

STATE OF ARIZONA BOARD OF PSYCHOLOGIST EXAMINERS 1740 WEST ADAMS STREET, SUITE 2430 PHOENIX, AZ 85007

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KATIE HOBBS Governor HEIDI HERBST PAAKKONEN, M.P.A. Executive Director

BOARD MEETING MINUTES

October 4, 2024

Board Members

Aditya Dynar, Esq.— Chair Diana Medina, Ph.D.— Vice Chair Bryan Davey, Ph.D., BCBA-D Linda Caterino, Ph.D., ABPP Melissa Flint, Psy.D. Donald Stenhoff, Ph.D., BCBA-D Larry Sideman, Ph.D., ABPP Joseph Stewart, Ed.D.— Secretary

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 called the meeting to order at 8:30 a.m.

2. ROLL CALL

The following Board members participated in the virtual meeting: Mr. Dynar, Dr. Medina, Dr. Stewart, Dr. Caterino, Dr. Davey (*departed at 8:45 a.m.*), Dr. Flint, and Dr. Sideman.

ALSO PRESENT

The following Board staff participated in the virtual meeting: Heidi Herbst Paakkonen, Executive Director; Jennifer Michaelsen, Deputy Director; Jeanne Galvin (departed at 10:55 a.m.; rejoined at 11:13 a.m.), Assistant Attorney General; Marc Harris, Assistant Attorney General (joined at 10:50 a.m.); 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 the Board's meetings.

Continuing Education Credit for Board Meeting Attendance

Mr. Dynar announced that the meeting will not exceed four hours and therefore no continuing education credit will be awarded for attendance.

• Recognition of Board Service Completion - Todd Wynn, M.A.

Mr. Dynar announced that Mr. Wynn had resigned from the Board. He commented that Mr. Wynn left a lasting and impactful impression, and that he was a valued member who effectively reflected the essential public perspective.

4. CALL TO THE PUBLIC

This item was not addressed due to quorum limitations.

5. COUNSEL UPDATE

Ms. Galvin noted that she will participate later that day in a case conference before the assigned Administrative Law Judge concerning the formal hearing for the two cases involving behavior analyst Jamie Jones.

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

Dr. Medina announced she is recused from item 6.E. Dr. Caterino requested item 6.D. be removed for purposes of discussion.

A. EXECUTIVE DIRECTOR'S REPORT

B. DISCUSSION/DECISION REGARDING PSYCHOLOGIST APPLICATIONS

- 1. Requesting Approval to Sit for the EPPP Only (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Meya Mongkuo, Ph.D.
- 2. Requesting Approval to Sit for EPPP & Licensure (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Fen Salix, Psy.D.
 - b) Asheeki Elmore, Psy.D.
 - c) Jessi Andrino, Psy.D.
- 3. Requesting Approval of Supervised Experience for Licensure (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Weston Baker, Ph.D.
- 4. Requesting Approval for Licensure by Waiver (A.R.S. §§ 32-2071, 2071.01 & 2072)
 - a) Tess Collett, Ph.D.
 - b) Chelsea Wallen, Psv.D.
 - c) Indra Abril Gonzalez Juarez, Psy.D.
 - d) Amy Schaefer, Psy.D.
 - e) Kerrey Bogardus, Psy.D.
- 5. Requesting Approval for Licensure by Credential (ABPP, CPQ or NRHSP) (A.R.S. § 32-2071.01)
 - a) Elinor Coloccia, Psy.D.
- 6. Requesting Approval for Licensure by Universal Recognition (A.R.S. § 32-4302)
 - a) Samantha Kalilikane, Psy.D.
 - b) Michael Bachop, Ph.D.
- 6. Requesting Approval for Telehealth Registry (A.R.S. § 36-3606)
 - a) Rebecca La Prade, Ph.D.
 - b) Hilary Foster, Ph.D.
 - c) Janet Kennedy, Ph.D.

d) Carley Decker, Ph.D.

C. DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS

- 1. Katelin Burford, M.A.
- 2. Andrea Nault, M.A., M.S.
- 3. Marcella Monzon, M.A.
- 4. Kelsi Wusterbarth, M.Ed.
- 5. Haylee Cook, M.S.
- **6.** Matthew Harrington, M.A.
- 7. Stephanie Stoyanof, M.A.
- 8. Margie Abualkhail, M.A.
- 9. Gretchen Williams, M.Ed.
- 10. Melissa Sable, M.A.e
- 11. Charles Platt, M.A.
- 12. Guy Brewer, M.S.
- 13. Amanda Mentzer, M.A.
- D. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING EPPP RETAKE REQUEST WITH ACCOMMODATIONS SUBMITTED BY VANESSA SMITH, PH.D., TEMPORARY LICENSE HOLDER NO. PSY-T-000066
- E. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING EPPP RETAKE REQUEST SUBMITTED BY MEGAN D. MCCARTHY, PSY.D., TEMPORARY LICENSE HOLDER NO. PSY-T-000067
- F. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REACTIVATION REQUEST SUBMITTED BY STEVE JENKINS, PH.D.
- G. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION FROM THE COMMITTEE ON BEHAVIOR ANALYSTS PERTAINING TO REACTIVATION REQUEST SUBMITTED BY ARIANA LEONE, M.A.
- H. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING EPPP RETAKE REQUEST SUBMITTED BY JAIMIE STEPHENSON, PSY.D., SUPERVISED TEMPORARY LICENSE HOLDER NO. PSY-T-000059

MOTION: Dr. Medina moved for the Board to approve the items listed under the Consent Agenda (with the recusal as noted).

SECOND: Dr. Stewart.

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

VOTE: 6-yay, 0-nay, 0-abstain, 1-recused (item 6.E.).

MOTION PASSED.

The Board discussed the examination accommodation request for item 6.D. Board staff explained that historically the Board relies on the recommendation prepared by the applicant's provider.

MOTION: Dr. Sideman moved for the Board to approve the examination accommodation requests as identified in the applicant's request.

SECOND: Dr. Stewart.

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

VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

MOTION PASSED.

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 RELATING TO INITIAL CASE REVIEW OF COMPLAINT NO. 24-28 AGAINST MARY ANN LANZILOTTA, PH.D.

Dr. Medina summarized the complaint noting that in 2021, Dr. Lanzilotta was court appointed to serve as the Therapeutic Interventionist ("TI") to assist in the reunification process with the complainant JT and his eldest daughter (age 17.5 at that time). Dr. Medina noted the record reflects Dr. Lanzilotta submitted a single report to the court noting that no additional services would be provided as the daughter had turned 18, and she noted reunification was not successful. In April 2024, JT filed a Claim, subsequently opened as a complaint, against Dr. Lanzilotta stating multiple allegations including that the licensee failed in her duty as TI and that she was instrumental in the failed reunification. In her response, Dr. Lanzilotta asserted she met the standard of care and did her best to assist with mending the relationship despite the very late appointment by the Court. Dr. Medina summarized the Complaint Screening Committee's (CSC's) concern that Dr. Lanzilotta failed to comply with the Court order to supply an update at 90 days, and her sole report to the Court was issued at the 6-month mark after the daughter turned 18. The Committee discussion reflected that Dr. Lanzilotta had a professional duty to notify the Court of any updates at the required 90-day deadline, even if there was little information to report, so that the Court could take any action it deems appropriate. Dr. Medina cited A.R.S. § 32-2061(16)(o), providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice as possible jurisdiction for this complaint.

JT was present and made a statement to the Board reiterating his concerns relative to Dr. Lanzilotta.

Flynn Carey, counsel to Dr. Lanzilotta, commented that the CSC forwarded the complaint to the Board out of concern she did not submit a 90-day report, however, in her clinical judgment and as the TI for the case, there was nothing to report. He cautioned that Dr. Lanzilotta should not be held to the standard that she be expected to function as a judge in this matter, and he asserted she practiced consistent with the standard of care. Mr. Carey requested the Board dismiss the complaint, or at most issue a Letter of Concern. The Board posed several questions to Dr. Lanzilotta to obtain clarity around her election to not issue a 90-day report to the Court.

The Board deliberated the case and expressed concerns that the deadline for the 90-day report was not met by Dr. Lanzilotta.

MOTION: Mr. Dynar moved for the Board to remand the case to an informal interview regarding a potential violation of A.R.S. § 32-2061(16)(0).

SECOND: Dr. Stewart.

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

Dr. Flint, Dr. Sideman, and Dr. Stewart. VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING REQUEST FROM MARK ANDERSON, PH.D., FOR THE BOARD TO STAY ITS INVESTIGATION OF PENDING COMPLAINT NO. 24-39; AND REVIEW OF HIS PENDING RENEWAL APPLICATION AND INACTIVE STATUS REQUEST

Ms. Michaelsen advised the Board that Dr. Anderson is the subject of complaints submitted by Nevada resident BS to the Arizona and Nevada Boards consisting of virtually identical allegations that he offered "miracle pills" to her during the course of her therapy, and her use of them negatively impacted her physical health. BS also alleges Dr. Anderson failed to maintain proper records for her treatment. She noted the complaint has not yet been adjudicated by the Nevada Board and the timeline for resolution is unknown. Ms. Michaelsen reported Dr. Anderson is requesting the Board allow this matter to be considered and adjudicated first by the Nevada Board,

and assured he will provide the Arizona with the outcome of the Nevada complaint within 10 days of its final adjudication.

Ms. Michaelsen also advised the Board is asked to give direction on Dr. Anderson's pending renewal application on which he is requesting to change his license from Active to Inactive status. Dr. Anderson represents that he is not currently practicing in Arizona.

Mandi Karvis, counsel for Dr. Anderson, advised the Board that the process in Nevada is moving slowly as the complainant continues to submit a large volume of documents to the complaint. She explained the supplement in question has not been sold since 2019, and she stated other rationale to her client's position that pausing this investigation to allow the Nevada adjudication to be complete is most appropriate. Ms. Karvis addressed questions posed by the members.

The discussion reflected that the outcome of Nevada's investigation will help to inform this Board's decision.

MOTION: Dr. Stewart moved for the Board to stay the complaint investigation until the outcome of the Nevada Board is received.

SECOND: Dr. Medina.

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

Dr. Flint, Dr. Sideman, and Dr. Stewart.

VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

Ms. Galvin advised the Board that historically the Board has not permitted a licensee to change their application status from active to inactive in order to preserve its jurisdiction over the licensee. She explained the application can be held pending the outcome of the complaint. The Board discussion reflected a status change at this time would not be appropriate.

MOTION: Dr. Sideman moved for the Board to deny Dr. Anderson's application to be placed on inactive status.

SECOND: Dr. Medina.

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

Dr. Flint, Dr. Sideman, and Dr. Stewart. VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING RECOMMENDATION FROM THE COMMITTEE ON BEHAVIOR ANALYSTS TO DISMISS COMPLAINT NO. 24-28 AGAINST ASHLEY HORTON, M.S. – Ms. Michaelsen

Ms. Michaelsen summarized the complaint submitted by MD (a licensed behavior analyst) in her capacity as a compliance manager for the Department of Economic Security's Division of Developmental Disabilities. She noted this complaint is connected to two others that remain under investigation and in review status with the Committee on Behavior Analysts. She explained the complaint alleges fraudulent billing and unlicensed practice occurring at Swan Therapy Group, an applied behavior analysis service provision agency, for which Ms. Horton worked from July 2023 to December 2023 as an "Assessment BCBA". Ms. Michaelsen reported the Committee observed in the investigative record that Ms. Horton's name was being used to bill for services without her knowledge; additionally, she did not have any involvement in the assessment, treatment or supervision for services provided to the client referenced in the complaint, nor did she have any involvement in the agency's billing. Ms. Michaelsen noted Ms. Horton stated she was not aware services were being billed under her license until after receiving this complaint; this prompted her to resign from the agency. Ms. Michaelsen explained Swan's Chief Operating Officer, Pamela Miller, affirmed the company billed using Ms. Horton's name since she was the first BCBA contracted, apologizing for that action in the process. Based on this information and interviewing Ms. Horton, the CBA determined to recommend dismissal to the Board.

Ms. Horton and her attorney, Michael Raine, were present and requested the complaint be dismissed, consistent with the Committee's recommendation.

MOTION: Dr. Stewart moved for the Board to accept the recommendation of the Committee to dismiss complaint 24-28 against Ashley Horton.

SECOND: Dr. Medina.

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

Dr. Flint, Dr. Sideman, and Dr. Stewart. VOTE: 6-vay, 0-nay, 0-abstain, 1-recused.

10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING INFORMATION RECEIVED CONCERNING MARTIN GANGLEY (UNLICENSED IN ARIZONA), PREVIOUSLY ISSUED A CEASE AND DESIST ORDER BY THE BOARD ON DECEMBER 21, 2020, TO INCLUDE

POTENTIAL CRIMINAL INVESTIGATION REFERRALS AND SEEKING INJUNCTIVE RELIEF

This item was not addressed due to quorum limitations.

11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING SUBSTANTIVE REVIEW OF APPLICATIONS FOR PSYCHOLOGIST EPPP AND/OR LICENSURE - Dr. Medina

Dr. Flint announced she is recused from agenda item 11.

. Krista Perdue, Psy.D. - Waiver, passed EPPP & not licensed independently

Dr. Medina provided a summary of the application file. She noted that her review does not identify any deficiencies with this application as the documentation submitted establishes the file is administratively and substantively complete, and that the applicant meets the statutory qualifications for the supervised experience hours for licensure to be approved. However, there are errors concerning the accreditation status of the applicant's internship on the submitted form.

MOTION: Dr. Medina moved for the Board to approve the application contingent on the receipt of a corrected internship documentation.

SECOND: Dr. Stewart.

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

Dr. Davey, Dr. Sideman, and Dr. Stewart.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recused.

b. Brian Reisenauer, Psy.D. - EPPP & Licensure

Dr. Medina provided a summary of the application file. She noted that her review does not identify any deficiencies with this application as the documentation submitted establishes the file is administratively and substantively complete, and that the applicant meets the statutory qualifications for the supervised experience hours for licensure to be approved. Dr. Medina cited the applicant's misdemeanor conviction from 2011 and observed all court-ordered sentencing requirements were met.

MOTION: Dr. Medina moved for the Board to approve the application contingent on the receipt of a corrected internship documentation.

SECOND: Dr. Sideman.

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

Dr. Davey, Dr. Sideman, and Dr. Stewart.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recused.

c. Paige Wilcox, Psy.D. - EPPP & Licensure

Dr. Medina provided a summary of the application file. She noted that her review does not identify any deficiencies with this application as the documentation submitted establishes the file is administratively and substantively complete, and that the applicant meets the statutory qualifications for the supervised experience hours for licensure to be approved.

MOTION: Dr. Medina moved for the Board to approve the application contingent on the receipt of a corrected internship documentation.

SECOND: Dr. Sideman.

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

Dr. Davey, Dr. Sideman, and Dr. Stewart.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recused.

12. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION CONCERNING DRAFT PROPOSED REVISIONS TO A.A.C. R4-26-406

This item was not addressed due to quorum limitations.

13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DRAFT PROPOSED SUBSTANTIVE POLICY STATEMENT CLARIFYING A.R.S. §32-2072 SPECIFIC TO EXAMINATION CANDIDATE APPROVAL FOR PART 1 OF THE EPPP

This item was not addressed due to quorum limitations.

14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED AMENDMENT TO THE ASPPB BYLAWS AND ASPPB RESPONSE TO THE SAME

Ms. Paakkonen informed the Board that the purpose of this agenda item is for the Board to discuss this matter and to provide direction, through adoption of a motion, to Arizona's voting delegate to the meeting, Joseph Stewart, Ph.D. She explained that an amendment to Article IV of the bylaws of the Association of State and Provincial Psychology Boards (ASPPB) is proposed by the Texas State Board of Examiners of Psychologists. The proposed amendment will be presented to the member delegates for a vote during the ASPPB Annual Meeting on October 31, 2024. She called to the Board's attention the proposed amendment and its justification, as well as the ASPPB response, its justification, and the implications should the language be adopted.

The Board discussed and deliberated the matter, taking note of the language at A.R.S. §32-2072 in the process.

MOTION: Dr. Medina moved for the Board to direct Dr. Stewart as Arizona's delegate to vote in favor of the introduction and consideration of the proposed bylaws revision submitted by the Texas State Board of Examiners of Psychologists.

SECOND: Dr. Sideman.

ROLL CALL VOTE:

Mr. Dynar – yes

Dr. Medina – yes

Dr. Stewart – yes

Dr. Caterino - yes

Dr. Flint – yes

Dr. Sideman - yes

VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

MOTION: Mr. Dynar moved for the Board to direct Dr. Stewart as Arizona's delegate to propose a motion to the delegate assembly to postpone a vote on the proposed bylaws revision in order to enable member boards to have more discussion and collection of information on this issue.

SECOND: Dr. Caterino.

ROLL CALL VOTE:

Mr. Dynar – yes

Dr. Medina - yes

Dr. Stewart - yes

Dr. Caterino - yes

Dr. Flint – yes

Dr. Sideman - yes

VOTE: 6-yay, 0-nay, 0-abstain, 0-recused.

MOTION: Dr. Medina moved for the Board to direct Dr. Stewart as Arizona's delegate to vote against the proposed bylaws revision submitted by the Texas State Board of Examiners of Psychologists if the motion to delay the vote as articulated above does not occur.

SECOND: Dr. Caterino.

ROLL CALL VOTE:

Mr. Dynar - no

Dr. Medina - yes

Dr. Stewart - yes

Dr. Caterino - yes

Dr. Flint - no

Dr. Sideman - yes

VOTE: 4-yay, 2-nay, 0-abstain, 0-recused.

15. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING BEHAVIOR ANALYST CERTIFICATION BOARD (BACB) CALL FOR 2025 HEMINGWAY AWARD NOMINATIONS

Ms. Paakkonen informed the Board that each year, the BACB honors an individual with the Michael Hemingway Behavior Analysis Award to recognize distinguished contributions to the development of public policy related to behavior analysis, or to increase the availability of behavior-analytic services. She explained this matter is on the Board agenda in the event the members wish to submit a nomination.

MOTION: Dr. Medina moved for the Board to submit a nomination for Bryan Davey, Ph.D., BACB-D.

SECOND: Dr. Caterino.

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

Dr. Flint, Dr. Sideman, and Dr. Stewart.

VOTE: 6-yay, 0-nay, 0-abstain, 1-recused.

16. NEW AGENDA ITEMS FOR FUTURE MEETINGS

This item was not addressed due to quorum limitations.

17. ADJOURNMENT

Mr. Dynar announced the adjournment of the meeting at 11:26 a.m. at which time there was no quorum of members remaining.

Respectfully submitted,

Joseph Stewart, Ph.D. Secretary