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**Complaint Screening Committee
REGULAR SESSION MINUTES**

Wednesday, August 13, 2014
Capitol Center Building
15 S. 15th Ave.
Basement Conference Room – B Side
Phoenix, AZ 85007

1. CALL TO ORDER

The regular session of the Arizona Board of Psychologist Examiners Complaint Screening Committee was called to order by Chairman DiBacco, at 8:33 a.m. on August 13, 2014.

2. ROLL CALL

Committee Members Present

John P. DiBacco, Ph.D. - Chairman
Ramona Mellott, Ph.D.
Joseph Donaldson

Staff Present

Cindy Olvey, Psy.D., Executive Director
Lynanne Chapman, Deputy Director
Heather Duracinski, Licensing Coordinator

Attorney General's Office

Jeanne Galvin, Assistant Attorney General

3. CASE DISCUSSION/DECISION

a) Marta De Soto, Ph.D., RFI 14-17

Dr. DiBacco recused from this matter. Mr. Donaldson chaired. Dr. Mellott summarized the case, noting that elements of the current complaint were previously reviewed by the Board in 2012. At that time, the Board did not find a violation of the Board's rules or statutes, but determined that the Licensee's knowledge of ethics was deficient and entered into a non-disciplinary consent agreement with the Licensee. The Licensee has since completed the terms of that consent agreement. The Licensee was present and was represented by legal counsel, Mr. Michael Kimerer. Mr. Kimerer made a brief statement and Licensee answered Committee members' questions. The Complainant and Paul Friedman, a bioethicist, were present. Mr. Friedman made a statement and presented additional information. The Complainant made a brief statement. The Licensee answered additional questions from Committee members.

At 9:06 a.m., Dr. Mellott made a motion, seconded by Mr. Donaldson, to move into Executive Session for legal advice.

At 9:17 a.m. the Committee returned to open session for deliberation of the case.

Mr. Kimerer made an additional statement. During deliberation, the Committee addressed that the 2012 complaint matter reviewed by the Board was very similar to the current complaint matter, and that the new information presented by the Complainant and Mr. Friedman was not sufficiently different from the previous complaint to change the determination regarding that issue. Additionally, the new issue raised in the current complaint is a family matter and not within jurisdiction. After deliberation, Dr. Mellott made a motion, seconded by Mr. Donaldson, to dismiss the case. The motion carried unanimously (2-0-1), by a voice vote, with Dr. DiBacco recused.

b) **Ernesto Caraveo, Psy.D., RFI 14-09**

Dr. DiBacco summarized the case, including salient points of the investigation and pertinent records. Dr. DiBacco noted that an investigation was opened after the Board's receipt of documents which were sent to the Board anonymously. The Licensee was not present. After deliberation, Mr. Donaldson made a motion, seconded by Dr. Mellott, to forward this case to the full Board for possible violations of A.R.S. §32-2061(15)(m), for possible use of fraud, misrepresentation or deception to obtain a psychology license; (15)(o), for possibly providing services that are unnecessary or unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current standards of practice; and (15)(dd), for possibly violating ethical standards adopted by the Board, as it pertains to the 2002 APA Code of Conduct 3.02 , Sexual Harassment, and 4.01, Maintaining Confidentiality. In addition, the Committee requested that the Licensee be issued a subpoena to telephonically appear before the Board when the case is reviewed. The motion carried unanimously (3-0), by a voice vote.

c) **David Prince, Psy.D., RFI 14-16**

Mr. Donaldson summarized the case, including salient points of the investigation and pertinent records, requested to speak, The Complainant was not present. The Licensee was present, requested to speak, made a brief statement, and answered Committee member questions. The Licensee's wife, who provides psychometric services at the Licensee's practice, requested to speak, made a brief statement, and answered Committee member questions. After discussion and deliberation, Mr. Donaldson made a motion, seconded by Dr. Mellott, to table the case and request further documentation, specifically, informed consent pertaining to the psychological services provided to the Complainant's granddaughter, documents confirming the Complainant's guardianship of the granddaughter, and authorization form(s) for the release of information/records for the granddaughter. The motion carried unanimously (3-0), by a voice vote.

4. ADJOURN

There being no further business to come before the Committee, Mr. Donaldson made a motion, seconded by Dr. Mellott, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 10:17 a.m.

Respectfully submitted,

John P. DiBacco, Ph.D.
Chair

Date