

1 **BEFORE THE ARIZONA BOARD OF**
2 **PSYCHOLOGIST EXAMINERS**

3 In the Matter of:) **Case Nos.: 24-11 & 24-15**
4)
5 **NICOLE HUGGINS, PSY.D.**)
6 Holder of License No. 003948) **INTERIM FINDINGS OF FACT,**
7 For the Practice of Psychology,) **CONCLUSIONS OF LAW AND ORDER**
8 In the State of Arizona,) **FOR SUMMARY SUSPENSION OF**
9 Respondent) **LICENSE**

10 **INTRODUCTION**

11 The above-captioned matter came before the Arizona Board of Psychologist Examiners
12 (“Board”) for review on May 3, 2024. After reviewing relevant information and deliberating,
13 the Board considered proceedings for an Interim Order and possible summary suspension action
14 against the license of Nicole Huggins, Psy.D. (“Respondent”). Having considered the
15 information in the matter and being fully advised, the Board enters the following Interim
16 Findings of Fact, Conclusions of Law and Order for Summary Suspension of License No.
17 003948, pending formal hearing or other board action. A.R.S. §32-2081(I).

18 Having been properly noticed, Respondent did not appear before the Board on May 3,
19 2024. Respondent has not informed the Board whether she is represented by legal counsel.

20 **JURISDICTIONAL STATEMENT**

21 1. The Board is empowered, pursuant to A.R.S. § 32-2061, *et seq.*, to regulate the
22 licensing and practice of Psychology in the State of Arizona.

23 2. Respondent holds license No. 003948 issued by the Board to practice as a
24 psychologist in Arizona.

25 3. The Board has personal and subject-matter jurisdiction over Respondent
26 pursuant to A.R.S. § 32-2061 *et seq.*, and the rules at A.A.C. R4-26-101, *et seq.*

1 **INTERIM FINDINGS OF FACT**

2 4. Respondent was issued her psychologist license by the Board in 2008.
3 Respondent also maintains a psychologist license in Hawaii, issued on October 10, 2023, and
4 has held a Temporary Authorization to Practice with PSYPACT issued May 1, 2023 – May 1,
5 2024.

6 5. On or around October 6, 2023, the Board received Complaint No. 24-11 against
7 Respondent, filed by a representative of Respondent’s former employer, Bierman Autism
8 Centers (“Agency”). According to the complaint, Respondent was terminated by Agency for
9 multiple performance issues, including failure to complete an evaluation report and no-
10 showing/late cancellations for scheduled appointments with clients.

11 6. On or around November 3, 2023, the Board received Complaint No. 24-15
12 against Respondent, filed by her ex-husband (“JM”) a licensed psychologist in the State of
13 Arizona. According to the complaint, Respondent engaged in criminal activity by allegedly
14 unlawfully gaining access to JM’s email account. To date, it does not appear that Respondent
15 has been charged for this alleged conduct.

16 7. Respondent has been charged with two Class 1 misdemeanors relating to her
17 alleged violation of an Order of Protection obtained by Complainant JM. These criminal
18 charges are currently pending through Gilbert Municipal Court.

19 8. While Respondent submitted a written response to both complaints 24-11 and
20 24-15, she failed to provide additional information to the Board staff during its investigation.
21 Specifically, on February 14, 2024, Board staff emailed Respondent requesting that she supply
22 an update regarding the status of the criminal case by February 20, 2024. Respondent did not
23 reply to this email and did not supply the information.

24 9. On March 20, 2024, the Board’s Complaint Screening Committee (“CSC”) reviewed
25 complaint nos. 24-11 and 24-15. Respondent did not appear despite being properly
26 noticed of the meeting. After deliberation and by unanimous vote, the CSC approved a motion
to forward both complaints to the Board for further review regarding potential acts of
unprofessional conduct with a recommendation that Respondent be required to submit to a

1 fitness for duty evaluation. The CSC directed Board staff to issue a Subpoena to Respondent for
2 her appearance before the Board to provide testimony regarding the two complaints.

3 10. At its public meeting on May 3, 2024, the Board reviewed complaints 24-11 and
4 24-15. Respondent failed to comply with the Subpoena issued on March 20, 2024 compelling
5 her appearance at this meeting. The Board expressed concern that Respondent failed to
6 cooperate with its investigations and failed to provide information to the Board when requested,
7 failed to comply with a lawfully-issued Board subpoena to appear, and that the turmoil
8 Respondent cites in her personal life may be interfering with her ability to safely practice as a
9 psychologist. The Board also found that Respondent’s refusal to comply with a Board subpoena
10 and to supply investigation-relevant information to the Board indicates that she may be
11 incapable of being regulated.

12 11. After deliberation, by unanimous vote, the Board approved a motion to accept
13 the CSC’s recommendation to issue an Interim Order requiring Respondent to submit to a
14 fitness for duty evaluation with a Board-approved provider. The evaluation shall assess
15 Respondent’s fitness for duty and her ability to safely and competently practice psychology and
16 address any other concerns within their report. The Interim Order states “Within seven (7)
17 calendar days of the effective date of Interim Order, Respondent shall schedule an appointment
18 with one of the Board-approved providers for the evaluation. The Interim Order also states
19 “Within three (3) calendar days of scheduling of the evaluation, Respondent shall notify the
20 Board in writing of the name of the evaluator and the date/time of the evaluation.”

21 12. The Interim Order further states “**FAILING TO TIMELY SCHEDULE THE**
22 **APPOINTMENT, FAILURE TO TIMELY NOTIFY THE BOARD OF THE NAME OF**
23 **THE EVALUATOR AND DATE/TIME OF THE EVALUATION OR FAILURE TO**
24 **APPEAR FOR OR COMPLETE THE EVALUATION ABSENT EXIGENT**
25 **CIRCUMSTANCES, SHALL BE DEEMED A VIOLATION OF A BOARD ORDER**
26 **AND SHALL RESULT IN THE SUMMARY SUSPENSION OF RESPONDENT’S**
PSYCHOLOGIST LICENSE. THE BOARD FOUND THAT SUCH A VIOLATION
WOULD JEOPARDIZE THE PUBLIC’S HEALTH, SAFETY AND WELFARE AND

1 **WOULD REQUIRE EMERGENCY ACTION.”**

2 13. The due date for Respondent to comply with the appointment notification
3 requirement cited in paragraphs 11 and 12 was May 15, 2024. In violation of the Interim Order,
4 Respondent failed to communicate any information to the Board on or before May 15, 2024 to
5 demonstrate having met any of the requirements.

6 14. Pursuant to A.R.S. §32-2061(16)(aa), unprofessional conduct is defined as
7 “violating a formal board order.”

8 15. Pursuant to A.R.S. §32-2061(16)(bb), unprofessional conduct is defined as
9 “failing to furnish information in a timely manner to the board or its investigators or
10 representatives if requested or subpoenaed by the board.”

11 **INTERIM CONCLUSIONS OF LAW**

12 16. The conduct set forth in the above Interim Findings of Fact constitutes
13 unprofessional conduct as defined by A.R.S. §32-2061(16)(aa), which is “violating a formal
14 board order.”

15 17. The conduct set forth in the above Interim Findings of Fact constitutes
16 unprofessional conduct as defined by A.R.S. §32-2061(16)(bb) which is “failing to furnish
17 information in a timely manner to the board or its investigators or representatives if requested or
18 subpoenaed by the board.”

19 **FINDINGS OF EMERGENCY AND ORDER**

20 Based on the Interim Findings of Fact and the Interim Conclusions of Law as set forth
21 above, the Board finds that the public health, welfare and safety require emergency action.

22 **NOW IT IS THEREFORE ORDERED** that License No. 003948, issued to Nicole
23 Huggins, Psy.D., is hereby **SUMMARILY SUSPENDED** effective upon service of this Order,
24 pending a formal hearing pursuant to Title 41, chapter 6, article 10.

25 **IT IS FURTHER ORDERED** that such suspension shall remain in effect until the
26 conclusion of the formal hearing to be set in approximately thirty-five (35) days and a final
decision and order issued by the Board.

1 Service of this Order is effective upon either personal delivery or the date of mailing, by
2 U.S. certified mail, addressed to Respondent's last known address of record with the board. See
3 A.R.S. § 32-1855(I).

4 ISSUED THIS __17th__ DAY of MAY, 2024.

5 ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS

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7
8 By:



9 _____
Heidi Herbst Paakkonen
Executive Director

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11 Original "Interim Findings of Fact, Conclusions of Law And Summary Suspension of License"
filed electronically this _17th__ day of May, 2024 with:

12 The Arizona State Board of Psychologist Examiners
13 1740 W. Adams, Ste. 3403
Phoenix, AZ 85007

14 Copy of the foregoing "Interim Findings of Fact, Conclusions of Law And Summary Suspension
15 of License" sent via certified mail #_9589 0710 5270 1957 6198 30_, return receipt requested,
16 this _17th__ day of May, 2024 to:

17 Nicole Huggins, Psy.D.
18 Address of Record
Respondent

19 Copy of the foregoing "Interim Findings of Fact, Conclusions of Law And Summary Suspension
of License" sent via email this _17th__ day of May, 2024 to:

20 Jeanne M. Galvin
21 Assistant Attorney General SGD/LES

22 Arizona Attorney General's Office
23 2005 North Central Ave.
Phoenix, AZ 85004
24 Jeanne.galvin@azag.gov

25
26 By: _____

