



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
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KATIE HOBBS
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Committee on Behavior Analysts
REGULAR SESSION MINUTES
May 31, 2024 – 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

Kristen Byra, Ph.D., BCBA-D
Bryan Davey, Ph.D., BCBA-D
Tisha Denton, M.Ed., BCBA (departed the meeting at 1:58 p.m.)
Paige Raetz, Ph.D., BCBA-D
Donald Stenhoff, Ph.D., BCBA-D

Staff Present

Jennifer Michaelson, Deputy Director
Zakiya Mallas, Licensing Specialist

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

A quorum of the Committee was confirmed.

3. REMARKS/ANNOUNCEMENTS

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

Ms. Denton thanked the Committee members, Board staff, and Ms. Galvin for their efforts to prepare for today's meeting. She also expressed gratitude to the members of the public for their attendance and for sharing awareness with others with respect to the Committee's responsibility to protect the public.

● **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.

4. APPROVAL OF MINUTES

- **April 19, 2024 Regular Session Minutes**

Dr. Stenhoff recused from this item as he was not in attendance for this meeting.

MOTION: Dr. Davey moved to approve the April 19, 2024 draft minutes. Dr. Byra seconded the motion.

VOTE: The motion was approved 4-0.

- **April 26, 2024 Regular Session Minutes**
- **April 26, 2024 Executive Session Minutes**

Dr. Davey recused from this item as he was not in attendance for this meeting.

MOTION: Dr. Stenhoff moved to approve both sets of the April 26, 2024 draft minutes. Dr. Byra seconded the motion.

VOTE: The motion was approved 4-0.

5. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATIONS TO THE BOARD FOR THE FOLLOWING COMPLAINTS

- a. **Complaint No. 24-23, Elaine Helton, M.S.**
- a. **Complaint No. 24-24, Kandice Marrero, M.S.**

Dr. Stenhoff recused from the review of both cases. Ms. Denton summarized the allegations, noting that the Committee initially reviewed this joint complaint at its April 19, 2024 meeting and elected to table the matters to obtain additional information. Dr. Davey supplied a brief update regarding the new materials submitted since the initial case review.

The Complainant, JB, was present and addressed the Committee with a statement summarizing her concerns; no questions were posed by the Committee to her. The Respondents were both present for the review, accompanied by their attorney, Sara Stark. Ms. Stark provided the Committee with an opening statement on behalf of both respondents. Committee members proceeded with asking questions of both respondents relative to the standard of care provided to the client, the consultations in which they engaged concerning the client's services and behavioral plan, their oversight of the behavioral interventions used and the justifications for the decisions that were made, and the notations in the clinical record.

At the Committee's request, licensed behavior analyst Frank Frias, BCBA-D, was present and answered questions relative to the services provided to the child and his communication with the parties. The Committee engaged in questions and dialogue with Dr. Frias and the respondents for purposes of obtaining clarity as to the decisions that were jointly made and implemented with respect to the client's service plan.

MOTION: Ms. Denton moved to meet in Executive Session for the purpose of receiving legal advice. Dr. Byra seconded the motion.

VOTE: The motion was approved 4-0.

The Committee met in Executive Session from 11:36 a.m. to 11:49 a.m.

Upon resuming the meeting in open session, the Committee resumed posing questions to both respondents.

MOTION: Dr. Davey moved to recommend that the Board issue Ms. Helton a non-disciplinary Letter of Concern and non-disciplinary Order for Continuing Education that requires her to complete twelve hours in various content areas; this completed education cannot be used for purposes of meeting future licensure renewal requirements; any continuing education activities in the relevant content areas completed by Ms. Helton during

this complaint investigative and review process is eligible to meet this 12-hour requirement. Dr. Raetz seconded the motion.

VOTE: The motion was approved 4-0.

MOTION: Dr. Davey moved to recommend that the Board issue Ms. Marrero the same non-disciplinary action as Ms. Helton. Dr. Raetz seconded the motion.

VOTE: The motion was approved 4-0.

6. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING PROPOSED CORRECTIVE ACTION PLAN SUBMITTED BY BRITTANY KEELER CONCERNING SUPERVISION OF BCBA SUPERVISEES COMPLETING EXPERIENCE REQUIREMENTS TO APPLY FOR ARIZONA LICENSURE

Ms. Keeler was present and addressed the Committee, summarizing the corrective action plan she prepared at the Committee's request. She addressed questions about the plan that were posed by the Committee. It was the consensus of the Committee to take no action on this matter and that there is no necessity to formulate any recommendations to the Board to take any actions.

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

1. Alexandria Wagner, 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.

2. Lucero Valenzuela, M.S.

The applicant was present for the 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. Margaret Dooley-Loucks, M.A.

The applicant was present for the 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.

4. Caitlin Kilgore, M.S.W.

The applicant was present for the 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.

5. Brittany Joy, 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.

6. Katarina Alcazar, 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. Lindsay Nowakowski, M.A.

The applicant was present for the review and agreed to answer questions relative to the answers supplied on her application. 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 with the exception of the fact that the documentation reflects a supervisor was not licensed in Arizona for a period of 21 days during which she provided supervision. Ms. Nowakowski acknowledged she may have entered an incorrect date reflecting when the period of supervision began. The Committee directed staff to issue a FAIR letter for purposes of obtaining clarification for the start date of supervision and to request submission of a new supervision verification form.

8. Maryn Jackson, 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. It was noted that the applicant failed to record the conclusion date for a formerly held RBT position, but determined this was not a substantive application deficiency. The Committee determined the application can be forwarded to the Board with a recommendation for approval.

9. Mauro Lopez, 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. It was the consensus of the Committee to forward a recommendation to the Board that a referral be made to the BACB concerning Mr. Lopez' former supervisor, Tarah Marshall (who is not licensed in Arizona) for her failure to respond to his request to submit her supervised experience verification form in support of his application.

10. Aamirah Howard, 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.

11. Yang Vang, 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.

12. Shannon Majerczyk, M.A.*

The applicant was present for the 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. Bailey Barton, M.S.

The applicant was present for the review and answered Committee questions. 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. Stephanie Volk, 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.

15. Kathryn Laski, 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 with the exception of the fact that it isn't clear in the application in which state Ms. Laski was providing services when she was working as a Supervisor at ACES (her application indicates she was in both California and Arizona. The Committee directed staff to request clarification; if the response reflects this is a simple error that is easily corrected, the application can be forwarded to the Board. If, however, staff determines additional substantive review of that information is required, the application shall come back to the Committee.

16. Katelyn Montoya, M.Ed.

The Applicant was present for the review of her application and agreed to address the Committee's questions. 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 with the exception of the fact that her application reflects she completed all 1,500 of her supervised experience hours in Massachusetts from two supervisors who were licensed only in Ohio and not in Massachusetts. The Committee noted Ms. Montoya may consider requesting approval from the Board to withdraw her application and to be granted a refund of her application fee. The Committee took no action on this application.

17. Tamara Habern, 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.

18. Cathryn Rice, M.Ed., 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.

19. Kallie Mincey, 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.

20. James Moore, Ph.D.

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. Jordyn Kwitschau, M.A.

The Applicant joined the meeting during the review and agreed to address the Committee's questions. 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 with the exception of the fact that her application reflects she indicated she has been working as a Behavior Analyst in Arizona prior to having been authorized by licensure to do so. The Committee directed staff to issue a FAIR to Ms. Kwitschau to obtain clarification relative to the provision of supervision supplied to her by a licensed behavior analyst during the period of time in question.

22. Hulika Aydin, 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.

B. Behavior Analyst Applications for Licensure by Universal Recognition

1. NA

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

1. NA

*First Formal Additional Information Request

** Second Formal Additional Information Request

MOTION: Dr. Davey moved to forward to the full Board a recommendation to approve the applications of the following applicants: Alexandria Wagner, M.Ed.; Lucero Valenzuela, M.S.; Margaret Dooley-Loucks, M.A.; Caitlin Kilgore, M.S.W.; Brittany Joy, M.A.; Katarina Alcazar, M.A.; Lindsay Nowakowski, M.A.; Maryn Jackson, M.S.; Mauro Lopez, M.Ed.; Aamirah Howard, M.S.; Yang Vang, M.S.; Shannon Majerczyk, M.A.; Bailey Barton, M.S.; Stephanie Volk, M.Ed.; Tamara Habern, M.S.; Cathryn Rice, M.Ed., M.S.; Kallie Mincey, M.A.; James Moore, Ph.D.; Hulika Aydin, M.A. The motion directed Board staff to issue FAIRs to Lindsay Nowakowski, M.A. and to Jordyn Kwitschau, M.A. as reflected in the discussion. No action was taken on the applications for Kathryn Laski, M.A and for Katelyn Montoya, M.Ed. as staff was directed to obtain additional information from them as noted in the discussions above. Dr. Stenhoff seconded the motion.

VOTE: The motion was approved 4-0.

Ms. Denton departed from the meeting at 1:58 p.m.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING DYLAN HUFF'S COMPLIANCE STATUS WITH HIS CONSENT AGREEMENT AND ORDER FOR CASE NOS. 20-51 & 23-02, THE SUMMARY SUSPENSION OF HIS BCBA CERTIFICATION BY THE BEHAVIOR ANALYST CERTIFICATION BOARD (BACB), AND RECOMMENDED ACTIONS TO FORWARD TO THE BOARD

Ms. Denton recused from this agenda item. Ms. Michaelsen summarized the matter, reminding the Committee that in November of 2023, Mr. Huff entered into a disciplinary Consent Agreement for two complaints which prescribed a term of probation during which he is required to complete continuing education in various content

areas and work with a practice monitor. The monitoring requirement was tolled until such time Mr. Huff obtained employment as a behavior analyst. Ms. Michaelsen noted that Mr. Huff had not completed the continuing education requirement by the February 13, 2024 due date, a potential violation of A.R.S. §32-2091(12)(aa) which defines unprofessional conduct as “violating a formal board order, consent agreement, term of probation or stipulated agreement issued under this article.”

Ms. Michaelsen described a series of prompts made to Mr. Huff to obtain clarity concerning his return to practice, and she indicated that evidence gathered suggests that he may be pursuing a different profession. She also explained that Board staff learned the BACB summarily suspended Mr. Huff’s certification on April 30, 2024 for his failure to submit probation and monitoring reports pursuant to a BACB-issued Final Disciplinary Determination in December of 2023. Ms. Michaelsen noted a suggestion was made to Mr. Huff by staff to consider voluntarily surrendering his license given his lack of compliance with Board and BACB requirements, and if he wishes to circumvent additional investigations.

Mr. Huff was present and addressed the Committee with a statement and addressed their questions.

MOTION: Dr. Davey moved to meet in Executive Session for the purpose of receiving legal advice. Dr. Stenhoff seconded the motion.

VOTE: The motion was approved 4-0.

The Committee met in Executive Session from 2:22 p.m. to 2:30 p.m.

Upon resuming open session, the Committee asked Mr. Huff additional questions.

MOTION: Dr. Davey moved to recommend the Board offer Mr. Huff a Consent Agreement for the voluntary surrender of his license, if not accepted, the Board will instead consider the Committee’s recommendation to open a complaint against Mr. Huff for noncompliance with a Board order. Dr. Stenhoff seconded the motion.

VOTE: The motion was approved 4-0.

9. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECENT UPDATES FROM THE BEHAVIOR ANALYST CERTIFICATION BOARD (BACB)

Ms. Michaelsen summarized a recent update issued by the BACB regarding a system enhancement to their website that now features a repository of disciplinary actions taken by behavior analyst regulatory agencies in the United States. This enhancement was announced at the regulator’s conference held on March 7, 2024 as many regulators have discussed the necessity of developing and maintaining a centralized repository for accessing information on disciplinary actions. This BACB Disciplinary Actions webpage now includes links to published state actions, and BACB personnel will continually monitor the jurisdictions’ websites for any updated disciplinary actions taken and post the links accordingly.

10. NEW AGENDA ITEMS FOR FUTURE MEETINGS

Dr. Byra requested a future agenda item to discuss application processing timeframes.

11. ADJOURN

Dr. Stenhoff announced the adjournment of the meeting at 2:26 p.m.