

1                   **BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS**  
2                   **FOR THE STATE OF ARIZONA**

3                   IN THE MATTER OF:

4                   **LOUIS ALEXANDER MARULL, M.A.**

5                   Applicant for Licensure as a Behavior  
6                   Analyst  
7                   in the State of Arizona,

8                   Applicant.

**CONSENT AGREEMENT AND  
ORDER FOR PROBATION AND  
MONITORING**

9

10                   In the interest of a prompt and judicious settlement of the above-captioned matter  
11                   before the Arizona Board of Psychologist Examiners (“Board”) and consistent with  
12                   public interest, statutory requirements and responsibilities of the Board, and pursuant to  
13                   A.R.S. § 32-2091 *et seq.* and A.R.S. §41-1092.07(F)(5), Louis Alexander Marull, M.A.  
14                   (“Applicant”), applicant for licensure as a behavior analyst and the Board enter into this  
15                   Consent Agreement and Order for Probation and Monitoring (“Consent Agreement”) as a  
16                   resolution of this matter.

17                   **JURISDICTION**

18                   1.       The Board is authorized to regulate the practice of behavior analysis in  
19                   Arizona pursuant to A.R.S. § 32-2091, *et seq.*, and the rules promulgated thereunder,  
20                   found in Arizona Administrative Code (“A.A.C.” or “rules”) at R4-26-401, *et seq.*, to  
21                   regulate and control the licensing of behavior analysts in the State of Arizona.

22                   2.       Applicant applied for licensure as a behavior analyst on July 15, 2021.

23                   3.       The Board has personal and subject matter jurisdiction over Applicant  
24                   pursuant to A.R.S. § 32-2091, *et seq.*, and the rules of A.A.C. R4-26-401, *et seq.*

25                   **RECITALS**

26                   1.       Applicant has read and understands this Consent Agreement and has had

1 the opportunity to discuss this Consent Agreement with an attorney, or has waived the  
2 opportunity to discuss this Consent Agreement with an attorney.

3         2.       Applicant understands that he has a right to a public administrative hearing  
4 concerning this matter at which hearing he could present evidence and cross examine  
5 witnesses. By entering into this Consent Agreement, Applicant knowingly and  
6 voluntarily relinquishes all right to such an administrative hearing, as well as rights of  
7 rehearing, review, reconsideration, appeal, judicial review or any other administrative  
8 and/or judicial action, concerning the matters set forth herein.

9         3.       Applicant affirmatively agrees that this Consent Agreement shall be  
10 irrevocable.

11        4.       Applicant understands that this Consent Agreement or any part of the  
12 agreement may be considered in any future disciplinary action by the Board against him.

13        5.       Applicant acknowledges and agrees that the acceptance of this Consent  
14 Agreement is solely to settle this Board matter and does not preclude the Board from  
15 instituting other proceedings as may be appropriate now or in the future.

16        6.       Applicant understands that this Consent Agreement does not constitute a  
17 dismissal or resolution of any other matters currently pending before the Board, if any,  
18 and does not constitute any waiver, express or implied, of the Board's statutory authority  
19 or jurisdiction regarding any other pending or future investigation, action or proceeding.

20        7.       Furthermore, and notwithstanding any language in this Consent Agreement,  
21 this Consent Agreement does not preclude in any way any other state agency or officer or  
22 political subdivision of this state from instituting proceedings, investigating claims, or  
23 taking legal action as may be appropriate now or in the future relating to this matter or  
24 other matters concerning Applicant, including violations of the Arizona Consumer Fraud  
25 Act. Applicant acknowledges that, other than with respect to the Board, this Consent  
26 Agreement makes no representations, implied or otherwise, about the views or intended

1 actions of any other state agency or officer or political subdivision of the state relating to  
2 this matter or other matters concerning Applicant.

3 8. This Consent Agreement is subject to the approval of the Board and is  
4 effective only when accepted by the Board and signed by the Executive Director. In the  
5 event that the Board does not approve this Consent Agreement, it is withdrawn and shall  
6 be of no evidentiary value and shall not be relied upon nor introduced in any action by  
7 any party, except that the parties agree that should the Board reject this Consent  
8 Agreement and this case proceeds to hearing, Applicant shall assert no claim that the  
9 Board was prejudiced by its review and discussion of this document or any records  
10 relating thereto.


11 9. If a court of competent jurisdiction rules that any part of this Consent  
12 Agreement is void or otherwise unenforceable, the remainder of the Consent Agreement  
13 shall remain in full force and effect.

14 10. Applicant understands that this Consent Agreement is a public record that  
15 will be publicly disseminated as a formal action of the Board and may be reported as  
16 required by law to the National Practitioner Data Bank.

17 11. Applicant understands that any violation of this Consent Agreement  
18 constitutes unprofessional conduct and may result in disciplinary action. A.R.S. §32-  
19 2091(12)(aa).

20 12. Applicant agrees that the Board will adopt the following Findings of Fact,  
21 Conclusions of Law and Order.

22  
23 ACCEPTED AND AGREED BY APPLICANT

24   
25 Louis Alexander Marull, M.A.  
26 Applicant

05/06/22  
Dated:

1 **FINDINGS OF FACT**

2 1. On July 15, 2021, the Board received Applicant’s application for licensure  
3 as a behavior analyst in which he disclosed a criminal history regarding two  
4 misdemeanor convictions in Oklahoma for DUI (2014 and 2015) and one misdemeanor  
5 conviction in Oklahoma for leaving the scene of a collision involving property damage  
6 (2016).

7 2. During the pendency of his application, Applicant notified the Board of an  
8 additional charge of DUI that occurred on August 5, 2021. Applicant’s disclosure of this  
9 charge on August 27, 2021, did not occur within ten (10) days as required by A.R.S. §32-  
10 3208(B).

11 3. On November 22, 2021, the Board issued an Interim Order for  
12 Psychological/Fitness for Duty Evaluation to Applicant that required him to undergo  
13 testing and an evaluation by a Board-approved psychologist. Applicant timely complied  
14 with the Order and the results of the evaluation and opinions of the evaluator are  
15 contained within the Board’s files.

16 4. On January 27, 2022, Applicant pleaded guilty to DUI with a BAC above  
17 .08% as it relates to the August 27, 2021 charge.

18 5. On June 3, 2022, the Board held a public meeting to conduct an initial  
19 review of the application and review the evaluation results and opinions of evaluator.

20 6. At the conclusion of the Board’s consideration of all of the evidence, the  
21 Board moved to grant Applicant’s application and offer Applicant this Consent  
22 Agreement and Order for Probation and Monitoring.

23 **CONCLUSIONS OF LAW**

24 1. Pursuant to A.R.S. § 32-2091.09(G)(5), the Board has the authority to enter  
25 into a consent agreement with a behavior analyst to rehabilitate the behavior analyst in  
26 order to protect the public and ensure the behavior analyst’s ability to safely engage in

1 the practice of behavior analysis.

2 2. The facts and circumstances in paragraph no. 2, constitute a violation of  
3 A.R.S. §32-3208(B), which requires an applicant for licensure as a health professional  
4 who has been charged with a misdemeanor involving conduct that may affect patient  
5 safety or a felony after submitting the application must notify the regulatory board in  
6 writing within ten worked days after the charge is filed.

7 **ORDER**

8 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties  
9 agree to the following Order:

10 1. Applicant's application for licensure as a behavior analysis is approved  
11 upon his signing the Consent Agreement and the Consent Agreement becoming effective.  
12 The effective date of this Consent Agreement and Order is the date the Order is signed by  
13 the Board's Executive Director or her designee. **Should Applicant refuse to enter into**  
14 **the Consent Agreement, the application shall automatically be denied and a Notice**  
15 **of Denial shall be issued without necessitating returning to the Board.**

16 2. As soon as practicable after the effective date of the Consent Agreement,  
17 Applicant's license shall issue and immediately be placed on **probation for a minimum**  
18 **period of two (2) years.** During the period of probation, Applicant shall:

- 19 a. **Attend at least two AA/SMART recovery or other 12-step**  
20 **programs/peer-support meetings per week for the first four (4)**  
21 **months of probation. For the subsequent six (6) months, Applicant**  
22 **shall attend meetings at the rate of at least one per week.** At the end  
23 of that 10 month time period, Applicant shall continue attendance at a  
24 rate recommended by his therapist. Applicant shall submit attendance  
25 logs to the Board on a quarterly basis. The first log is due on the  
26 fifteenth (15<sup>th</sup>) of the month after the effective date of the Consent

1 Agreement and Order and quarterly thereafter. The logs may be  
2 submitted by mail, electronic mail or via fax. **Attendance at the 12**  
3 **Step program/peer support group shall begin within five (5) days**  
4 **after the effective date of the Consent Agreement and Order.**

5 b. **Attend weekly individual therapy sessions with a Board-approved**  
6 **licensed behavior health professional** who specializes in depression,  
7 anxiety and substance use. Applicant shall engage in individual therapy  
8 at the rate of once per week for at least six (6) months or as  
9 recommended by the behavior health professional. Should Applicant  
10 cease therapy with a provider, he shall obtain a new behavioral health  
11 professional; the new therapist shall be pre-approved by the Executive  
12 Director. Applicant's behavioral health professional shall report to the  
13 Board on a quarterly basis on the status of Applicant's therapy. The  
14 reports shall include a general description of topics discussed and of the  
15 on-going treatment plan. Applicant shall ensure that the reports are sent  
16 to the Board on a quarterly basis. The first report is due on fifteenth  
17 (15<sup>th</sup>) of the month after therapy begins and each subsequent quarterly  
18 report is due on the fifteenth (15<sup>th</sup>) of the month thereafter. The reports  
19 may be sent to the Board via mail, electronic mail or fax. **Attendance at**  
20 **weekly therapy sessions with a Board-approved behavioral health**  
21 **professional shall begin within thirty (30) days of the effective date**  
22 **of the Consent Agreement.**

23 c. Applicant shall undergo random urine drug screens **at least twice**  
24 **monthly. The entity that conducts the random urine screens shall**  
25 **be pre-approved by the Executive Director or her designee.**  
26 **Random urine drug screens shall begin within twenty (20) days**

1 after the effective date of the Consent Agreement. The random  
2 urine tests shall include a screen for alcohol, illegal drugs,  
3 prescription drugs and marijuana. All drug screen results shall be  
4 sent directly to the Board. In the Board's sole discretion and at any  
5 time, the Board may order Applicant to undergo additional testing  
6 to include hair or nail samples or more frequent drug testing. A  
7 **POSITIVE DRUG SCREEN RESULT FOR ALCOHOL,**  
8 **MARIJUANA OR A SUBSTANCE FOR WHICH APPLICANT**  
9 **DOES NOT HAVE A CURRENT AND VALID PRESCRIPTION**  
10 **IS A VIOLATION OF THIS ORDER AND MAY RESULT IN**  
11 **THE SUMMARY SUSPENSION, SUSPENSION OR**  
12 **REVOCAION OF APPLICANT'S LICENSE.**

13 d. No less than twelve (12) months from the effective date of this Consent  
14 Agreement, Applicant may petition the Board in writing and request  
15 that the terms of the probation be modified or that the probation be  
16 lifted entirely. Whether to modify the terms of probation or terminate  
17 the period of probation is entirely within the discretion of the Board.  
18 **Applicant's request shall be accompanied by a written**  
19 **recommendation from his treating behavioral health professional**  
20 **and supported by that professional's opinion of Applicant's**  
21 **progress in treatment and rehabilitation.** Applicant's failure to  
22 petition the Board to terminate the probation shall extend the probation  
23 period. Applicant shall personally appear at any Board meeting at  
24 which his request will be heard.

25 e. Throughout the term of Applicant's probation, Applicant shall  
26 personally appear before the Board when requested to do so by the

1 Board or Board staff.

2 f. Applicant shall execute all appropriate release of information forms to  
3 permit the Applicant's treatment professionals to communicate with the  
4 Board regarding Applicant's treatment and monitoring.

5 g. If Applicant violates this order in any way or fails to fulfill the  
6 requirements of this order, the Board, after giving the Applicant notice  
7 and the opportunity to be heard, may revoke, suspend or take other  
8 disciplinary actions against the Applicant's license. The issue at such a  
9 hearing will be limited solely to whether this order has been violated.

10 3. Time is of the essence with regard to this Consent Agreement.

11 4. Applicant shall be responsible for all costs incurred as a result of his  
12 compliance with this Consent Agreement.

13 5. Applicant understands that this Consent Agreement, or any part thereof,  
14 may be considered in any future disciplinary action against him or in any future decision  
15 regarding re-licensure.

16 6. Failure to comply with any provision of this Consent Agreement is an  
17 act of unprofessional conduct pursuant to A.R.S. §32-2091(12)(aa), which is violating a  
18 formal board order, consent agreement, term of probation or a stipulated agreement,  
19 which could lead to the suspension or revocation of Applicant's license.

20 7. If Applicant fails to renew his license while under the terms of this  
21 Consent Agreement and subsequently applies for late renewal of license or a new  
22 license, the remaining terms of this Order shall be imposed if the late renewal or  
23 reapplication for license is granted by the Board.

24 8. Applicant understands that this Consent Agreement is a public record  
25 that may be publicly disseminated as a formal action of the Board and shall be reported  
26 to the National Practitioner Data Bank.



1 DATED THIS 7 day of June, 2022.

2  
3 ARIZONA BOARD OF  
4 PSYCHOLOGIST EXAMINERS

5 

6 Heidi Herbst Paakkonen  
7 Executive Director

8 **ORIGINAL** filed electronically

9 This 7 day of June, 2022 with:

10 Arizona State Board of Psychologist Examiners  
11 1740 W. Adams St., Suite 3403  
12 Phoenix, Arizona 85007

13 **COPY** of the foregoing mailed by Certified Mail No. 9489009000276155201787

14 This 7 day of June, 2022 to:

15 Louis Alexander Marull  
16 Address on Record

17 **COPY** of the foregoing via email ([jeanne.galvin@azag.gov](mailto:jeanne.galvin@azag.gov))

18 This 7 day of June, 2022 to:

19 Jeanne M. Galvin  
20 Assistant Attorney General  
21 2005 North Central Ave. SGD/LES  
22 Phoenix, Arizona 85004  
23 [jeanne.galvin@azag.gov](mailto:jeanne.galvin@azag.gov)  
24 Attorney for the State of Arizona

25 By: Jennifer Michaelson