2061(h) for possibly failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient; A.R.S. §32-2061(o) for possibly providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of

practice; A.R.S. §32-2061(13)(bb) for possibly failing to furnish information in a timely manner to the board or its investigators or representatives if requested or subpoenaed by the board as prescribed by this chapter and A.R.S. §32-2061(cc) for possibly failing to make available to a client or patient or to the client's or patient's designated representative, on written request, a copy of the client's or patient's record, including raw test data, psychometric testing materials and other information as provided by law. The motion carried unanimously (3-0), by a voice vote

5. ADJOURN

There being no further business to come before the Committee, Dr. Brundage made a motion, seconded by Dr. Flowers, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 11:24 a.m.