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Board of Psychologist Examiners**

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**Staff**

Dr. Cindy Olvey  
Executive Director  
Lynanne Chapman  
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Heather Duracinski  
Licensing Coordinator

**Complaint Screening Committee  
REGULAR SESSION MINUTES**

**Wednesday, September 10, 2014**

Capitol Center Building  
15 S. 15<sup>th</sup> 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 Bohanske, at 8:30 a.m. on September 10, 2014.

**2. ROLL CALL**

**Committee Members Present**

Bob Bohanske, Ph.D. – Chairman  
Rob Robichaud  
John P. DiBacco, Ph.D

**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) **R Russ, Ph.D, RFI 14-14**

Dr. DiBacco summarized the case, including salient points of the investigation and pertinent records. The Licensee was present and was represented by legal counsel, Larry Cohen. Mr. Cohen made a brief statement, requesting that certain aspects of the complaint be heard during Executive Session.

At 8:38 a.m., Dr. DiBacco made a motion, seconded by Dr. Bohanske, to move into Executive Session to discuss confidential records and testimony and to receive confidential legal advice.

At 8:57 a.m., the Committee returned to open session for deliberation of the case.

Mr. Cohen made another brief statement and Licensee and Mr. Cohen answered Committee members' questions. After deliberation, Mr. Robichaud made a motion, seconded by Dr. DiBacco, to forward this case to the full Board for further investigation, with possible violations of A.R.S. §32-2061(15)(j), for possibly making a fraudulent or untrue statement to the board or its investigators, staff or consultants; and A.R.S. §32-2061(15)(m), for possibly using fraud, misrepresentation or deception to obtain a psychology license. The motion carried unanimously (3-0), by a roll call vote.

**b) John Beck, Ph.D, RFI 14-22**

Dr. Bohanske summarized the case, including salient points of the investigation and pertinent records. The Licensee was present and was represented by legal counsel, Faren Akins. Mr. Akins and Licensee each made a brief statement. Licensee answered Committee members' questions. The Complainants were not present. After deliberation, Mr. Robichaud made a motion, seconded by Dr. DiBacco, to dismiss the case. The motion carried unanimously (3-0), by a voice vote.

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

Dr. DiBacco summarized the case, including salient points of the investigation and pertinent records, indicating that the case was previously reviewed at the August 13, 2014, Complaint Screening Committee meeting, where Committee members voted to table the matter, to request additional information and records from Licensee, and to review the matter at a subsequent meeting once requested information and records were obtained. The Licensee was present, made a statement, and answered Committee members' questions. The Complainant was not present. After deliberation, Dr. DiBacco made a motion, seconded by Mr. Robichaud, to forward this case to the full Board for possible violations of A.R.S. §32-2061(15)(s), for possibly failing to make client or patient records in the psychologist's possession promptly available; and A.R.S. §32-2061(15)(cc), for possibly failing to make available to a client or patient or to the client's or patient's designated representative, on written request, a copy of the client's or patient's record, including raw test data, psychometric testing materials and other information as provided by law. The motion carried (2-1), by a roll call vote, with Dr. Bohanske voting no.

**d) Christopher Nicholls, Ph.D., RFI 14-23**

Mr. Robichaud summarized the case, including salient points of the investigation and pertinent records. The Licensee was present and answered Committee members' questions. The Complainants were not present. After deliberation, Dr. Bohanske made a motion to dismiss the complaint, which was not seconded. After further deliberation, Dr. DiBacco made a motion, seconded by Mr. Robichaud, to table the matter for a future meeting, and to formally request that the Licensee, the Complainants, the postdoctoral resident, and the referring psychologist appear at the future meeting for the Committee's further review of the matter. The motion carried (2-1), by a roll call vote, with Dr. Bohanske voting no.

**4. DISCUSSION, CONSIDERATION, AND POSSIBLE ACTION REGARDING THE DATE OF THE OCTOBER, 2014, COMPLAINT SCREENING COMMITTEE MEETING**

It was determined that the October meeting date could be decided outside of the meeting, therefore the Committee did not hear this agenda item.

**5. ADJOURN**

There being no further business to come before the Committee, Dr. DiBacco made a motion, seconded by Mr. Robicuaud, to adjourn the meeting. The motion carried (3-0) and the meeting was adjourned at 10:40 a.m.

Respectfully submitted,

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Bob Bohanske, Ph.D.  
Chair

Date