



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
1740 WEST ADAMS STREET, SUITE 3403
PHOENIX, AZ 85007
PH: 602.542.8162 FX: 602.926.8095
WEBSITE: www.psychboard.az.gov

Katie Hobbs
Governor

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

Regular Session Meeting Minutes

Held virtually via Zoom on March 10, 2023

Board Members

Bryan Davey, Ph.D., BCBA-D – Chair
Matthew A. Meier, Psy.D. – Vice-Chair
Aditya Dynar, Esq. - Secretary
Linda Caterino, Ph.D., ABPP
Diana Davis-Wilson, DBH, BCBA
Diana Medina, Ph.D.
Ramona N. Mellott, Ph.D.
Tamara Shreeve, MPA
Joseph Stewart, Ed.D.
Todd Wynn, M.A.

Board Staff

Heidi Herbst Paakkonen, M.P.A., Executive Director
Jennifer Michaelsen, M.P.A. Deputy Director
Krishna Poe, Program Projects Specialist
Kathy Fowkes, Psychologist Licensing Specialist
Zakiya Mallas, Behavior Analyst Licensing Specialist

Board Attorney

Jeanne Galvin, Assistant Attorney General

1. CALL TO ORDER

Chairman Davey called the Board's meeting to order at 8:32 a.m.

2. ROLL CALL

The following Board members participated in the virtual meeting: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier (left the meeting at 8:56 a.m. and rejoined at 9:21 a.m.), Dr. Mellott, Dr. Stewart and Mr. Wynn. The following Board members were not present in the virtual meeting: Ms. Shreeve.

ALSO PRESENT

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

3. REMARKS/ANNOUNCEMENTS

● **Board Survey**

Chairman Davey encouraged meeting attendees to provide feedback by contacting Board staff and completing a Board Meeting Assessment Survey.

● **Board Member and Staff Appreciation**

Chairman Davey acknowledged and thanked Board members and staff for their hard work and efforts in facilitating the Board's meetings.

● **Continuing education credit for Board meeting attendance**

Chairman Davey announced that meeting attendees were eligible for continuing education credit if the meeting exceeded four hours.

4. CALL TO THE PUBLIC

There were no requests to speak.

5. COUNSEL UPDATE

Ms. Galvin did not have an update.

6. CONSENT AGENDA - DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION

**MOTION: Mr. Dynar moved for the Board to approve the items listed under the Consent Agenda.
SECOND: Dr. Stewart.**

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

A. APPROVAL OF MINUTES

- February 10, 2023 Regular Session Minutes
- February 10, 2023 Executive Session Minutes

B. EXECUTIVE DIRECTOR'S REPORT

C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

1) Requesting Approval to Sit for the EPPP (A.R.S. §§ 32-2071, 2071.01 & 2072)

Sharona Feld, Psy.D.
Alaina Puff, Ph.D.

2) Requesting Approval to Sit for EPPP & Licensure (A.R.S. §§ 32-20171, 2071.01 & 2072)

Ruby Howard, Psy.D. (REAPP)
Jessica Moore, Psy.D. (REAPP)
Jessie Andrino, Psy.D.

3) Requesting Approval of Supervised Experience for Licensure (A.A.C. R4-26-203.02)

Michael Marshall, Psy.D.
Ross Taylor Davids, Psy.D.
Nessa Gulik, Psy.D.

4) Requesting Approval for Licensure by Credential (ABPP, CPQ or NRHSP – A.R.S. §32-2071.01)

Steven R. Grayar, Ph.D., CPQ
Samantha Grigsby, Psy.D., CPQ
Kimberly Fleischmann, Psy.D., NRHSP

5) Requesting Approval for Licensure by Universal Recognition (A.R.S. §32-4302)

Courtney McConnell, Psy.D.
Lily Mathison, Ph.D.
Rebecca De Los Santos, Psy.D.

6) Requesting Approval for Telehealth Registration (A.R.S. §36-3606)

Michael J. Scott, Psy.D.
Sarah Immerman, Psy.D.
Amanda Glover, Psy.D.

D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Jaimie Moore, M.A.
- 2) Shabnam Razawi, M.A.
- 3) Marcy Fibrow, M.A.
- 4) Megan Wilhelmy, M.Ed.
- 5) Kimberly Bohrer, M.S.
- 6) Richard delaRosa, M.A.
- 7) Erin Slawter, M.S.
- 8) Lindsey Renshaw, M.S.
- 9) Teeonna Coldcleugh, M.S.
- 10) Jennifer Chavarin, M.A.

E. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING WAIVER APPLICATION FROM MEGHAN CARLSON THOMAS, PSY.D.

F. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING LICENSE REINSTATEMENT REQUEST SUBMITTED BY TONY L. STRICKLAND, PH.D.

THE FOLLOWING AGENDA ITEMS ARE UNTIMED AND MAY BE DISCUSSED AND DECIDED UPON AT VARIOUS TIMES THROUGHOUT THE MEETING AT THE DISCRETION OF THE CHAIR

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING AN OFFER OF SETTLEMENT FROM NEAL OLSHAN, PH.D., FOR COMPLAINT NO. 22-30, INCLUDING POSSIBLE SETTLEMENT OF CASE NO. 22-30, VACATING THE FORMAL HEARING, OR REJECTION OF SETTLEMENT OFFER AND PROCEEDING TO A FORMAL HEARING

Chairman Davey stated that this item has been continued to a future meeting.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED CONSENT AGREEMENT AND ORDER PERTAINING TO COMPLAINT NO. 23-09 FOR SUE MOLER, PSY.D., AND POSSIBLE MOTION TO VACATE THE INFORMAL INTERVIEW

Ms. Michaelsen provided a summary, stating that the Board initially reviewed this case at its February 2023, meeting. The Board voted to offer Dr. Moler a disciplinary Consent Agreement to complete twelve hours of continuing education. She explained that Dr. Moler accepted the agreement, and had she not done so, the case would have been forwarded to an Informal Interview. Ms. Michaelsen called to the Board's attention the copy of the signed disciplinary Consent Agreement presented for review.

Dr. Moler and her attorney were not present. The Complainant was not present.

MOTION: Mr. Dynar moved to accept the disciplinary Consent Agreement.

SECOND: Dr. Stewart.

ROLL CALL VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

Ms. Galvin clarified that the Board's action will vacate the Informal Interview for this matter.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST TO TERMINATE PROBATION FROM LINDA RUSSEK, PH.D., FOR CASE NO. 22-13

Ms. Michaelsen provided a summary, stating that in August 2022, Dr. Russek entered into a Consent Agreement with the Board. The Consent Agreement stipulated probation for a minimum of six months during which she is required to meet with a Practice Monitor once a month for a minimum of two hours. The Practice Monitor shall submit reports to the Board detailing Dr. Russek's progress, and after six months she may request termination of the probation and Practice Monitoring. Ms. Michaelsen stated that the Board accepted the continuing education that Dr. Russek completed during the course of the investigation. In the Practice Monitor's last report, they recommended termination of monitoring and probation.

Dr. Russek and her attorney were not present.

MOTION: Mr. Dynar moved to terminate Dr. Russek's probation and Practice Monitoring.
SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Mellott, Dr. Meier, Dr. Stewart and Mr. Wynn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

Dr. Meier left the meeting at 8:56 a.m.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF COMPLAINT NO. 22-18 AGAINST DANIELLE ALLIOTTA, M.ED., AND REVIEW OF HER PENDING RENEWAL APPLICATION

Dr. Davis-Wilson recused from reviewing this item and departed from the meeting room.

Chairman Davey stated that this matter was scheduled to be reviewed by the Board's Committee on Behavior Analyst (CBA) at its March 2023 meeting but the CBA was unable to hear the matter due to lack of a quorum. Ms. Michaelsen provided a summary stating that in December 2021 Ms. Alliotta submitted her behavior analyst licensure application and was issued her license in January 2022. Shortly after Ms. Alliotta became licensed, the Board received this complaint against her, submitted by Ms. Alliotta's former employer (S.F.). Ms. Alliotta worked for S.F. beginning in 2018 through 2021. S.F. alleged in her complaint that several ethical violations were committed by Ms. Alliotta during her employment. S.F. specifically alleges that Ms. Alliotta fraudulently billed for services, filed an unlawful claim for unemployment benefits, solicited clients and staff from S.F.'s agency, and that Ms. Alliotta practiced as a behavior analyst at her own business prior to holding a license. Ms. Alliotta responded to the notice of complaint in a timely manner and indicated that she established her own business, Sami's Angels, in 2019. Ms. Alliotta attested that no services were provided at Sami's Angels prior to October 2021. Ms. Alliotta stated that beginning in October 2021, through January 2022, she provided behavior analyst services at Sami's Angels under contractual supervision from a licensed behavior analyst, Tisha Denton. Ms. Alliotta stated that during that time she did not represent herself as a licensed behavior analyst.

MOTION: Chairman Davey moved to go into Executive Session for the purpose of receiving confidential legal advice from the Board's attorney.

SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The Board met in Executive Session from 9:58 a.m. to 10:05 a.m.

Chairman Davey stated that many of the allegations in the complaint are outside of the Board's jurisdiction as Ms. Alliotta was not licensed as a behavior analyst during that period of time, as the alleged conduct occurred prior to licensure. Chairman Davey clarified that the Board may explore whether Ms. Alliotta practiced behavior analysis without a license from October 2021, to January 2022.

S.F. was present, requested to speak and made a statement. S.F. stated that Ms. Alliotta was gaining supervision for licensure while employed with her agency. S.F. stated that Ms. Alliotta violated multiple ethical codes while employed at her agency. Chairman Davey asked S.F. if she can comment on Ms. Alliotta's alleged unlicensed practice. S.F. stated that during the time Ms. Alliotta was not licensed she was soliciting staff and clients from her agency.

Ms. Alliotta and her attorney, Courtney Kramer, Esq., were present. Ms. Kramer confirmed that Ms. Alliotta practiced under the supervision of a licensed behavior analyst, Tisha Denton, from October 2021 through February 2022. Ms. Kramer stated that all of Ms. Alliotta's clients were aware that she was not licensed and was receiving supervision. Additionally, all of Ms. Alliotta's clients met with Ms. Denton. Furthermore, once Ms. Alliotta began providing supervision she was under the supervision of a licensed behavior analyst, Jessica Cordova, until February 2023. Chairman Davey asked Ms. Alliotta to detail the supervision provided by Tisha Denton. Ms. Alliotta stated that she met with Ms. Denton weekly, Ms. Denton attended all of the assessments, Ms. Denton reviewed all of the client charts and made recommendations.

Ms. Denton was present as an investigative witness and agreed to address the Board's questions. Ms. Galvin stated for the record that Ms. Denton is a member of the CBA and recused from reviewing the matter before that committee. Chairman Davey clarified that Ms. Denton is a fact witness only and is recused from reviewing the matter. Chairman Davey asked Ms. Denton to affirm that she provided supervision to Ms. Alliotta. In response Ms. Denton outlined the details of the supervision. Ms. Denton clarified that she did execute an individual supervision/consulting contract; the contract was signed on November 16, 2021. Ms. Denton stated that there was an additional licensed behavior analyst that provided supervision and affirmed that supervision ended in January 2022, once Ms. Alliotta became licensed. Chairman Davey asked when the supervision started. Ms. Denton stated that the supervision began on November 16, 2021, when the supervision contract was signed. Ms. Denton stated that prior to the signing of the contract she met with Ms. Alliotta to review the supervisory needs.

Chairman Davey asked Ms. Alliotta if she was receiving supervision prior to November 16, 2021. Ms. Alliotta stated she believed that Ms. Denton was providing supervision while the contract was being negotiated. Ms. Alliotta affirmed that she and Ms. Denton were consulting and discussing client needs in October.

Ms. Denton stated that she and Ms. Alliotta were discussing clients prior to signing of the contract. Ms. Denton clarified that clinical direction was not provided during that time.

Dr. Stewart asked Ms. Alliotta if she was meeting with Ms. Denton informally prior to the signing of the supervision contract. Ms. Kramer clarified that during the month of October the contract for consulting was signed, therefore Ms. Alliotta was meeting with Ms. Denton and discussing cases although the formal contract with Ms. Denton was not in place. Dr. Caterino asked Ms. Alliotta if the contract with Ms. Denton indicates a beginning date and an end date of the supervision. Ms. Kramer stated that the contract does not have a start date nor an end date.

Dr. Mellott opined that supervision was being provided during October. Dr. Medina asked if a supervision contract is required to have a start date and an end date. Chairman Davey opined that it may, or it may not.

Chairman Davey asked Ms. Denton when billing occurred under her NPI. Ms. Denton stated she does not recall and would need to check her files. Ms. Denton clarified that there was a level of oversight in October but it was not formal supervision. Dr. Medina asked Ms. Alliotta if there are supervision notes from October 2021. Ms. Alliotta stated that she does not believe that she has supervision notes for October 2021. Ms. Denton stated that her supervision notes started on November 16, 2021, but she does have informal supervision notes prior to November 16, 2021. Dr. Meier asked Ms. Denton for clarification regarding the relationship with the company, OBOK consulting. Ms. Denton stated that during the time of Ms. Alliotta's supervision she was a partner with OBOK. Dr. Meier asked Ms. Denton when discussion regarding providing supervision to Ms. Alliotta started. Ms. Denton stated that discussion began prior to October 27, 2021. Dr. Meier opined that there is a dual relationship with OBOK and Ms. Denton providing private supervision therefore he believes Ms. Alliotta acted appropriately. Dr. Mellott opined that Ms. Alliotta did not practice unlawfully. Dr. Stewart stated that he does not believe there was a violation of statute or rule.

MOTION: Dr. Stewart moved to dismiss complaint No. 22-18.
SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn. The following Board member was recused from voting on the motion: Dr. Davis-Wilson.
VOTE: 8-yay, 0-nay, 0-abstain, 1-recuse.
MOTION PASSED.

MOTION: Dr. Stewart moved to approve Ms. Alliotta's renewal application.
SECOND: Mr. Wynn.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn. The following Board member was recused from voting on the motion: Dr. Davis-Wilson.
VOTE: 8-yay, 0-nay, 0-abstain, 1-recuse.
MOTION PASSED.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION RELATING TO THE COMMITTEE ON BEHAVIOR ANALYSTS' RECOMMENDATION FOR THE FOLLOWING COMPLAINTS REGARDING UNLICENSED PRACTICE

Ms. Paakkonen provided a summary, stating that the Board's Committee on Behavior Analysts (CBA) reviewed a series of complaints regarding possible unlicensed practice by behavior analysts due to failure to timely renew their licenses.

Chairman Davey stated that unlicensed practice due to failure to timely renew is becoming more prevalent. Dr. Meier clarified the licensees' renewal dates in that the licensees have a prorated renewal period. Dr. Davis-Wilson stated that all of the licensees were sent detailed communication from Board staff regarding the prorated fee and the expiration date. Dr. Stewart asked if there is a grace period in which a licensee can practice while the license is expired. Ms. Galvin stated that there is not a grace period prescribed in statute. Dr. Stewart asked Ms. Galvin if staff has the authority to handle these matters internally. Ms. Galvin stated that the Board can discuss having staff handle these matters on a future Board agenda. Dr. Medina asked what is causing the influx of licensees not renewing timely. Ms. Poe stated that behavior analysts are also certified with the Behavior Analyst Certification Board (BACB). The BACB renewal is every two years which may initially cause confusion regarding Arizona's prorated license expiration date. Dr. Davis-Wilson discussed the BACB's procedures regarding certification and how it could affect how behavior analysts manage their professional credentials.

A. Complaint No. 23-32, Nadia Todd, M.Ed.

Ms. Todd was present. Dr. Mellott asked Ms. Todd to describe the renewal notices that she received. Ms. Todd stated that all of the renewal notices were sent to her spam email. Ms. Paakkonen stated that the CBA is recommending a non-disciplinary Letter of Concern regarding unlicensed practice.

MOTION: Dr. Mellott moved to dismiss Complaint No. 23-32.

SECOND: Dr. Stewart.

Dr. Meier stated that there is concern regarding unlicensed practice and therefore a non-disciplinary Letter of Concern is appropriate. Dr. Mellott stated that Ms. Todd immediately ceased practicing when she realized her license was expired.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn. The following Board members voted not in favor of the motion: Dr. Caterino, Dr. Davis-Wilson.

VOTE: 7-yay, 2-nay, 0-abstain, 0-recuse.

MOTION PASSED.

B. Complaint No. 23-33, Tristan Lyle, M.S.

Dr. Davis-Wilson disclosed that Mr. Lyle was a former student but that she can remain unbiased when reviewing this case. Ms. Paakkonen provided a summary stating that the CBA reviewed this matter and the CBA is recommending a non-disciplinary Letter of Concern to address the period of unlicensed practice. Chairman Davey provided a brief summary of Mr. Lyle's response. Dr. Mellott asked if Mr. Lyle was being supervised while his license was expired. Chairman Davey stated that Mr. Lyle did not receive supervision for practicing as a behavior analyst.

MOTION: Dr. Mellott moved to dismiss Complaint No. 23-33.

SECOND: Dr. Medina.

Dr. Meier questioned how Mr. Lyle's renewal expiration date is prorated. Board members and Board staff discussed the fact that a licensee's birth month is the license expiration month. Dr. Davis-Wilson stated that Mr. Lyle appeared to depend on his employer for the license renewal and was not as responsive as he could have been to Board staff inquiries. Board members discussed if it could send communication to a licensee advising the licensee of the seriousness of the matter without issuing a non-disciplinary Letter of Concern. Ms. Galvin responded that this is the purpose of a Letter of Concern.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn. The following Board members voted not in favor of the motion: Dr. Caterino, Dr. Davis-Wilson.

VOTE: 7-yay, 2-nay, 0-abstain, 0-recuse.

MOTION PASSED.

C. Complaint No. 23-34, Amy Dalmendray, M.A.

Ms. Paakkonen provided a summary stating that Ms. Dalmendray attested that during the time her license was expired she was practicing while under supervision. Ms. Paakkonen stated that after the CBA's review, the CBA is recommending to dismiss Complaint No. 23-34.

MOTION: Dr. Mellott moved to dismiss Complaint No. 23-34.

SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.

**VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.
MOTION PASSED.**

D. Complaint No. 23-35, Dana Cruz, M.A.

Ms. Paakkonen provided a summary stating that Ms. Cruz submitted documentation that she was supervised while practicing on an expired license.

**MOTION: Dr. Stewart moved to dismiss Complaint No. 23-35.
SECOND: Dr. Medina.**

**VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.
MOTION PASSED.**

Ms. Galvin stated that the Board may include a general statement that a licensee is responsible to renew their license on, or before, the renewal expiration date. Ms. Galvin indicated that Ms. Paakkonen can work with Board staff on language. Board members discussed issuing a Substantive Policy Statement regarding license renewal expiration dates. Board members discussed putting a statement on its website regarding license renewal dates. Ms. Galvin stated that the State association may alert licensees of the license expiration dates. Board members discussed other options of informing licensees of the license renewal deadlines.

E. Complaint No. 23-36, Madeline Roznos, M.S.Ed.

Ms. Paakkonen provided a summary stating that the CBA is recommending a non-disciplinary Letter of Concern regarding unlicensed practice.

Ms. Roznos was present. Chairman Davey asked Ms. Roznos what she has learned regarding her responsibility regarding timely renewing her license. Ms. Roznos stated that as soon as she realized her license was expired she immediately notified her employer and the Board. Ms. Roznos stated that she alerted colleagues of license expiration dates. Additionally, Ms. Roznos stated that her employer did reimburse clients for the services she provided while her license was expired.

**MOTION: Dr. Mellott moved to dismiss Complaint No. 23-36.
SECOND: Dr. Stewart.**

**VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Mellott, Dr. Stewart and Mr. Wynn.
VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.
MOTION PASSED.**

**12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING
RECOMMENDATION FROM THE COMMITTEE ON BEHAVIOR ANALYSTS TO REFER
TO THE BEHAVIOR ANALYST CERTIFICATION BOARD INFORMATION CONCERNING
TARAGENE MIJARES, BCBA**

Ms. Paakkonen provided a summary stating that the Board's Committee on Behavior Analysts (CBA) reviewed an application in which Ms. Mijares provided all of the applicant's supervision. Ms. Paakkonen noted that Ms. Mijares is not licensed in Arizona. Arizona statutes and rules require a supervisor to be licensed in Arizona in order to provide supervision in Arizona. Ultimately, the applicant withdrew her application as the supervision did not meet the requirements of statute and rule. Ms. Paakkonen stated that the CBA is recommending that the Board refer this matter to the Behavior Analyst Certification

Board (BACB). Dr. Davis-Wilson clarified the applicant's supervision hours and clarified Ms. Mijares' credentials within the Arizona school system.

Ms. Mijares was present, made a statement and requested to speak. Ms. Mijares stated that she, the school system and the applicant misinterpreted Arizona's statutes and rules regarding supervision. Ms. Mijares stated that there was no malicious intent.

MOTION: Dr. Davis-Wilson moved to forward this matter to the Behavior Analyst Certification Board.

SECOND: Dr. Stewart.

Mr. Dynar asked if the Board has jurisdiction to refer this matter to the BACB. Chairman Davey and Ms. Galvin affirmed that it does. Ms. Galvin clarified that the Board is not making a determination in this matter but is referring the matter to an agency that does have jurisdiction. Mr. Dynar inquired whether Ms. Mijares is obligated to self-report to the BACB. Dr. Davis-Wilson asked Ms. Mijares if she self-reported to the BACB. Ms. Mijares confirmed that she did self-report to the BACB.

Dr. Davis-Wilson withdrew her motion. Dr. Stewart withdrew his second.

Ms. Galvin clarified that the Board does have the authority to refer matters to another entity or agency. Chairman Davey asked if Ms. Mijares has confirmation that the BACB received her self-report. Ms. Mijares stated that she does not yet have confirmation. Ms. Mijares affirmed that she will provide documentation to the Board that she self-reported to the BACB.

It was the consensus of the Board to take no action in this matter and to request that Ms. Mijares submit confirmation that the BACB received her self-report.

Dr. Meier rejoined the meeting at 9:21 a.m.

The Board recessed at 9:29 a.m. and reconvened at 9:40 a.m.

Mr. Wynn left the meeting at 9:44 a.m. and rejoined the meeting at 9:47 a.m.

13. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING LICENSE REINSTATEMENT REQUEST SUBMITTED BY DONALD R. DURHAM, PH.D.

Ms. Poe provided a summary, stating that Dr. Durham did not timely renew his license and subsequently requested reinstatement of his license. Dr. Durham indicated that he did practice for a short time while his license was expired. Dr. Durham provided a summary of the patients he saw during the time his license was expired. Ms. Poe stated that Dr. Durham's renewal application for reinstatement of his license is pending.

Dr. Durham and his attorney, Faren Akins, Esq., were present. Dr. Durham affirmed that he allowed his license to lapse due to failure to timely renew. Dr. Durham stated that as soon as he realized his license was expired he immediately ceased practicing. Dr. Durham stated that he reimbursed the patients he saw during the time his license was expired and he referred some patients to other health professionals. Additionally, Dr. Durham indicated that he has taken action to ensure timely renewal of his license in the future.

MOTION: Dr. Mellott moved to take no action in this matter and to approve Dr. Durham's reinstatement request.

SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INACTIVE LICENSE RENEWAL APPLICATION SUBMITTED BY STEPHEN TALLEY, PSY.D.

Ms. Poe provided a summary stating that on February 13, 2023 the Board office received Dr. Talley's renewal application. Dr. Talley holds an inactive license in Arizona and requested that his license remain inactive in Arizona. Dr. Talley answered "yes" to the question on the renewal application that asks if a licensee is under, or has been under investigation, in another jurisdiction for allegations of unprofessional conduct. Dr. Talley stated that in November 2022, he received notification from the Oregon Psychology Board that a complaint was submitted against him. Dr. Talley currently practices in Oregon. The Oregon Psychology Board investigation is in process.

Dr. Talley and his attorney, Mandi Karvis, Esq., were present. Ms. Karvis stated that Dr. Talley is available for questions and noted that the complaint in Oregon is pending. Ms. Karvis stated that she spoke with the attorney in Oregon and it is anticipated that the complaint will be dismissed within the next few months; she briefly summarized the allegations of the complaint. Chairman Davey asked Dr. Talley to provide a brief summary of the complaint. Dr. Talley provided an overview of the patient/complainant's care. Dr. Talley stated that the complaint alleges that he made an incorrect diagnosis, did not release records in a timely manner and that he was negligent in her care. Dr. Mellott asked about the patient's request for her records. Dr. Talley stated that the patients' husband initially requested the records and Dr. Talley clarified that he needed the request for records from the patient. Dr. Talley stated that he expedited the records to the patient once he obtained the appropriate request for records. Dr. Talley affirmed that he released the records within a few days of the request. Dr. Stewart asked if the medical provider had any complaints against Dr. Talley. Ms. Karvis stated that they are not aware of any complaints submitted by the medical provider.

MOTION: Dr. Mellott moved to approve Dr. Talley's license renewal and to request that Dr. Talley keep the Board apprised of the complaint in Oregon.

SECOND: Dr. Stewart.

Dr. Caterino asked if the Oregon Psychology Board finds a violation will the matter be brought back to the Board. Ms. Galvin stated that the Board has the authority to review the matter if Dr. Talley's license is disciplined in Oregon.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATION FOR EXAM AND LICENSURE FROM KATHERINE STOLL, PSY.D.

Dr. Mellott provided a summary stating that Ms. Stoll's application was reviewed by the Board's Application Review Committee (ARC) and the ARC requested additional information regarding her references. The ARC received the additional information. Dr. Mellott stated that Dr. Stoll's application meets the requirements of statute and rule.

MOTION: Dr. Mellott moved to approve Dr. Stoll's application to take the Examination for Professional Practice (EPPP) in Psychology and licensure upon a passing score of the EPPP.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Mellott, Dr. Stewart and Mr. Wynn.

VOTE: 8-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING SB1457 – PSYCHOLOGISTS; PRESCRIBING AUTHORITY

Ms. Paakkonen provided a summary of this matter stating that representatives for the Arizona Psychological Association (AzPA), Dr. Lesley Manson and Dr. Ryan House, are present. Ms. Paakkonen explained that SB1457 passed the Senate and has been transmitted to the House. Ms. Paakkonen stated that stakeholder meetings have been held. Ms. Paakkonen stated that she, the Executive Director from the Arizona Medical Board and the Executive Director from the Arizona Osteopathic Board, recently met and discussed the implications of SB1457. Ms. Paakkonen advised the Board that it may be difficult for all three Boards to agree upon and implement uniform standards. Ms. Paakkonen reminded the Board that there are unfunded mandate concerns with respect to implementing some of the requirements of SB1457.

The President of AzPA, Dr. Manson, explained the legislative process. Dr. Manson stated that AzPA has begun revising SB1457 to address stakeholders' concerns. Additionally, AzPA has gathered information from other relevant jurisdictions regarding the complaint process. Mr. Dynar asked why A.R.S. §36-2604 is repealed in SB1457. Dr. Manson and Ms. Paakkonen noted that the repeal is in session law. Dr. Manson stated that she has no knowledge of the repeal. Mr. Dynar asked whether the one-year rule exemption in SB1457 also applies to the Arizona Medical Board and the Arizona Osteopathic Board. Dr. Manson indicated that a revision can be made in SB1457 that would allow for the one-year rule exemption to apply to the Arizona Medical Board and the Arizona Osteopathic Board. Dr. Manson stated that rules from other jurisdictions are available and may be utilized for Arizona rulemaking purposes. Chairman Davey asked Dr. Manson to detail the support the Board will have in implementing the requirements of SB1457. Dr. Manson stated that AzPA is asking for additional monetary support and additional staff support to implement SB1457. Dr. Manson stated that grants may be available to help support the efforts in implementing SB1457. Ms. Paakkonen stated that currently, the budget for FY24 would not support implementing SB1457. Ms. Paakkonen detailed initial costs in implementing SB1457. Mr. Dynar asked if the rulemaking moratorium is still in effect. Ms. Galvin stated that A.R.S. §41-1039 addresses the requirements for rulemaking. Ms. Manson stated that a revision to SB1457 allowing more than a one-year exemption from rulemaking will be added.

17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING IN-PERSON MEETING DATES FOR 2023

Ms. Paakkonen provided a brief summary stating that in-person meetings will resume in calendar year 2023. Ms. Paakkonen indicated that the first in-person meeting will be in May 2023, although some Board members may need or elect to attend the meeting virtually. Ms. Paakkonen asked the Board to confirm that they still wish to meet in person on May 5, 2023. Additionally, Ms. Paakkonen asked Board members to confirm whether they will attend the meeting virtually or in-person. Dr. Meier indicated that he will not be attending the May meeting. Ms. Paakkonen stated that Board staff will ensure that all Board members are accommodated for the in-person meetings.

18. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING ASPPB CALL FOR AWARD NOMINATIONS

- a. **ASPPB Board of Directors**
- b. **State-Provincial Service Award Nomination**
- c. **Norma P. Simon Award Nomination**
- d. **Ming Fisher Award Nomination**
- e. **ASPPB Fellow Nomination**

Ms. Paakkonen provided a summary stating that the Association of State and Provincial Psychology Boards (ASPPB) is requesting nominations for the above noted categories. Ms. Paakkonen described the different categories.

MOTION: Dr. Meier moved to nominate Ms. Paakkonen for ASPPB’s Ming Fisher award.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Meier, Dr. Stewart and Mr. Wynn. The following Board members abstained from voting on the motion: Dr. Mellott.

VOTE: 8-yay, 0-nay, 1-abstain, 0-recuse.

MOTION PASSED.

19. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED LEGISLATION INCLUDING, BUT NOT LIMITED TO: HB2046, HB2144, HB2190, HB2254, HB2377, HB2429, HB2517, SB1087, SB1248, SB1255, SB1270, SB1333, SB1386, SB1457, SB1513, and SB1523

Ms. Paakkonen provided a summary, stating that the Board’s Bill, HB2046, will not be heard in the Senate, explaining the political reasons involved. Ms. Paakkonen explained the implications of HB2046 not being enacted in that several of the Board’s objectives to simplify and streamline licensure applications will not be met. Ms. Paakkonen provided a brief summary of the other bills that are moving through the legislative process.

20. NEW AGENDA ITEMS FOR FUTURE MEETING

Dr. Caterino requested that staff provide statistics on how many dual relationship complaints are submitted on a yearly basis against psychologists at a future meeting.

Dr. Caterino requested an item regarding whether behavior analysts paying a supervisor is unethical on a future Board agenda. Chairman Davey suggested that the Committee on Behavior Analysts review this matter and bring its findings to the Board.

Chairman Davey requested that an item regarding unlicensed practice of behavior analysts be placed on a future agenda. Chairman Davey suggested inviting the Committee on Behavior Analysts to the Board meeting in which the Board will discuss this matter.

21. ADJOURNMENT

MOTION: Dr. Stewart.

SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Chairman Davey, Dr. Caterino, Dr. Davis-Wilson, Mr. Dynar, Dr. Medina, Dr. Mellott, Dr. Meier, Dr. Stewart and Mr. Wynn.

VOTE: 9-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The meeting adjourned at 1:05 p.m.

Respectfully submitted,



Aditya Dynar, Esq.
Secretary