



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
1740 WEST ADAMS STREET, SUITE 3403
PHOENIX, AZ 85007
PH: 602.542.8162 FX: 602.542.8279
WEBSITE: www.psychboard.az.gov

KATIE HOBBS
Governor

HEIDI HERBST PAAKKONEN
Executive Director

Committee on Behavior Analysts
REGULAR SESSION MINUTES
April 28, 2023 – 9:30 a.m.
Held via Zoom

1. CALL TO ORDER

Ms. Denton, Committee Chair, called the meeting to order at 9:32 a.m.

2. ROLL CALL

Committee Members Present

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

Staff Present

Zakiya Mallas, Licensing Specialist
Krishna Poe, Projects Specialist

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

3. REMARKS/ANNOUNCEMENTS

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

Ms. Denton thanked the applicants present for attending the meeting, noting their presence is often helpful to the review process. She stated that issuing licenses as promptly as possible is one of the agency's objectives. She expressed appreciation to Board staff for their dedication to meeting preparations. Finally, she acknowledged the hard work invested by the Committee to serve and protect the public in the process.

● **Continuing Education Credit for Maintenance of BACB Certification**

Ms. Denton announced that the Board of Psychologist Examiners is approved by the Behavior Analyst Certification Board (BACB) as an ACE continuing education provider. To claim credit, attendees are to make note of the code words provided hourly throughout the meeting. A code word reporting form is posted on the Board's Meetings page on the website.

4. APPROVAL OF MINUTES

- **March 30-31, 2023 Regular Session Minutes**
- **March 30-31, 2023 Executive Session Minutes**

MOTION: Dr. Stenhoff moved to approve the minutes as drafted. Dr. Davey seconded the motion.

VOTE: The motion was approved 5-0.

5. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING INVESTIGATION OF POSSIBLE UNLICENSED PRACTICE AND RECOMMENDATIONS TO THE BOARD - Dr. Davis-Wilson

A. Complaint No. 23-37, Jessica Smith, M.S.

Ms. Denton provided an overview of the Committee's complaint review process and procedures. Dr. Davis-Wilson provided an overview of the complaint which consists of evidence that Ms. Smith failed to renew her license prior to its expiration date, and that she continued to deliver behavior analytic services for about 1.5 weeks. The corrective action taken by Ms. Smith was cited in the summary. It was noted that Ms. Smith has supplied additional information that reflects she provided services while under the supervision of a licensed behavior analyst during the time her license has lapsed.

Ms. Smith was present for the review of the complaint. She thanked the Committee for considering all of the information she supplied, and she pledged to never again commit the same error in the future. The Committee asked Ms. Smith to help raise the awareness in the behavior analyst community about being cognizant of license renewal deadlines, and of the responsibility to maintain current contact information in the licensee portal.

MOTION: Dr. Davis-Wilson moved to recommend to the Board dismissal of the complaint. Dr. Davey seconded the motion.

VOTE: The motion was approved 5-0.

B. Complaint No. 23-38, Ahtziry Nazario, M.S.

Dr. Stenhoff disclosed for the record that he was previously one of Ms. Nazario's professors, but he is able to objectively consider this matter. Dr. Davis-Wilson made the same disclosure. Dr. Davis-Wilson provided an overview of the complaint which consists of evidence that Ms. Nazario failed to renew her license prior to its expiration date, and that she continued to deliver behavior analytic services for about one month. It was noted that Ms. Nazario submitted evidence that she worked under the supervision of a licensed behavior analyst providing ancillary services while her license was lapsed.

Ms. Nazario was present for the review of the complaint. She advised the Committee that she very much regrets her error and is helping educate herself on behavior analyst regulatory issues by attending Committee meetings, and she is sharing what she is learning with her colleagues. The Committee thanked her for her efforts and her participation in this matter.

MOTION: Dr. Davis-Wilson moved to recommend to the Board dismissal of the complaint. Dr. Stenhoff seconded the motion.

VOTE: The motion was approved 5-0.

6. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD REGARDING LICENSE REINSTATEMENT REQUEST SUBMITTED BY NICHOLE HART, M.A., AND POSSIBLE RECOMMENDATION TO OPEN A COMPLAINT FOR UNLICENSED PRACTICE

Ms. Poe advised the Committee that, on April 18, 2023, Ms. Hart submitted a license reinstatement application for her license that expired on March 31, 2023. Because Ms. Hart indicated she practiced after that date while unlicensed, the matter is before the Committee for review. She confirmed that this is the initial renewal for this license, and explained that 4 of her prorated continuing education units were completed after March 31, 2023 that will also require approval for purposes of meeting the requirements for the initial licensure period (not to be used for the subsequent period).

Ms. Hart was present and apologized for her error. She explained that shortly after being granted her license she was

on maternity leave, and she also spent some time practicing in Texas. She noted that she has learned a lot about the legal practice requirements and deadlines established in Arizona law. In response to a question posed to her, Ms. Hart confirmed that she understands how her continuing education units are to be allocated to be accepted. She also described to the Committee the services she provided, and the activities in which she engaged in Arizona; additionally, she confirmed she has a supervisor who is an active licensed behavior analyst in Arizona.

The Committee discussion reflected the need to process this matter consistent with those that have been reviewed and adjudicated previously. However, there was acknowledgement that there may be opportunity at this time to table action on opening an investigation and to request and obtain additional documentation to inform the recommendations with respect to the next steps of this process. The discussion reflected that this can be separated from the request to reinstate Ms. Hart's license.

MOTION: Dr. Davis-Wilson moved to recommend to the Board the reinstatement of Nichole Hart's behavior analyst license, to table action on consideration to open an investigation, and to request her supervisor submit on her behalf the documentation that reflects the supervision she received while her license was lapsed. Dr. Davey seconded the motion.

VOTE: The motion was approved 5-0.

7. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ALLEGED UNLICENSED SUPERVISION PROVIDED BY RAVEN ROGERS, BCBA TO INCLUDE INTERVIEW OF RAVEN ROGERS, M.Ed., BCBA AND LAUREN NEMER-KAISER, MA, BCBA, LBA

Dr. Davey provided an overview of this matter in which he reminded the Committee that a recent applicant for licensure reported having received some of her supervision by Raven Rogers remotely into Arizona where the applicant was located. He also noted that Ms. Rogers was in the employ of Hoom House at that time, and that a very similar situation came before the Committee which involved Lauren Nemer-Kaiser, the owner of Hoom House, coming before the Committee to provide further information and clarification. Dr. Davey noted that there is overlap with respect to the two events in terms of the timing. He summarized the previous conversation with Ms. Nemer-Kaiser as culminating in a shared understanding of Arizona's statutory requirement that supervisors must be licensed in this state in order to provide supervision services in Arizona; additionally, she pledged to modify her company's policies and procedures to ensure compliance.

Ms. Rogers was present for the discussion, and she advised the Committee that she was initially unaware of the statutory requirement to be licensed in Arizona; however, as a result of learning of it she immediately canceled the contract and will never again make this error. Ms. Rogers described the corrective action she and Ms. Nemer-Kaiser took once they were made aware of the requirement, and the protocol they now follow. In response to questions, Ms. Rogers explained that she largely provided asynchronous supervision to her former trainee.

Ms. Nemer-Kaiser was also present and spoke to the corrections that they implemented to their procedures as a result of what they learned from the previous matter; in doing so, they discovered the need to modify Ms. Roger's assignment. She affirmed that the two events happened concurrently. She also explained that they implemented a modification to their portal that enables them to pinpoint the locations of both a prospective trainee and potential supervisors in order to ensure a qualifying match. Lastly, she noted that they supply clear guidance with respect to which states require licensure of behavior analysts. She admitted to making an incorrect assumption when she previously advised the Committee that there were no other instances of unlawful supervision being provided through her company. She also stated that she does not remember making a misleading statement to the Committee, and it was not her intent to be deceptive. Ms. Nemer-Kaiser commented that she "wiped" the disqualified hours from their records, and approved a refund for those that were compensated.

Ms. Rogers further explained to the Committee how she believed she complied with the ethics code by ceasing her supervision services once she became aware of Arizona's requirement to be licensed, and by affirming she

was in compliance with all other client contracts. She also affirmed she was unaware of any similar investigations concerning Hoom House employees.

In response to concerns articulated by the Committee, Ms. Nemer-Kaiser assured the Committee that her team will double-down on their audit and internal reviews of their contracts. The Committee articulated concerns with respect to integrity and making assurances that are not based primarily on her speculation. The Committee affirmed that a self-report on her part would have been well received. Ms. Nemer-Kaiser stated she never meant to mislead or make false statements, and that comporting herself with integrity is critically important to her. She admitted that she is trying to recall some facts that are eluding her that she would need to research further.

MOTION: Dr. Davis-Wilson moved to meet in Executive Session for the purpose of receiving legal advice. Dr. Raetz seconded the motion

VOTE: The motion was approved 5-0.

The Committee met in Executive Session from 10:51 a.m. to 10:59 a.m.

Upon resuming the meeting in public session, the Committee began deliberations of the matter. Comments were directed to Ms. Nemer-Kaiser that affirmed the need for the services she is providing, but that reflected today's disappointing exchange with her. The discussion cited concerns relative to adherence to the ethical code, and how the recent emergence of information is contradictory to that which was supplied by Ms. Nemer-Kaiser to the Committee previously. The Committee noted that there continues to be an opportunity for Ms. Nemer-Kaiser to review her business practices and her conduct against what the ethical code requires.

MOTION: Dr. Davis-Wilson moved to take no action at this time. Dr. Davey seconded the motion.

VOTE: The motion was approved 5-0.

Ms. Nemer-Kaiser thanked the Committee for their feedback, and assured the Committee that she will continue to implement it.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING SUPERVISION SERVICES SUPPLIED BY HAYLEY WIEDUWILT TO A BEHAVIOR ANALYST APPLICANT PRIOR TO LICENSURE

Dr. Davis-Wilson advised the Board that a former applicant reported having received supervision services from Hayley Wieduwilt, and that the documentation provided indicated Ms. Wieduwilt was not yet licensed during a portion of that time. Both Ms. Wieduwilt and her former supervisor Kristina Bartell were invited to address the Committee to provide clarification. Ms. Bartell indicated she is unable to attend due to a pre-planned flight, but she submitted a written explanation. Ms. Wieduwilt was also not present for the discussion.

It was the consensus of the Committee that the information supplied by Ms. Bartell provided clarity, Ms. Wieduwilt's cursory and thin response is disappointing, as is her decision to not attend the discussion.

MOTION: Dr. Davis-Wilson moved to take no action at this time. Dr. Davey seconded the motion.

VOTE: The motion was approved 5-0.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OF BEHAVIOR ANALYST APPLICANTS

A. Behavior Analyst Applications for Licensure

1. Alexandra Alford, 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. Jenna Collins, J.D., M.S.W.

The applicant was present for the application review. 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.

3. Melissa Foster, 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.

4. Maura Phillips-Gray, 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. Heather Fry, 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. The Committee observed that she omitted her academic credentials on the application. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

6. Anna Brown, 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

7. Charlie Enright, 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.

8. Brendan Wrynn, M.A.

The applicant was present for the application review. 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. Nicholette Hackney, 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.

10. Anne Iniguez, 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.

11. Nicole Castillo, 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

12. Portia James, M.A.

The applicant was present for the application review. 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.

13. Katherine Castro, 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.

14. Kendall Mooney, M.Ed.

Dr. Davey disclosed for the record that Ms. Mooney works in his organization but does not report to him and he has met her on only one occasion. He stated that he is able to review this application objectively. 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.

15. Christina Costa, M.S.

The applicant was present for the application review. 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.

16. Julian Enlow, M.S., M.B.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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

17. Sarah Nobari, M.A.(*)

Ms. Denton reminded the Committee that this application returns to this agenda for purposes of reviewing additional information requested and received concerning the relationship between the applicant and her supervisors. The Committee proceeded with a substantive review of the application and in doing so noted that the errors were corrected which remediated the concerns. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

18. Sara Itkoff, M.A.

The applicant was present for the application review. 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 applicant disclosed three misdemeanor convictions for events dating to 2013 and 2014 for which she completed all court-ordered requirements. Additionally, she omitted her academic credentials on the application. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

19. Jillian Puccio, 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.

20. Jamie Schneider, 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

21. Kyla Hernandez, M.Ed.

The applicant was present for the application review. 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.

MOTION: Dr. Davey moved to recommend the Board approve the applications for licensure for Alexandra Alford, M.S.; Jenna Collins, J.D., M.S.W.; Melissa Foster, M.S.; Maura Phillips-Gray, M.Ed.; Heather Fry, M.A.; Anna Brown, M.A.; Charlie Enright, M.S.; Brendan Wrynn, M.A.; Nicholette Hackney, M.S.; Anne Iniguez, M.Ed.; Nicole Castillo, M.A.; Portia James, M.A.; Katherine Castro, M.S.; Kendall Mooney, M.Ed.; Christina Costa, M.S.; Julian Enlow, M.S., M.B.A.; Sarah Nobari, M.A.; Sara Itkoff, M.A.; Jillian Puccio, M.S.; Jamie Schneider, M.A.; and Kyla Hernandez, M.Ed. Dr. Raetz seconded the motion.

VOTE: The motion was approved 5-0.

B. Behavior Analyst Applications for Licensure by Universal Recognition

1. Jacquelyn Higgs, M.S.

The applicant was present for the application review. 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. Cheyanne Flournoy, M.S.

The applicant was present for the application review. 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.

MOTION: Dr. Davis-Wilson moved to recommend the Board approve the applications for licensure for Jacquelyn Higgs, M.S. and Cheyanne Flournoy, M.S. Dr. Stenhoff seconded the motion

VOTE: The motion was approved 5-0.

*First Formal Additional Information Request

** Second Formal Additional Information Request

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DRAFT PROPOSED LANGUAGE FOR ISSUANCE TO BCBA's BY THE BACB

Dr. Raetz provided an overview of this matter, reminding the Committee that she, Dr. Stenhoff and Ms. Paakkonen met recently to draft proposed language to advise BCBA's concerning maintaining awareness of Arizona's licensure practice requirements. Dr. Raetz explained the rationale used in the process of composing the message. A suggestion was raised to reorder the paragraphs for purposes of emphasizing the consequences for failing to comply with Arizona's statutes and rules. Ms. Galvin advised the Committee that she finds the communication to be of excellent quality.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD REGARDING INACTIVE LICENSE RENEWAL APPLICATION SUBMITTED BY AMADA TRO, M.S., AND POSSIBLE RECOMMENDATION TO OPEN A COMPLAINT

Ms. Poe reported to the Committee that, on March 20, 2023, the office received the inactive status renewal application for Ms. Tro's license that expired on March 31, 2023. She noted that Ms. Tro elected to have her license placed on inactive status in 2019, but has not practiced in Arizona since that time. Ms. Tro indicated on her application that in 2021 the BACB revoked her BCBA certification. Accompanying the application was some documentation supplied by Ms. Tro; additionally, Board staff has requested information to be sent directly from the BACB that has not yet been received. Ms. Poe also noted that Ms. Tro did not disclose the investigation on her previous renewal application, submitted after she was provided notice by the BACB of its investigation. Ms. Tro indicated that she was "confused" as to what she was required to report. Additionally, she stated that her failure to disclose other professional licenses she holds in Florida and New York as "errors".

Ms. Poe advised the Committee that Ms. Tro had requested this matter be held later on the agenda in order to accommodate her schedule, but due to her confusion around the time zone difference between Arizona and Florida, she emailed to inform Ms. Poe she had to depart the meeting to attend medical appointments. Additionally, Ms. Tro stated to Ms. Poe that due to stress and health care issues she is requesting her application for renewal be withdrawn. It was noted this may not be permissible given the concerns that Ms. Tro made significant omissions on her renewal application concerning the revocation of her BACB certification. Ms. Galvin advised the Committee not to make a recommendation to the Board for withdrawal of the application for this reason.

In response to a question, Ms. Poe affirmed that although she is eligible to apply, Ms. Tro has elected to not seek reinstatement of her BACB certification. The Committee discussion reflected that certification revocation raises significant concerns. The Committee directed Board staff to table this matter in order to obtain information from the BACB, to work with Ms. Galvin to prepare this information for review on a future meeting agenda, and also to ensure information is reported to other sources of authority as appropriate.

12. NEW AGENDA ITEMS FOR FUTURE MEETINGS

The Committee requested a future meeting agenda include discussion to explore potential benefits of holding two shorter meetings each month as opposed to one lengthy meeting each month.

The Committee also identified a potential future agenda item around having some dialogue with BACB representatives to facilitate information sharing. Given that there are new and complex issues emerging, it would seem to be a productive conversation.

13. ADJOURN

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

VOTE: The motion was approved 5-0.

The meeting concluded at 12:20 p.m.