



Governor  
Douglas A. Ducey

## *Arizona Board of Psychologist Examiners*

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<https://psychboard.az.gov>

### **Board Members**

Bob Bohanske, Ph.D., FNAP, Chair  
Lynn L. Flowers, Ph.D., Vice-Chair  
Diana Davis-Wilson, DBH, BCBA, Secretary  
Janice K. Brundage, Ph.D.  
Bryan Davey, Ph.D., BCBA-D  
Joseph C. Donaldson  
Matthew A. Meier, Psy.D.  
Ramona N. Mellott, Ph.D.  
Tamara Shreeve, MPA

### **Executive Director**

Jenna Jones

## **REGULAR SESSION MINUTES**

*March 8, 2019*

*7:45 a.m.*

1740 W. Adams St.  
Conference Room A (1<sup>st</sup> Floor)  
Phoenix, AZ 85007

### **1. CALL TO ORDER**

The regular session of the Arizona State Board of Psychologist Examiners was called to order by Chairman Bohanske at 7:45 a.m. on March 8, 2019, one Executive Session was held. Board members appeared telephonically.

### **2. ROLL CALL**

#### **Board Members Present**

Bob Bohanske, Ph.D. – Chair  
Lynn L. Flowers, Ph.D. – Vice-Chair  
Diana Davis-Wilson, DBH, BCBA – Secretary  
Janice K. Brundage, Ph.D., FNAP  
Bryan Davey, Ph.D., BCBA-D  
Joseph Donaldson  
Matthew Meier, Psy.D.  
Ramona N. Mellott, Ph.D. (left at 9:55 a.m.)  
Tamara Shreeve, MPA

#### **Staff Present**

Jenna Jones, Executive Director  
Heather Broaddus, Deputy Director  
Kathy Fowkes, Licensing Specialist  
Krishna Poe, Administrative Assistant

#### **Attorney General's Office**

Jeanne Galvin, Esq.  
Marc Harris, Esq.

### **3. REMARKS/ANNOUNCEMENTS**

Dr. Bohanske thanked Board members and staff for their hard work and dedication.

### **4. CALL TO THE PUBLIC**

There were no requests to speak at this time.

## **5. COUNSEL UPDATE**

Ms. Galvin stated that the case involving Dr. Gray is still pending with the Superior Court. She stated that oral argument is scheduled for March 15, 2019. Ms. Galvin stated that the Board received a favorable decision in the case involving Dr. DenBoer. Ms. Galvin stated that the judgement was filed on March 7, 2019. Dr. DenBoer has 35 days from the date of the judgement to appeal the decision. Ms. Galvin stated that Dr. DenBoer's attorney indicated that an appeal will be filed. Ms. Galvin will continue to keep the Board apprised of the cases.

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

Dr. Davis-Wilson recused from Brandy Naleski, M.Ed. and Adrian Weaver, M.A. Dr. Flowers removed item 6. e. for independent discussion. Dr. Mellott made a motion, seconded by Dr. Flowers, to approve the items on the Consent Agenda. The motion carried 9-0.

### **(a) APPROVAL OF MINUTES**

- February 8, 2019, Regular Session

### **(b) DISCUSSION/DECISION REGARDING PSYCHOLOGY APPLICATIONS**

#### **i. REQUESTING APPROVAL TO SIT FOR EXAMINATION (EPPP) ONLY**

- Alicia Miller, Psy.D.
- Brian Arizmendi, Ph.D.
- Jessica Lynne Spigner, Ph.D.
- Kim Anh Bui, Psy.D.

#### **ii. REQUESTING APPROVAL TO SIT FOR EPPP AND LICENSURE**

- Christopher Robert Glowacki, Psy.D.
- Elizabeth A. Johnson-Heston, Psy.D.
- Laura E. Jimenez Arista, Ph.D.
- Nicole M. Farmer, Ph.D.
- Rosalba Mada, Ph.D.

#### **iii. REQUESTING APPROVAL OF LICENSURE BY WAIVER**

- David Michael Stein, Ph.D.
- Dixie Jean Woolston, Ph.D.
- Jessica Ostendorf Pishney, Psy.D.
- Margot Scott Bradley, Psy.D.
- Nicole C. Spanakis, Psy.D.

#### **iv. REQUESTING APPROVAL OF POSTDOCTORAL EXPERIENCE FOR LICENSURE**

- Aubrey Anne Hardesty, Psy.D.

#### **v. REQUESTING APPROVAL OF LICENSURE BY CREDENTIAL**

- Isaac Evaughn Florez, Psy.D.

#### **vi. REQUESTING APPROVAL TO SIT FOR THE EXAMINATION (EPPP) AND TEMPORARY LICENSURE**

- Danielle Marie Weston, Psy.D.

**(c) DISCUSSION/DECISION REGARDING BEHAVIOR ANALYST APPLICATIONS**

- Adrian Weaver, M.A.
- Anne Terese Yslas, M.A.
- Brian Harrison Schaffer, M.S.
- Delain Brooks Ritchey, M.A.
- Elaina Rae Posthumus, M.Ed.
- Elias Tolano, M.Ed.
- Irene Uberstine, M.A.
- Maria Elizabeth Cornish, M.A.
- Rachel Ann Crupi, M.S.
- Stephanie Nicole Bewley, M.Ed.

**(d) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST TO RETAKE THE EPPP FROM ELENA MARIE RIVERA, PSY.D. TEMPORARY LICENSE HOLDER PSY-T-000003**

**~~(e) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM GREG PEETOOM, PH.D.~~**

**(f) DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM BRANDY NALESKI, M.ED.**

**7. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING REQUEST FOR REACTIVATION OF INACTIVE LICENSE FROM GREG PEETOOM, PH.D.**

Dr. Flowers provided a summary stating that Dr. Peetoom completed 28 hours of continuing education and has been on inactive status for two or more years. According to rule, Dr. Peetoom is required to complete a minimum of 40 hours of continuing education. After deliberation, Dr. Bohanske made a motion, seconded by Dr. Flowers, to request that Dr. Peetoom submit an additional 12 hours of continuing education that meets the rule requirement. The continuing education will be reviewed by the Board's Executive Director, Ms. Jones. If the continuing education meets the rule requirement Dr. Peetoom's license will be reactivated. The motion carried 9-0.

**8. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PSYCHOLOGIST APPLICATION FOR EXAM AND LICENSURE FROM ERNESTO REZA, PSY.D.**

Dr. Mellott provided a summary stating that the Application Review Committee reviewed Dr. Reza's application and expressed concern regarding his use of the designation "psychologist" in his employment. Dr. Reza was present and clarified that his use of the title is within the Department of Veterans Affairs (VA) guidelines for staff that are not licensed. He explained that he never refers to himself as a psychologist or portrays himself as a licensed psychologist to clients/patients. Board members commented that the information provided regarding the VA's guidelines indicate that Dr. Reza should refer to himself as a "graduate or staff psychologist". Board members noted that the VA is a federal facility and that the State does not have jurisdiction over federal facilities or their guidelines. After deliberation, Dr. Mellott made a motion, seconded by Dr. Flowers, to approve Dr. Reza to sit for the EPPP and licensure upon a passing score and payment of the prorated license fee. The motion carried 9-0.

## **9. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION RELATING TO INITIAL CASE REVIEWS OF THE FOLLOWING INVESTIGATIONS**

### John McCaine, Ph.D., Complaint No. 18-21

Dr. Brundage provided a summary stating the Arizona Board of Behavioral Health Examiners (BBHE) forwarded this Complaint to the Board expressing concern that Dr. McCaine did not provide adequate supervision to a licensed master social worker applicant (Applicant). The Complaint Screening Committee (Committee) reviewed the Complaint and forwarded it to the Board for further review.

Dr. McCaine and his attorney, John Ager, Esq., were present, requested to speak, made a statement and answered Board members' questions. Mr. Ager noted that Arizona statutes and rules for psychology do not require that supervisor's document supervision hours for licensure with BBHE. Dr. McCaine clarified that he was not aware of what documentation Applicant submitted to BBHE. Dr. McCaine affirmed that he became an approved supervisor with BBHE in 2014 and that since this Complaint he has completed additional continuing education pertaining to supervision. Board members asked Dr. McCaine if there was a written supervision agreement between him and Applicant. Dr. McCaine stated that there was not. He explained that Applicant was an employee and was receiving primary supervision from a licensed master level professional.

Board members deliberated and expressed concern with Dr. McCaine's lack of supervision documentation. After deliberation, Dr. Bohanske made a motion, seconded by Dr. Mellott, to dismiss Complaint No. 18-21. The motion failed 2-7 on a roll call vote with Dr. Bohanske and Dr. Mellott voting for the motion and Dr. Brundage, Dr. Davey, Dr. Davis-Wilson, Mr. Donaldson, Dr. Flowers, Dr. Meier and Ms. Shreeve voting no.

Dr. Brundage made a motion, seconded by Mr. Donaldson, to move Complaint No. 18-21, to an Informal Interview for possible violation of A.R.S. §32-2061(16)(h) failing or refusing to maintain and retain adequate business, financial or professional records pertaining to the psychological services provided to a client or patient. The motion carried 7-2 on a roll call vote with Dr. Bohanske and Dr. Mellott voting no.

### Michael Tansy, Ph.D., Complaint No. 18-27

Dr. Brundage and the Board's Assistant Attorney General, Ms. Galvin, recused from reviewing this item and exited the meeting room. Assistant Attorney General, Marc Harris, represented the Board in this matter.

Mr. Donaldson provided a summary stating the Complaint Screening Committee (Committee) reviewed the Complaint and forwarded it to the Board for further review. Mr. Donaldson explained that the Committee expressed concern that a sexually explicit image was on Dr. Tansy's computer monitor when a patient entered his office. Additionally, the Committee expressed concern that sexually explicit images do not "pop-up" on a monitor unless there is a search history for those types of website's.

Dr. Tansy and his legal counsel, Larry Cohen, Esq., were present, requested to speak, made a statement and answered Committee members' questions. Mr. Cohen stated that after hearing the Committee's concerns he conducted further research and explained that there is a phenomenon called "Drive by Downloading". This program may cause "pop-ups" to occur. Additionally, Mr. Cohen maintains that in no way did Dr. Tansy cause the image to appear on his monitor. Furthermore, Mr. Cohen reviewed the corrective action Dr. Tansy has taken since the incident.

Board members deliberated and recognized the documentation submitted by Dr. Tansy as well as the corrective action he has taken. After deliberation, Mr. Donaldson made a motion, seconded by Dr. Flowers, to dismiss Complaint No. 18-27 as there is no violation of statute or rule. The motion carried unanimously 8-0-1 on a roll call vote with Dr. Brundage recused.

**10. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING DETERMINATION OF JURISDICTION IN RELATION TO COMPLAINT NO. 18-25, JOHN DENBOER, PH.D.**

Ms. Broaddus provided a summary stating that Dr. DenBoer's attorney, J. Arthur Eaves, Esq., is arguing that the Board lacks jurisdiction in Complaint No. 18-25 pursuant to A.R.S. §23-1026(D). Board staff subpoenaed the complainant records from the treating physician to assist the Board in determining jurisdiction. Board members noted that Dr. DenBoer did not submit his patient records. After deliberation, the Board voted to table this matter and directed Board staff to subpoena Dr. DenBoer's patient records.

**11. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING PRACTICE MONITOR'S RECOMMENDATION TO DECREASE THE SUPERVISION/MONITORING REQUIREMENTS IN RELATION TO THE CONSENT AGREEMENT AND ORDER FOR COMPLAINT NO.'S 16-36, 16-53 AND 17-23, JOHN DENBOER, PH.D.**

Ms. Jones provided a summary stating that the Board office received Dr. DenBoer's first quarterly report and it was noted that the Practice Monitor is recommending a decrease in the amount of practice monitoring sessions stipulated in the Consent Agreement and Order. Ms. Jones explained that the Consent Agreement and Order stipulates bi-monthly meetings for a minimum of two hours each session for the first six months. The Practice Monitor may decrease the sessions to once a month after the first six months. Ms. Jones stated that the Consent Agreement and Order became effective on October 9, 2018. After deliberation, Dr. Flowers made a motion to deny the Practice Monitor's recommendation. The motion died due to lack of a second.

Dr. Bohanske made a motion, seconded by Dr. Brundage, to accept the Practice Monitor's recommendation to decrease the sessions to once a month for a minimum of two hours effective April 1, 2019. The motion carried 8-1 with Dr. Flowers voting no.

**12. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING CORRESPONDENCE RECEIVED FROM HEATHER BRISTER, PH.D.**

*At 9:12 a.m. Ms. Shreeve made a motion, seconded by Dr. Davey, to go into Executive Session to review confidential records. The motion carried 9-0. Open session reconvened at 9:16 a.m.*

Ms. Shreeve made a motion, seconded by Mr. Donaldson, to approve Dr. Brister's request. The motion carried unanimously, 9-0.

### **13. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING PROPOSED CONSENT AGREEMENT AND ORDER PERTAINING TO COMPLAINT NO. 18-08, MARK MAGIER, PSY.D. AND POSSIBLE MOTION TO VACATE THE INFORMAL INTERVIEW**

Ms. Jones provided a summary stating the Board forwarded Complaint No. 18-08 to an Informal Interview. Subsequently, the Board office received a proposed Consent Agreement and Order for Probation, Practice Monitor and Continuing Education (Consent Agreement) from Dr. Magier. The Consent Agreement stipulates probation for a minimum of 12 months, 18 hours of continuing education and the licensee shall meet with a Board approved Practice Monitor twice a month for a minimum of 1 hour each session. The licensee and his attorney, Charles S. Hover, III, esq. were present. The Board expressed concern with the length of the Practice Monitor sessions. After deliberation, Dr. Brundage made a motion, seconded by Mr. Donaldson, to amend the proposed Consent Agreement to require that the licensee meet with the Practice Monitor twice a month for a minimum of two hours each session. If the licensee agrees to the terms of the Consent Agreement the Informal Interview involving Complaint No. 18-08 will be vacated. The motion carried unanimously, 9-0 on a roll call vote.

### **14. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING SUPERVISION REPORT SUBMITTED TO THE BOARD OFFICE RELATING TO DEBRA GOLDFINE, PH.D. AND POSSIBLE NONCOMPLIANCE WITH THE TERMS OF THE CONSENT AGREEMENT AND ORDER**

Ms. Broaddus provided a summary stating that Dr. Goldfine is currently under a Consent Agreement and Order for Probation, Supervision, Continuing Education and Rehabilitation (Consent Agreement). The Consent Agreement stipulates that when Dr. Goldfine is gainfully employed she is required to obtain two hours of supervision per twenty hours worked per week. Board staff received Dr. Goldfine's supervision report and it was noted that Dr. Goldfine may not have received the required amount of supervision during her employment. Board staff noted that Dr. Goldfine completed the required biological fluid testing but has not completed the required continuing education. Dr. Goldfine was present, made a statement and answered Board members' questions. Dr. Goldfine stated that she received the appropriate amount of supervision for the hours worked. Dr. Goldfine submitted her supervision documentation as proof of the supervision she received. Dr. Goldfine indicated that she is currently unemployed and that she plans to complete the required ethics course prior to the end of probation. Board members expressed concern with Dr. Goldfine's lack of follow through with the terms of the Consent Agreement. Board members noted that Dr. Goldfine has been under the Consent Agreement for more than one year and has only been employed for approximately three months during that time. After deliberation, Dr. Brundage made a motion, seconded by Mr. Donaldson, to amend the current Consent Agreement to require that Dr. Goldfine begin biological fluid testing within two weeks of the effective date of the amended Consent Agreement, to undergo biological fluid testing at least once per month and to submit a statement summarizing how she intends to complete the requirements of the Consent Agreement within 30 days of the effective date of the amended Consent Agreement. The motion carried unanimously, 9-0 on a roll call vote.

*Dr. Mellott left the meeting at 9:55 a.m.*

**15. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING LEGISLATIVE UPDATE INCLUDING BUT NOT LIMITED TO SB1086, SB1096, SB1135, SB1475, HB2031, HB2118, HB2146, HB2182, HB2231, HB2463, SB1232, HB2569, AND HB2579**

Ms. Jones provided a summary to the Board. Board members asked Ms. Jones whether HB2569 is moving. The bill is moving and it is expected that the bill will pass.

**16. DISCUSSION, CONSIDERATION AND POSSIBLE ACTION TO PROVIDE FUNDING FOR THE ASSISTANT ATTORNEY GENERAL TO ATTEND THE MID-YEAR ASPPB MEETING IN APRIL**

Ms. Jones provided a summary stating that Ms. Galvin has been asked to speak at the ASPPB mid-year meeting. Ms. Jones requested funds for Ms. Galvin to attend the ASPPB mid-year meeting. Ms. Shreeve made a motion, seconded by Dr. Bohanske, to provide funding for Ms. Galvin to attend ASPPB's mid-year meeting. The motion carried unanimously 8-0.

**17. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING THE ENHANCED EPPP (EPPP PART 2)**

Ms. Jones provided a summary stating that the EPPP part 2 will be released in January 2020. Board members discussed the cost for the EPPP part 2, validity of the EPPP part 2 and whether mock test questions are available. Dr. Bohanske stated that Board members attending ASPPB's mid-year meeting will have the opportunity to take a mock of the EPPP part 2. The Board voted to table further discussion to a future meeting to allow discussion with the Arizona Psychological Association and to allow Board members and staff to attend ASPPB's mid-year meeting and gain additional information.

**18. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING ASPPB'S CALL FOR NOMINATIONS**

Ms. Jones provided a summary stating that ASPPB is requesting a call for nominations. Ms. Jones requested that Board members forward her any nominations.

**19. NEW AGENDA ITEMS FOR FUTURE MEETINGS**

Dr. Brudage requested that an item pertaining to items discussed at telephonic vs. in-person Board meetings be placed on a future agenda.

**20. ADJOURN**

There being no further business to come before the Board, Dr. Brundage made a motion, seconded by Ms. Shreeve, to adjourn the meeting at 10:07 a.m. The motion carried 8-0.

Respectfully submitted,

Diana Davis-Wilson, DBH, BCBA  
Secretary