



STATE OF ARIZONA
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Complaint Screening Committee REGULAR SESSION MINUTES

July 19, 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 Chairman Dynar at 8:31 a.m. on July 19, 2023. Two executive sessions were held.

2. ROLL CALL

Committee Members Present

Aditya Dynar, Esq. – Chair
Diana Medina, Ph.D.
Joseph Stewart, Ed.D.

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

Staff Present

Heidi Paakkonen, Executive Director
Jennifer Michaelsen, Deputy Director

3. APPROVAL OF MINUTES

a. April 19, 2023 Regular Session Minutes

Mr. Dynar recused from this item. Dr. Stewart made a motion, seconded by Dr. Medina, to approve the minutes as drafted. The motion carried unanimously (2-0), by a voice vote.

b. June 14, 2023 Regular Session Minutes

Dr. Medina recused from this item. Mr. Dynar made a motion, seconded by Dr. Stewart, to approve the minutes as drafted. The motion carried unanimously (2-0), by a voice vote.

4. CASE DISCUSSION/DECISION

a. Neal Olshan, Ph.D., Complaint No. 23-44

Ms. Michaelsen informed the Committee that Dr. Olshan's attorney, Andrew Breavington, emailed her approximately twelve hours ago requesting a continuance. Mr. Breavington indicated that his flight was delayed, and therefore he would not be able to attend today's meeting. Ms. Michaelsen stated that a continuance for this case was previously granted by Board staff, noting that the complaint was initially scheduled for review by the Committee at its June 14, 2023 meeting; however the review date was subsequently rescheduled after receiving a request from Mr. Breavington, citing that Dr. Olshan was unable to attend due to a scheduled dental procedure. Ms. Michaelsen informed the Committee that the continuance request was granted but that Mr. Breavington was notified that any future continuance requests must be approved by the Committee. Ms. Michaelsen noted that the parties had two months' notice of today's meeting.

At 9:31 a.m., Mr. Dynar made a motion, seconded by Dr. Medina, to go into Executive Session to receive confidential legal advice. Open session reconvened at 9:38 a.m.

Mr. Dynar made a motion, seconded by Dr. Stewart, to deny the continuance request and to forward the complaint to the Board for further review regarding potential 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; and A.R.S. § 32-2061(16)(dd), violating an ethical standard adopted by the Board as it pertains to sections 3.03 (Other Harassment), 3.05 (Multiple Relationships), and 3.06 (Conflict of Interest) 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. Olshan for his attendance at the Board meeting when this matter is reviewed to provide testimony. The motion carried unanimously (3-0), by a voice vote.

The Committee took a break at 9:45 a.m. and resumed the meeting at 9:50 a.m.

b. Raymond Branton, Psy.D., Complaint No. 23-43

Dr. Stewart summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions. Dr. Branton and his attorney, Andrew Turk, participated, made a statement, and answered questions.

At 9:03 a.m., Mr. Dynar made a motion, seconded by Dr. Medina, to go into Executive Session to receive confidential legal advice. Open session reconvened at 9:09 a.m.

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.

c. Holly Joubert, Psy.D., Complaint No. 23-51

Dr. Stewart summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions. Dr. Joubert and her attorney, Faren Akins, participated, made a statement, and answered questions.

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. Scott Keeling Torres, Complaint No. T-23-05

Mr. Dynar summarized the case, including salient points of the investigation and pertinent records. The Complainant participated, made a statement, and answered questions. Mr. Keeling and his attorney, Michael Tamou, participated, made a statement, and answered questions.

The Committee expressed concern that Mr. Keeling, who has never held a license with the Board as either a psychologist or a behavior analyst, issued an affidavit that was submitted to the court for the complainant's custody proceedings regarding services that Mr. Keeling provided to the complainant's children; that affidavit stated that Mr. Keeling is a psychologist and a behavior analyst. The Committee noted that Mr. Keeling represented that the affidavit was prepared by the opposing parties' attorney and that he signed the affidavit without reviewing the information in the document. The Committee was concerned that no attempt was made by Mr. Keeling to correct this error in the affidavit. Specifically, Mr. Keeling never supplied a corrected affidavit or any other written documentation to the court clarifying that he is not licensed as a behavior analyst or psychologist.

Mr. Dynar made a motion, seconded by Dr. Medina, to forward the complaint to the forward for further review regarding potential violations of A.R.S. § 32-2084 and A.R.S. § 32-2091.12.

e. Austin McCall, Psy.D., Complaint No. T-23-06

Mr. Dynar summarized the case, including salient points of the investigation and pertinent records, noting that Dr. McCall surrendered her psychologist license in December of 2022; however the complaint alleges that she has continued to practice since that time, to include conducting psychological evaluations. The Complainant participated, made a statement, and answered questions. Dr. McCall participated, made a statement, and answered questions.

The Committee expressed concern that Dr. McCall continued to practice as a psychologist and conducted several psychological evaluations between March - April 2023. Furthermore, Dr. McCall failed to inform her employer, who had a contract in place with the Arizona Department of Child Safety (DCS) to conduct such evaluations, that she surrendered her license. Both the employer and DCS were unaware of Dr. McCall's license status when the evaluations were assigned to Dr. McCall; they only discovered that she had surrendered her license when reviewing the Board's website. The Committee noted that there were significant harmful implications for the individuals who completed the evaluations with Dr. McCall during the period of her unlicensed practice, as they must all be redone with a licensed psychologist.

Mr. Dynar made a motion, seconded by Dr. Medina, to forward the complaint to the Board for further review regarding a potential violation of A.R.S. § 32-2084, along with a recommendation that the Board issue a Cease and Desist Order to Dr. McCall.

5. ADJOURN

There being no further business to come before the Committee, Mr. Dynar made a motion, seconded by Dr. Medina, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 11:33 a.m.