

Governor

STATE OF ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS 1740 WEST ADAMS STREET, SUITE 3403 PHOENIX, AZ 85007

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

Regular Session Meeting Minutes

Held virtually via Zoom on October 6, 2023

Board Members

Bryan Davey, Ph.D., BCBA-D – Chair Aditya Dynar, Esq. - Secretary Linda Caterino, Ph.D., ABPP Donald Stenhoff, Ph.D., BCBA-D Diana Medina, Ph.D. Ramona N. Mellott, Ph.D. 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

Mr. Dynar, acting Chair, called the meeting to order at 9:29 a.m.

2. ROLL CALL

The following Board members participated in the virtual meeting: Chairman Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

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

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

• Board Member and Staff Appreciation

Mr. Dynar acknowledged and thanked Board members and staff for their hard work and efforts in facilitating and preparing for the Board's meetings.

• Continuing Education Credit for Board Meeting Attendance

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

4. CALL TO THE PUBLIC

John DiBacco, Ph.D., briefly addressed the Board regarding potential emerging developments relative to the regulation of behavior analysts.

5. COUNSEL UPDATE

Ms. Galvin did not have an update.

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

MOTION: Dr. Medina moved for the Board to approve the items listed under the Consent Agenda. SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

A. APPROVAL OF MINUTES

- o September 1, 2023 Regular Session Minutes
- o September 1, 2023 Executive Session Minutes
- o September 21, 2023 Regular Session Minutes

B. EXECUTIVE DIRECTOR'S REPORT

C. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

- 1) Requesting Approval to Sit for EPPP & Licensure (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Erin Bradley, Psy.D.
 - b) Autumn Arch, Ph.D.
 - c) Ashley Writer Azcarraga, Psy.D.
 - d) Colette Wilcoxen, Psy.D.
 - e) Shaunta Hemingway, Psy.D.
 - f) Rachael Rowe, Psy.D.
- 2) Requesting Approval of Supervised Experience for Licensure (A.R.S. §§ 32-2071 & R4-26-203.02)
 - a) Felicia Cover, Psy.D.
- 3) Requesting Approval for Licensure by Waiver (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Catherine Van Damme, Psy.D.
 - b) Ancy Cherian, Ph.D.
 - c) Harlan Austin, Ph.D.
- 5) Requesting Approval for Licensure by Universal Recognition (A.R.S. § 32-4302)
 - a) Travis T. Nichols, Ph.D.
 - b) Nicole Linen, Psy.D.
 - c) Carol Bongo, Psy.D.
- 6) Requesting Approval for Telehealth Registry (A.R.S. § 36-3606)
 - a) Stephen J. Smith, Psy.D.

D. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1) Amanda Dziura, M.S.
- 2) Sakina Kapadia, M.A.
- 3) Kaitlin Buccolo, M.S.
- 4) Eve Kaufman, M.A.
- 5) Heather Kendrick, M.A.
- 6) Rose Vetsch, M.A.
- 7) Tia Reyes, M.A.

- 8) Megan Aclan, Ph.D.
- 9) Lisa Carr, M.A.
- 10) Steven Snarich, M.S.
- 11) Britney Kaufman, M.A.
- 12) Danielle Arredondo, M.S.
- 13) LaTreasha Nolen, M.S.
- 14) Mariah Hanna, M.A.
- 15) Niki Schering, M.S.
- 16) Andrew Medina, M.A.
- 17) Emily Chapman, M.A.
- 18) Caylee Carter, M.A.
- 19) Guy Mickens, M.S.
- 20) Rina Zions, M.S.
- 21) Ethan Siegler, M.A.
- 22) Fernando Martinez, M.A.
- 23) Marcella Hangen, Ph.D., M.A.
- E. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION FROM THE COMMITTEE ON BEHAVIOR ANALYSTS PERTAINING TO REACTIVATION REQUEST SUBMITTED BY TRACI PERKINS, M.S.
- F. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REACTIVATION REQUEST SUBMITTED BY TIMOTHY BOWERS, PSY.D.
- G. DISCUSSION, CONSIDERATION AND POTENTIAL ACTION REGARDING RETAKE REQUEST SUBMITTED BY JENNIFER NANSON, PSY.D, SUPERVISED TEMPORARY LICENSE HOLDER NO. PSY-T-000002.
- H. DISCUSSION, CONSIDERATION AND POTENTIAL ACTION REGARDING POSTDOCTORAL WRITTEN TRAINING PLAN MODIFICATION REQUEST SUBMITTED BY YOLANDA ESTRADA, PSY.D., SUPERVISED TEMPORARY LICENSE HOLDER NO. PSY-T-000057

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 LEGISLATION TO BE PROPOSED BY THE ARIZONA PSYCHOLOGICAL ASSOCIATION TO ESTABLISH QUALIFICATION FOR PSYCHOLOGIST PRESCRIPTIVE AUTHORITY

Ms. Paakkonen reminded the Board that during the 2023 legislative session, the Arizona Psychological Association (AzPA) supported a bill that would have established qualifications and practice authorization for qualifying licensed psychologists to be granted prescribing privileges for certain pharmaceutical substances. That legislation was approved by the Arizona State Senate, but did not advance in the House of Representatives as certain stakeholders raised concerns that necessitated more work to be done with the proposed legislation in order to arrive as a consensus. She noted that AzPA's President, Lesley Manson, Psy.D., is present to report on what has transpired over the past several months.

Dr. Manson briefed the Board on the outcomes of the ongoing stakeholder meeting efforts, and noted that there is universal agreement around a new approach whereby prescribing psychologists will practice under a collaborative agreement with a physician. Dr. Manson explained that both Arizona medical regulatory boards are in support of this model, understanding that their boards will assume the burden of investigating allegations specific to prescribing by psychologists; the Board of Psychologist Examiners retains its investigative authority over the remaining scope of these psychologists' practice. Investigative findings

determined by the relevant medical boards will be presented to this Board for consideration and possible adoption. The Board posed questions to Dr. Manson and received clarifying answers, and exchanged suggestions and ideas for purposes of continuing to refine the draft proposed legislation.

Ms. Paakkonen advised the Board that the same administrative needs and issues she has previously identified (rulemaking, access to experts to advise the Board, etc.) will still need to be addressed under the latest version of the proposed legislation, but she is more assured that there is adequate time for the Board to address these needs in time to effectively implement the application requirements. She further noted that the requirements for this authorization are crafted in such a way as to circumvent any concerns that a prescribing psychologist will qualify for licensure in Arizona in spite of having education, training, or testing deficiencies. Ms. Paakkonen indicated that she will need to meet with her counterparts from the medical boards to arrive at a strategy to achieve parity with respect to fees that are collected.

The Board thanked Dr. Manson for the update and reiterated its ongoing interest in receiving future updates on this effort.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING JURISPRUDENCE EDUCATION TOOL (JET) DEVELOPMENT UPDATE

This agenda item was not heard and was moved to the next Board meeting agenda.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING ARIZONA ASSOCIATION FOR BEHAVIOR ANALYSIS (AZABA) PRESENTATION OF SUNRISE PETITION TO SEEK ESTABLISHMENT OF AN INDEPENDENT BOARD OF BEHAVIOR ANALYSTS AND DRAFT LEGISLATION

Ms. Paakkonen advised the Board that Brandy Petrone and Stuart Goodman, representing the Arizona Association for Behavior Analysis (AzABA) have joined the meeting with a revised copy of the Sunrise Application for an independent behavior analyst regulatory board, and also are prepared to discuss the copy of the draft proposed bill that would codify these changes. The Board members posed questions to the AzABA representatives and received clarification to their inquiries. It was noted that in the draft, the current statutes regulating behavior analysts have essentially been extracted from the Board's chapter to a separate one that is dedicated to behavior analysts; aside from some technical revisions, the only proposed change to the Board's statutes is removal of the two behavior analyst members from the Board. Ms. Paakkonen provided some insights relative to the anticipated administrative effort and impact involved in this separation, noting that the current staffing responsibilities with respect to service and supporting the Committee on Behavior Analysts are not expected to be different from those which are required to support an independent Board of Behavior Analysts. She also noted there are many instances of duplicity under the current regulatory model that will be eliminated with the establishment of a separate board.

The Board thanked the AzABA representatives for the update and reiterated its ongoing interest in receiving future updates on this effort.

10. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE COMMITTEE ON BEHAVIOR ANALYSTS' RECOMMENDATION TO OFFER A CONSENT AGREEMENT FOR DECREE OF CENSURE, PROBATION, AND CONTINUING EDUCATION TO DANA JOHNSON, M.S., FOR COMPLAINT NO. 23-49; AND ADDITIONAL RECOMMENDATION TO OPEN A COMPLAINT AGAINST MS. JOHNSON FOR FURTHER INVESTIGATION REGARDING UNLICENSED PRACTICE CONCERNS

Dr. Stenhoff provided a brief summary of the case including the recommendations issued by the Committee on Behavior Analysts. He noted that the Committee found Ms. Johnson had secured a behavior analyst position with another company prior to submitting her resignation with her (then) current employer, and that she acknowledged she began her new employment role while she was on scheduled leave with her (then) current employer. The Committee found violations of the BACB ethical code and recommended that Ms. Johnson enter into a Consent Agreement issuing a Decree of Censure, and prescribing a term of probation during which she is to complete three hours of continuing education in appropriately terminating services.

The complainant was not present. Ms. Johnson was present along with her attorney, Mandi Karvis, who briefly addressed the Board. Ms. Karvis indicated that Ms. Johnson had agreed to the terms of the proposed Consent Agreement.

MOTION: Dr. Stenhoff moved for the Board to accept the Consent Agreement presented to Ms. Johnson. SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

Dr. Stenhoff summarized the new allegation found during the investigation concerning unlicensed practice on the part of Ms. Johnson for a period of two months prior to having been granted her Arizona license. Ms. Karvis addressed the Board stating she does not believe that opening another complaint is necessary given that her client is complying with corrective action imposed by the Board.

MOTION: Mr. Dynar moved for the Board to meet in Executive Session to obtain legal advice. SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The Board met in Executive Session at 11:17 a.m. and resumed open session returned at 11:31 a.m.

The Board continued discussion in open session.

MOTION: Dr. Stewart moved for the Board to open a complaint for further investigation into alleged unlicensed practice by Dana Johnson.

SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-vay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE COMMITTEE ON BEHAVIOR ANALYSTS' RECOMMENDATION TO OFFER A CONSENT AGREEMENT TO ZACHARY REINKE, M.ED., FOR COMPLAINT NO. 23-48; AND ADDITIONAL RECOMMENDATION THAT MR. REINEKE'S EMPLOYER (TEAM 4 KIDS PEDIATRIC THERAPY) BE REFERRED TO AHCCCS, ARIZONA DEPARTMENT OF HEALTH SERVICES, AND ANY OTHER APPLICABLE AGENCY AS DETERMINED BY STAFF

Ms. Michaelsen summarized the complaint and the recommendations of the Committee. She noted the complaint alleged that Mr. Reineke failed to provide appropriate supervision of, and support to a Registered Behavior Technician he assigned a child whose case was particularly complex. It was also alleged that Mr. Reineke failed to adequately manage the overall behavior analytic care plan for that client. The Committee found multiple violations of unprofessional conduct and expressed significant concern relative to Mr. Reineke's conduct in this case. The Committee recommended that Mr. Reineke enter into a Consent Agreement placing him on probation for 12 months during which he is to work with a pre-approved practice monitor. Additionally, he is practice-restricted in that he shall not complete any assessments independently or they are to be synchronously observed and consigned by another licensed behavior analyst, and he shall not provide supervision to any student/trainee for licensure or certification purposes. Finally, he is to complete 15

hours of pre-approved CE in various areas within 90 days. The complainant was not present. Mr. Reineke and his attorney, Sara Stark, were in attendance and Ms. Stark advised the Board that her client accepts the terms of the Consent Agreement recommended to the Board by the Committee.

MOTION: Dr. Stewart moved for the Board to accept the Consent Agreement presented to Mr. Reineke. SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED

The second portion of the agenda item was moved to the next Board meeting due to lack of quorum.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING MOTION TO QUASH THE BOARD'S SUBPOENA AND TO STAY THE INVESTIGATION FROM ARTHUR THOMAS HORVATH, PH.D. FOR COMPLAINT NO. 23-53

This agenda item was not heard and was moved to the next Board meeting agenda.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEW OF THE FOLLOWING COMPLAINTS

a. Complaint No. 23-52, Ellen Diamond, Ph.D.

- Mr. Dynar

b. Complaint No. 23-54, M. David McGady, Psy.D.

- Dr. Caterino

This agenda item was not heard and was moved to the next Board meeting agenda.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING APPLICATIONS FOR BEHAVIOR ANALYST LICENSURE AND TELEHEALTH REGISTRY AUTHORIZATIONS

a. Lauren Blair, M.Ed.

Dr. Stenhoff provided a brief summary of the application and of the recommendations made by the Committee. He noted that Ms. Blair initially had not reported her recent DUI charge to either the Behavior Analyst Certification Board (BACB), nor to the State of Michigan where she holds a behavior analyst license; the applicant had indicated that she mistakenly understood she was not required to self-report to these sources. However, she has since reported to the BACB, and supplied evidence from the BACB that the information was reviewed and that no action would be taken. Dr. Stenhoff noted that while Ms. Blair has also indicated to the Board she did the same to the Michigan licensure authority, it is unlikely that a verification of her doing so will be forthcoming from that agency. Ms. Blair was present at the meeting and briefly addressed the Board regarding her application.

MOTION: Dr. Stenhoff moved for the Board to move to Executive Session to discuss personal health information and to receive legal advice if necessary.

SECOND: Mr. Dynar.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

The Board met in Executive Session at 9:45 a.m. and resumed open session at 9:56 a.m.

MOTION: Dr. Stenhoff moved for the Board to approve Ms. Blair's application for licensure.

SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 4-yay, 0-nay, 1-abstain, 0-recuse.

MOTION PASSED.

b. Chloe Fahrberger, M.S.Ed. - Telehealth Registry

Dr. Stenhoff summarized the substance of the application stating that there are no deficiencies, and noted the applicant has established having met the qualifications to be approved for a registration.

MOTION: Dr. Stenhoff moved for the Board to approve Ms. Fahrberger's application. SECOND: Dr. Stewart.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE COMMITTEE ON BEHAVIOR ANALYSTS' RECOMMENDATION TO DENY THE LICENSE RENEWAL APPLICATION SUBMITTED BY AMADA TRO, M.S., AND TO DENY HER REQUEST TO WITHDRAW THE RENEWAL APPLICATION

This agenda item was not heard and was moved to the next Board meeting agenda.

16. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATIONS FOR EPPP ONLY, EPPP & LICENSURE, AND LICENSURE BY WAIVER

- a) Erin Hanks-Moehr, Ph.D., EPPP Only (REAPP)
- b) Amy Prosser, Ph.D., Exam & Licensure (REAPP)
- c) Vesna Pepic, Ph.D., Exam & Licensure

Agenda items 16 (a, b, and c) were moved to the next Board meeting due to loss of quorum.

d) Dylan Richard, Ph.D., Waiver, passed EPPP-not yet licensed

Dr. Caterino provided an overview of the substance of the application noting there are no deficiencies, and that the applicant has established having met the qualification for licensure.

MOTION: Dr. Caterino moved for the Board to approve the application for licensure.

SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

17. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FOR TESTING ACCOMMODATIONS SUBMITTED BY LAURINDA CUMMING, PH.D.

Ms. Fowkes provided a summary of the applicant's examination accommodation request and supporting documentation supplied to the Board. Ms. Fowkes described the available accommodation options, and the

limitations thereof, afforded by the policies of the Association of State and Provincial Psychology Boards and by the testing site company.

MOTION: Dr. Medina moved for the Board to approve Dr. Cumming's request for a testing accommodation allowing her time and a half with which to take the examination. SECOND: Dr. Caterino.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

18. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PERFORMANCE APPRAISAL FOR EXECUTIVE DIRECTOR AND POSSIBLE SALARY ADJUSTMENT

This agenda item was not heard and was moved to the next Board meeting agenda.

19. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING ENHANCING NOTIFICATIONS TO LICENSEES OF RENEWAL DEADLINES

This agenda item was not heard and was moved to the next Board meeting agenda.

20. ELECTION OF SECRETARY TO SERVE THE REMAINDER OF CALENDAR YEAR 2023

This agenda item was not heard and was moved to the next Board meeting agenda.

21. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION CONCERNING THE POSSIBLE RETAKE REQUEST SUBMITTED BY JENNIFER NANSON, PSY.D, SUPERVISED TEMPORARY LICENSE HOLDER NO. PSY-T-000002.

Ms. Fowkes provided a brief summary of the request submitted. The Board members discussed the pertinent timeframes deadlines associated with this application, and the applicant's previous unsuccessful attempts to pass the examination. It was noted that the applicant may wish to explore whether she may qualify for an accommodation to the exam.

MOTION: Dr. Mellott moved for the Board to approve the request for the retake of the exam. SECOND: Dr. Medina.

VOTE: The following Board members voted in favor of the motion: Mr. Dynar, Dr. Caterino, Dr. Stenhoff, Dr. Medina, Dr. Mellott, and Dr. Stewart.

VOTE: 5-yay, 0-nay, 0-abstain, 0-recuse.

MOTION PASSED.

22. NEW AGENDA ITEMS FOR FUTURE MEETINGS

No items were requested.

23. ADJOURNMENT

The meeting adjourned at 12:22 p.m.

Respectfully submitted,

Zitza Cognar

Adi Dynar, Esq. Secretary