

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

3  
4 In the Matter of : ) **Case No.: 20-47**  
5 **AUSTIN ASHLEY MCCALL, Psy.D.,** )  
6 Holder of License No. 5199. ) **INTERIM FINDINGS OF FACT,**  
7 For the Practice of Psychology, ) **CONCLUSIONS OF LAW AND**  
8 In the State of Arizona, ) **ORDER FOR SUMMARY**  
9 Respondent ) **SUSPENSION OF LICENSE**

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10 **INTRODUCTION**

11 The above-captioned matter came before the Arizona Board of Psychologist  
12 Examiners (“Board”) for review at a special public meeting on October 12, 2022. After  
13 reviewing relevant information and deliberating, the Board considered proceedings for a  
14 summary suspension action against the license of Austin Ashley McCall, Psy.D.  
15 (“Respondent”). Having considered the information in the matter and being fully  
16 advised, the Board enters the following Interim Findings of Fact, Conclusions of Law  
17 and Order for Summary Suspension of License No. 5199, pending formal hearing or  
18 other board action. A.R.S. §32-2081(I).  
19

20 Having been properly noticed, the Respondent appeared virtually before the  
21 Board on October 12, 2022, and was represented by counsel.

22 **JURISDICTIONAL STATEMENT**

23 1. The Board is empowered, pursuant to A.R.S. § 32-2061, *et seq.* to regulate  
24 the licensing and practice of Psychology in the State of Arizona.

25 2. Respondent holds license No. 5199 issued by the Board to practice as a  
26 psychologist in Arizona.

1 **INTERIM FINDINGS OF FACT**

2 1. Pursuant to a September 23, 2020, Consent Agreement and Order for  
3 Probation and Monitoring, Respondent’s license to practice psychology is currently on  
4 probation for a period of five years. Upon information and belief, Respondent maintains  
5 a private practice in Phoenix, AZ called Brain Behavior, PC. She is also employed as a  
6 psychologist with Arizona Children’s Group Home and Dutiful Angels Behavioral  
7 Clinic.

8 2. The original Consent Agreement has been amended periodically since  
9 September 2020, but Respondent is currently required to be monitored monthly with  
10 Monica Faria, M.D. (addiction psychiatrist), to undergo a minimum of 3 random urine  
11 drug screens (“UDS”) per month<sup>1</sup> (monitored by Dr. Faria), to participate in therapy  
12 sessions with Ms. Erin Stanfield (LCSW) and attend weekly 12-step meetings.

13 3. Additionally, the Consent Agreement provides that after two years of  
14 probation, Respondent may seek early termination of probation and the return of her  
15 license to an active, unrestricted status. However, prior to being released from probation,  
16 the Consent Agreement requires Respondent to undergo a fitness for duty and substance  
17 use evaluation.

18 4. To that end, Respondent engaged with Eric Lott, M.D., FASAM,  
19 Professional Medical Monitoring Program of Arizona/Community Bridges, to conduct  
20 the evaluations necessary to support her request to terminate her probation. As part of his  
21 evaluations, Dr. Lott required Respondent to undergo substance testing that included nail  
22 testing. The sample was collected on September 28, 2022, and the results were reported  
23 on October 6, 2022.

24 5. The results are positive for cocaine, metabolites of cocaine  
25 (benzoylecgonine), and metabolites of cocaine and alcohol used together. The nail

26 <sup>1</sup> The Consent Agreement further provides that the frequency and type of testing may be varied if the circumstances warrant.

1 specimen was insufficient to test for cannabis, tramadol, MDMA/MDEA,  
2 methamphetamine, and amphetamines.

3 6. According to Dr. Lott, the test results indicate “that there has been more  
4 recent cocaine use with alcohol within the past 3 months and possibly a few weeks longer  
5 than 3 months.” He also noted that “it would be highly unlikely that cocaine would test  
6 positive in nails more than one year out” (Respondent asserts that she has not used  
7 cocaine in more than one year).

8 7. Dr. Lott also opined that “environmental exposure is also not likely due to  
9 the fact we have a positive coca-ethylene metabolite which indicates metabolism of  
10 cocaine and ethanol when consumed together. This metabolite only appears when cocaine  
11 and ethanol are consumed at the same time or within the same few hours or possibly  
12 days.”

13 8. Additionally, upon learning of the positive test results Dr. Faria opined that  
14 her “interpretation of this (the positive test results) is that Dr. McCall likely relapsed onto  
15 cocaine and alcohol sometime in the past 3 months, give or take a couple of weeks.” She  
16 further noted that hair testing would not be reliable due to Respondent’s “regular  
17 application of coloring agents to her hair.”

18 9. In addition, on September 15, 2022, Respondent underwent a random urine  
19 drug screen pursuant to the terms of the Consent Agreement. The results of that drug  
20 screen were positive for Marijuana Metabolite.

21 10. Pursuant to the terms of the current Board orders to which Respondent is  
22 subject, “a positive drug screen result for alcohol, any illegal substance including  
23 marijuana or a substance for which Respondent does not have a current and valid  
24 prescription is a violation of this order and may result in the summary suspension,  
25 suspension or revocation of Respondent’s license.”

26 11. The Board finds that the above Interim Findings of Fact require emergency  
action to protect the public health, safety and welfare.

1 **INTERIM CONCLUSIONS OF LAW**

2 The conduct set forth in the above Interim Findings of Fact constitutes  
3 unprofessional conduct as defined by A.R.S. §32-2061(16)(aa), which is violating a  
4 formal board order, consent agreement, term of probation or stipulated agreement.

5 **FINDINGS OF EMERGENCY AND ORDER**

6 Based on the Interim Findings of Fact and the Interim Conclusions of Law as set  
7 forth above, the Board finds that the public health, welfare and safety require emergency  
8 action.

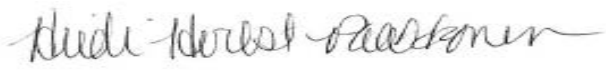
9 **NOW IT IS THEREFORE ORDERED** that License No. 5199 issued to Austin  
10 Ashley McCall is hereby **SUMMARILY SUSPENDED** effective upon service of this  
11 Order, pending a formal hearing pursuant to Title 41, chapter 6, article 10.

12 **IT IS FURTHER ORDERED** that such suspension shall remain in effect until  
13 the conclusion of the formal hearing to be set in approximately thirty-five (35) days and  
14 a final decision and order issued by the Board.

15 Service of this Order is effective upon either personal delivery or the date of  
16 mailing, by U.S. certified mail, addressed to Respondent’s last known address of record  
17 with the Board. *See* A.R.S. § 32-1855(I).

18 ISSUED THIS 13 DAY of OCTOBER, 2022.

19 ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS

20  
21 By: 

22 Heidi Herbst Paakkenon  
23 Executive Director

24  
25 **Original** “Interim Findings of Fact, Conclusions of Law And Summary Suspension of  
26 License” filed electronically  
this 13 day of October, 2022 with:

1 The Arizona State Board of Psychologist Examiners  
1740 W. Adams, Ste. 3403  
2 Phoenix, AZ 85007

3 **Copy** of the foregoing “Interim Findings of Fact, Conclusions of Law And Summary  
4 Suspension of License” sent via certified mail #9489009000276379774722, return receipt requested  
5 this **13** day of October, 2022 to:

6 Austin Ashley McCall, Psy.D.  
7 Address of Record  
8 Respondent

9 **Copy** of the foregoing “Interim Findings of Fact, Conclusions of Law And Summary  
10 Suspension of License” sent via regular mail and electronic mail  
11 this **13** day of October, 2022 to:

12 Tammy Thibdeau, Esq.  
13 Lancaster Law  
14 One West Elliot Road, Ste. 114  
15 Tempe, AZ 85284  
16 Attorney for Respondent  
17 [Tthibodeau@lancasterlawllc.com](mailto:Tthibodeau@lancasterlawllc.com)

18 **Copy** of the foregoing “Interim Findings of Fact, Conclusions of Law And Summary  
19 Suspension of License” sent via email ([jeanne.galvin@azag.gov](mailto:jeanne.galvin@azag.gov))  
20 this **13** day of October, 2022 to:

21 Jeanne M. Galvin  
22 Assistant Attorney General  
23 2005 North Central Ave. SGD/LES  
24 Phoenix, Arizona 85004  
25 Jeanne.galvin@azag.gov  
26 Attorney for the State of Arizona

By: Jennifer Michaelson