



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
May 27, 2022 - 9:30 a.m.
Held via Zoom

1. CALL TO ORDER

Dr. Stenhoff, Committee Chair, called the meeting to order at 9:31 a.m.

2. ROLL CALL

Committee Members Present

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

Committee Members Absent

Paige Raetz, Ph.D., BCBA-D

Staff Present

Heidi Herbst Paakkonen, Executive Director
Jennifer Michaelson, Deputy Director
Zakiya Mallas, Licensing Specialist
Kathy Fowkes, Licensing Specialist

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

A quorum of the Committee was confirmed.

3. REMARKS/ANNOUNCEMENTS

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

Dr. Stenhoff thanked Board staff for once again preparing a very large number of applications and other items for this meeting agenda. He praised the Committee members for their dedication to meeting preparation, and to protecting the public. He also thanked stakeholders and applications for their attendance.

4. APPROVAL OF MINUTES

- April 29, 2022 Regular Session Minutes
- April 29, 2022 Executive Session Minutes

Due to a lack of quorum, no action was taken on this item.

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

A. Complaint No. 22-24, Rula Diab

Dr. Davis-Wilson indicated she is recused from the review of this item. Dr. Davey summarized the complaint, noting that it was filed by a former supervisee, LG, who alleged that earlier this year Ms. Diab failed to submit her supervision verification forms to the Board office in a timely fashion after multiple requests. He described the time line of events of LG's requests and Ms. Diab's responses. Additionally, Dr. Davey noted that in her response, Ms. Diab reported some delays in responding due to health issues, an incorrect email address, and other technical problems.

Ms. Diab and her attorney, Sara Stark, were both present and addressed the Committee. Ms. Stark reiterated that COVID illness in her family caused much of the delay, and explained that this caused Ms. Diab to miss the second undeliverable email message when she attempted to use the incorrect address provided to her by LG. Ms. Stark stated that Ms. Diab has no intention to create any challenges for LG. In response to questioning, Ms. Diab explained that she had communicated to LG that she was not intentionally neglecting her, and she was doing her best to follow through while trying to manage many challenges. She also refuted the allegation made by LG that payroll documentation was issued late. Ms. Diab also disagreed that there is a pattern with respect to her response time to former supervisees being delayed. She stated that she is doing her best to serve her clients, and has committed to learning how to be a better supervisor through completing continuing education.

LG arrived to the meeting and was permitted to address the Committee. She explained that she reached out to Ms. Diab several times and did not always receive a response. She acknowledged that the autocorrect feature on her telephone caused the email address error, but she noted she also supplied the submissions portal to Ms. Diab. LG cited delays in Ms. Diab signing her monthly forms, and stated that she was always prompt with her responses to Ms. Diab.

The Committee deliberated the case, acknowledging that while there is no hard-and-fast rule with respect to submission time frames, behavior analysts are expected to make their best effort to be timely and to fulfill the responsibility that they assumed. The Committee also noted that human resources disagreements are not best addressed in this venue. Ms. Diab's attempts to improve her processes were noted. The Committee commented that supervisees and supervisors should demonstrate mutual respect.

MOTION: Dr. Davey moved to dismiss the complaint. Ms. Denton seconded the motion.

VOTE: The motion was approved 3-0.

6. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE RESULTS OF THE FITNESS FOR DUTY EVALUATION AND RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OR DENIAL OF BEHAVIOR ANALYST APPLICATION FOR LOUIS MARULL, M.A.

Dr. Davey summarized this matter, noting that Mr. Marull, an applicant for licensure, has reported a series of DUI convictions. Accordingly, Mr. Marull was ordered by the Board to submit to a fitness for duty and substance abuse evaluation, the results of which have been received.

Dr. Davey moved to meet in Executive Session to discuss protected health care information, and to receive legal advice.

Upon resuming the meeting in public session, the Committee concluded the review.

MOTION: Dr. Davey moved to recommend to the Board that staff draft a consent agreement to present to Mr. Marull, the terms of which will grant him licensure under probation and prescribed substance abuse monitoring requirements. Dr. Davis-Wilson seconded the motion.

VOTE: The motion was approved 4-0.

The Committee thanked Mr. Marull for his cooperation and willingness to comply with the Board as he seeks licensure. He was commended for his professional demeanor throughout the process.

7.	DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OF BEHAVIOR ANALYST APPLICANTS	
	A. Behavior Analyst Applications for Licensure	
	1)	Gabrielle Thomas, M.A.B.A. (*)
	The applicant was present for the review of her application. The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted to resolve the FAIR request were appropriate, 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)	Amy Burson, 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. It was noted that the applicant disclosed having previously been terminated from an employment position, but the explanation of that situation was sufficient. The Committee determined the application can be forwarded to the Board with a recommendation for approval.	
	3)	Julia Matuza, 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 some of her supervised hours are disqualified as a result of the fact that one of her supervisors was not licensed in New York as required. Additionally, she answered question 19 incorrectly. The Committee determined the application will require both correction and a FAIR letter.	
	4)	Justine Sudlow, 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.	
	5)	Jamie Garcia, 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.	
	6)	Amanda Veronica Vale, M.S.
	Dr. Stenhoff disclosed that he was the applicant's instructor, but he is able to vote on the application objectively. Dr. Davis-Wilson recused from the review of 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.
7)	Jaime Scourfield, 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, however the incomplete documentation for the supervised experience of 1,000 hours she completed prior to 2010 raises concerns about the legitimacy of the information that was supplied. The Committee determined the will require a FAIR letter requesting submission of the monthly supervision verification forms, or a copy of the supervision contract.
8)	Kaylee McClaine, 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.
9)	Natasha Patel, 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.
10)	Nicole Martinez, M.Ed.
	The Committee proceeded with a substantive review of the application. Upon review, the Committee determined the application will require some clarification and correction with respect to the reporting of supervised hours given they exceed the monthly limit established by the BACB. This application will be tabled until that information is received.
11)	Brandy Jones, M.Ed.
	The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the applicant reported a criminal matter that occurred 23 years prior, but that there have been no similar or related events since. Additionally, 1,380 hours of supervision earned appear to have been provided by a behavior analyst who was not licensed, but depending on location may have been required to have a license. materials submitted were complete and fulfilled the requirements of statutes and rules. The Committee determined the application will require a FAIR letter.
12)	Veronica Rzepniewski, M.S.
	The Committee proceeded with a substantive review of the application. Upon review, the Committee determined the application will require some correction with respect to the reporting of supervised hours given they exceed the monthly limit established by the BACB. This application will be tabled until that information is received.
13)	Fallon Flores Barrios, M.Ed.
	The applicant was present for the review of her application. The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the applicant reported two criminal matter that occurred several years prior, but the matters have been expunged and there have been no similar or related events since. The Committee determined the application can be forwarded to the Board with a recommendation for approval.
14)	Kelli Hughes, M.Ed.
	The applicant was present for the review of her application. The Committee proceeded with a substantive review of the application. Upon review, the Committee noted the applicant reported completed 750 hours of supervised training through an intensive practicum experience, however it appears her supervisor did not submit the verification documentation. Ms. Hughes explained that she completed 1,168 hours of supervision during the pandemic. The Committee noted she will need to complete question 9 as she left it blank, and

	ensure the 750-hour intensive practicum experience documentation is submitted. The Committee clarified that Arizona’s requirements do not recognize intensive practicum hours as double the value in the same way as the BACB. Following additional discussion, the Committee determined that the applicant has completed a total of 1,168 qualifying hours and must complete the deficient 323 hours of supervision to meet Arizona’s qualifications for licensure. The Committee discussed with the applicant some possible options she may choose the pursue to either address this deficiency, or to explore alternative application pathways.	
	1	Nora Tuioti-Mariner, 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.	
	B. Behavior Analyst Applications for Licensure by Universal Recognition	
	1)	Kelli Dewett, 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.	
	2)	Michael Lentz, M.S.
	<p>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. It was noted that the applicant will become an Arizona resident on June 13, 2022. The Committee determined the application can be forwarded to the Board with a recommendation for approval as of that date.</p> <p>MOTION: Ms. Denton moved to forward the applications for Gabrielle Thomas, M.A.B.A.; Amy Burson, M.Ed.; Justine Sudlow, M.Ed.; Jamie Garcia, M.S.; Amanda Veronica Vale, M.S.; Kaylee McClaine, M.S.; Natasha Patel, M.Ed.; Fallon Flores Barrios, M.Ed.; Nora Tuioti-Mariner, M.S.; and Kelli Dewett, M.S. to the Board for substantive review and a recommendation for granting of licensure. The motion included that the applications for Julia Matuza, M.A.; Jaime Scourfield, M.S.; and Brandy Jones, M.Ed. be issued FAIR letters as noted by the discussion. The motion included the recommendation that Michael Lentz, M.S. be granted licensure on the effective date of his Arizona residency. Finally, the motion directed staff to work with Kelli Hughes, M.Ed. while the applicant determines which course of action to pursue with respect to applying for licensure. Dr. Davey seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p>	
	<p><i>*First Formal Additional Information Request</i></p> <p><i>** Second Formal Additional Information Request</i></p>	

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING TELEHEALTH ADVISORY COMMITTEE ON TELEHEALTH BEST PRACTICES

Dr. Davey reported that the Committee made progress during its recent meeting toward recommending to the AMA certain codes specific to behavior analytic services be changed to reflect telecommunications only. He clarified that payment of services by the Arizona Health Care Cost Containment System under codes for which requirements were waived during the pandemic appears to be continuing at least at this point in time, but there is no certainty as to whether or when the waivers might end.

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

Ms. Paakkonen reported that the BACB recently polled licensing boards to inquire whether jurisprudence requirements for behavior analysts exist, and to provide specifics to the requirements. She noted that few jurisdictions responded, and that few have established any such requirements. Ms. Paakkonen indicated that a Jurisprudence Educational Tool (JET) is planned for behavior analysts with development targeted to begin as early as the summer of 2023.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DRAFT PROPOSED REVISIONS OF THE ADMINISTRATIVE RULES THAT REGULATE THE PRACTICE OF BEHAVIOR ANALYSIS IN ARIZONA (A.A.C. TITLE 4, CHAPTER 26, ARTICLE 4)

Ms. Paakkonen informed the Committee that an oral proceeding was held on May 20, 2022 for purposes of collecting comments to the proposed rule revisions, however no members of the public attended. She also noted that no written comments to the proposed changes have been submitted. Ms. Paakkonen indicated that during its July 8, 2022 meeting, the Board will review the one written comment received (to a proposed change to the psychologist continuing education rule R4-26-207). After that review, both the psychologist and behavior analyst rulemaking packages will be submitted to the Governor's Regulatory Review Council (GRRC). She indicated GRRC will likely schedule a study session for the rulemaking in August or September, and make a final decision in September or October.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REVIEW OF BEHAVIOR ANALYST APPLICATION AGAINST A.A.C. TITLE 4, CHAPTER 26, ARTICLE 4, AND THE BACB STANDARDS

Ms. Paakkonen advised the Committee that the expertise of a behavior analyst familiar with the specific education and training requirements would best facilitate the review of the application questions against the administrative rules. Dr. Stenhoff volunteered to assist Ms. Paakkonen and Ms. Galvin in this effort.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING APPLICATION TO BACB AUTHORIZED CONTINUING EDUCATION (ACE) PROGRAM

Ms. Paakkonen reported that she recently contacted the BACB to inquire about the status of the application, given that it was submitted on April 8, 2022. She was informed that BACB staff contacted Dr. Raetz to request additional information for the application, and that communications are only sent to the ACE Coordinator. Ms. Paakkonen assured the Committee that she is working with Dr. Raetz to address any application deficiencies identified by the BACB.

13. NEW AGENDA ITEMS FOR FUTURE MEETINGS

No items were suggested.

14. ADJOURNMENT

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

VOTE: The motion was approved 4-0.

The meeting concluded at 11:15 a.m

Donald Stenhoff, Ph.D., BCBA-D
Chair, Committee on Behavior Analysts