



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

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

### *Regular Session Meeting Minutes*

Held virtually via Zoom on October 26, 2021

#### *Board Members*

Diana Davis-Wilson, DBH, BCBA – Chair  
Bryan Davey, Ph.D., BCBA-D – Vice-Chair  
Mathew A. Meier, Psy.D. – Secretary  
Linda Caterino, Ph.D., ABPP  
Aditya Dynar, Esq.  
Stephen Gill, Ph.D.  
Ramona N. Mellott, Ph.D.  
Tamara Shreeve, MPA

#### **1. CALL TO ORDER**

Chairwoman Davis-Wilson called the Board's meeting to order at 8:02 a.m.

#### **2. ROLL CALL**

The following Board members participated in the virtual meeting: Chairwoman Davis-Wilson, Vice-Chairman Davey, Mr. Dynar, Dr. Gill, Dr. Meier, Dr. Mellott and Ms. Shreeve. The following Board member was absent: Dr. Caterino.

The following Board staff participated in the virtual meeting: Heidi Herbst Paakkonen, Executive Director; Jennifer Michaelson, Deputy Director; Jeanne Galvin, Assistant Attorney General (AAG); Kathy Fowkes, Licensing Specialist; and Krishna Poe, Projects Specialist.

#### **3. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE MARICOPA COUNTY SUPERIOR COURT'S ORDER IN CASE NO. LC2020-000288 INVOLVING SHANNA SADEH, LICENSE NO. 004873, INCLUDING BUT NOT LIMITED TO DECISION WHETHER TO APPEAL AND OTHER LEGAL OPTIONS AVAILABLE TO THE BOARD**

Ms. Paakkonen informed the Board that Dr. Sadah was noticed of the scheduling of this matter. She reminded the Board that a disciplinary order was issued to Dr. Sadeh concerning complaint 20-14. Dr. Sadeh subsequently submitted a request for review or rehearing of the case to the Board which was denied. Dr. Sadeh then appealed the decision to Maricopa County Superior Court, and on September 27, 2021 the court issued its ruling which affirms in part, and overrules in part, the Board's findings of fact and conclusions of law. Ms. Paakkonen explained that this special meeting has been arranged in order to afford the Board an opportunity to file an appeal to the court's decision within the 30 days allowed by statute.

Ms. Galvin spoke to the court's opinion, noting that it was a "mixed bag" with some rulings in support of the Board's action, and other findings for Dr. Sadeh. The first issue is whether the Board committed error in not following the adjudicative procedures outlined in A.R.S. §32-2081; the court found the Board had not. The second issue is whether the Board's findings in the case were legally deficient; the court found that some were supported by the record, but that others were not articulated by the Board. The third issue is whether Dr. Sadeh's due process rights were violated during the course of the proceedings; the court returned a mixed ruling on this point. Ms. Galvin noted that the Board erred in that it did not provide Dr. Sadeh with an opportunity to cross-examine the complainant for this case, and she further noted the court agreed with the Board's decision to refrain from obtaining the complainant's records from the Arizona Department of Child Safety for purposes of its investigation. However, the Board did err in its failure to notice Dr. Sadeh of the concerns with respect to her professional relationship with the complainant's therapist, Lauren Day. Additionally the court rules that the Board's discipline was unsupported by the facts of the case, but the court determined that the Board is not responsible for Dr. Sadeh's legal fees. Ms. Galvin explained that the matter has been remanded back to the Board for an immediate determination as to whether to appeal the decision to the Court of Appeals. If not appealed, the case comes back to the Board for purposes of conducting another evidentiary proceeding, or possibly negotiating a settlement with Dr. Sadeh.

**MOTION:** Dr. Mellott moved to meet in Executive Session for purposes of receiving legal advice. Ms. Shreeve seconded the motion.

**VOTE:** The motion was approved 7-0

The meeting resumed in public session.

**MOTION:** Ms. Shreeve proposed a motion that the Board not appeal the court's ruling, schedule an informal hearing in January or shortly thereafter, and in the meantime authorize Ms. Galvin to propose a settlement consisting of a consent agreement including the terms that were discussed in Executive Session. Dr. Meier seconded the motion.

**VOTE:** The motion was approved 7-0.

#### **4. ADJOURNMENT**

**MOTION:** Ms. Shreeve moved to adjourn the meeting. Mr. Dynar seconded the motion.

**VOTE:** The motion was approved 7-0.

Respectfully submitted



Matt Meier, Psy.D.

Secretary