



STATE OF ARIZONA
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Complaint Screening Committee REGULAR SESSION MINUTES

January 25, 2023

Held via Zoom

1. CALL TO ORDER

The regular session of the Arizona Board of Psychologist Examiners Complaint Screening Committee was called to order by Madame Chair Shreeve at 8:31 a.m. on January 25, 2023. Three executive sessions were held.

2. ROLL CALL

Committee Members Present

Tamara Shreeve, MPA – Chair
Diana Medina, Ph.D.
Joseph Stewart, Ed.D.

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

Staff Present

Jennifer Michaelsen, Deputy Director
Kathy Fowkes, Licensing Specialist

3. CASE DISCUSSION/DECISION

a. Sue Moler, Psy.D., Complaint No. 23-09

Dr. Stewart summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions from the Committee. Dr. Moler and her attorney, Joseph Schenk, participated, made a statement and answered questions from the Committee.

At 9:11 a.m., Ms. Stewart made a motion, seconded by Dr. Stewart, to go into Executive Session to receive confidential legal advice. Open session reconvened at 9:20 a.m.

The Committee expressed concern that Dr. Moler opined on her minor client's emancipation case and provided a letter in support of the emancipation despite not having previous experience or training with emancipation matters. It appears that Dr. Moler inserted herself into a forensics case, which is outside her scope of practice. The Committee also expressed concern that Dr. Moler did not obtain both parents' written consent prior to initiating the client's treatment, nor did she when she testified at the emancipation hearing during which the court-appointed Guardian Ad Litem issued a subpoena for her appearance. Furthermore, Dr. Moler did not request nor obtain

the court documentation regarding the parents' custody arrangement and legal decision making authority for the client.

Dr. Stewart made a motion, seconded by Dr. Medina, to forward Complaint No. 23-09 to the Board with a recommendation that a non-disciplinary Letter of Concern and Order for Continuing Education be issued to Dr. Moler. The motion failed (1-2), with Dr. Medina and Ms. Shreeve opposing.

Ms. Shreeve made a motion, seconded by Dr. Stewart, to forward Complaint No. 23-09 to the Board for further review regarding possible violations of A.R.S. § 32-2061(16)(g), engaging or offering to engage as a psychologist in activities that are not congruent with the psychologist's professional education, training and experience; A.R.S. § 32-2061(16)(r), failing to obtain a client's or patient's informed and written consent to release personal or otherwise confidential information to another party unless the release is otherwise authorized by law.; and A.R.S. §32-2061(16)(dd), violating an ethical standard adopted by the Board as it pertains to sections 2.01 (Boundaries of Competence) and 3.10 (Informed Consent) of the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct. The motion carried unanimously (3-0), by a voice vote.

b. Heather Young, Psy.D., Complaint No. 23-10

Dr. Medina summarized the case, including salient points of the investigation and pertinent records. The Complainant was not present. Dr. Young and her attorney, Artie Eaves, participated, made a statement and answered questions from the Committee.

At 9:48 a.m., Dr. Stewart made a motion, seconded by Dr. Medina, to go into Executive Session to review confidential health information from the licensee regarding the client's treatment. Open session reconvened at 9:53 a.m.

After deliberation, Dr. Medina made a motion, seconded by Dr. Stewart, to dismiss this case, as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

The Committee took a break at 9:55 a.m. and resumed the meeting at 10:00 a.m.

c. Celice Korsten, Psy.D., Complaint No. 23-11

Dr. Stewart summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions from the Committee. Dr. Korsten and her attorney, Artie Eaves, participated, made a statement and answered questions from the Committee. After deliberation, Dr. Stewart made a motion, seconded by Dr. Medina, to dismiss this case, as there are no violations of rule or statute. The motion carried unanimously (3-0), by a voice vote.

d. Paul Nockels, Ph.D., Complaint No. 23-06

Dr. Medina summarized the case, including salient points of the investigation and pertinent records. In doing so she noted the complaint was filed anonymously. Ms. Michaelsen notified the Committee that she received a letter from Dr. Nockels the day prior to this proceeding in which he indicated he would not be attending today's meeting. He stated that it is his intention to allow his license to be revoked as he plans to explore other career opportunities outside of the psychology profession. In response to his letter, Ms. Michaelsen informed Dr. Nockels that the Board will continue to investigate this complaint regardless of whether he wishes to offer a defense and that the Committee will still consider the complaint in his absence.

At 10:25.m., Ms. Shreeve made a motion, seconded by Dr. Medina, to go into Executive Session to receive confidential legal advice. Open session reconvened at 10:38 a.m.

The Committee expressed concern that Dr. Nockels may have engaged in a dual and/or romantic relationship with his client. The phone records obtained by Board staff during the investigation reflect that a high number of text messages and phone calls were exchanged with the client, some which occurred in the late evening and lasted several hours. Furthermore, the treatment record does not contain any information regarding any contact that may have occurred with the client outside of therapy and how that was handled. The Committee was also concerned that it appeared Dr. Nockels did not have a policy in place regarding electronic communications with clients as this was not addressed in the informed consent or other documentation signed by the client. Additionally, it appeared that some of the information in the client's electronic health record, to include the session and chart notes, was not entered by Dr. Nockels until after Board staff requested the entire treatment record from him.

Ms. Shreeve made a motion, seconded by Dr. Stewart, to forward Complaint No. 23-06 to the Board for further review regarding possible violations of A.R.S. § 32-2061(16)(h), 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(16)(o), providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice; and A.R.S. § 32-2061(16)(dd), violating an ethical standard adopted by the Board as it pertains to section 3.05 (Multiple Relationships) of the American Psychological Association's Ethical Principles of Psychologists and Code of Conduct. The motion also included directing Board staff to issue a subpoena to Dr. Nockels for his attendance at the Board meeting when this matter is reviewed to provide testimony and to provide additional information that the Committee has requested. The motion carried unanimously (3-0), by a voice vote.

The Committee discussed that Board staff will also contact Dr. Nockels regarding a proposed consent agreement for the voluntary surrender of his psychologist license as a possible resolution in this matter in light of his statements in his recent correspondence.

e. Keever Czlapinski, Complaint No. 23-14

Ms. Shreeve summarized the case, including salient points of the investigation and pertinent records, noting that Mr. Czlapinski's psychologist license was summarily suspended by the Board in August of 2022 and ultimately revoked in December of 2022. The complaint alleged that Respondent providing psychological services to an Arizona client mere days after his license was summarily suspended by the Board through a virtual therapy platform called Talkspace. The Complainant was not present, nor was the Respondent present. Ms. Galvin explained the options available to the Committee given that Respondent does not currently hold a license with the Board. After deliberation, Ms. Shreeve made a motion, seconded by Dr. Stewart, to close this complaint without prejudice and if Respondent ever applies for licensure in the future with the Board, the complaint will be reopened and considered at that time. The motion carried unanimously (3-0), by a voice vote.

4. ADJOURN

There being no further business to come before the Committee, Dr. Stewart made a motion, seconded by Dr. Medina, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 10:53 a.m.