



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
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Governor

HEIDI HERBST PAAKKONEN, M.P.A.
Executive Director

Committee on Behavior Analysts

October 29, 2021
9:30 a.m.

Held via Zoom
Dial 1-346-248-7799
Meeting ID: 602 542 8162
Password: 3403

A person or a representative of a person who has filed or received a complaint and who is present at a Committee meeting will be given time to make a brief presentation (up to 5 minutes) to the Committee. In addition, the Committee may ask questions regarding a complaint. The Committee Chair reserves the right to change the order of items on the agenda.

Upon a vote of a majority of the quorum, the Committee on Behavior Analysts may go into Executive Session on any item on the agenda, pursuant to A.R.S. § 38-431.03(A)(3), to receive confidential legal advice from the Board's attorney, and/or A.R.S. §38-431.03(A)(2), to discuss confidential records and testimony.

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona State Board of Psychologist Examiners, Executive Director, Heidi Herbst Paakkonen, M.P.A. at (602) 542-3018. Please make requests as early as possible to allow time to arrange the accommodation.

1.	CALL TO ORDER – Dr. Stenhoff, Committee Chair Dr. Stenhoff, Committee Chair, called the meeting to order at 9:32 a.m.
2.	ROLL CALL <u>Committee Members Present</u> Donald Stenhoff, Ph.D., BCBA-D Bryan Davey, Ph.D., BCBA-D Diana Davis-Wilson, DBH, BCBA – <i>joined the meeting at 9:48 a.m.</i> Tisha Denton, M.Ed., BCBA <u>Staff Present</u> Heidi Herbst Paakkonen, Executive Director Jennifer Michaelson, Deputy Director Zakiya Mallas, Licensing Specialist Kathy Fowkes, Licensing Specialist <u>Attorney General's Office</u> Jeanne Galvin, Assistant Attorney General

	<p>A quorum of the Committee was confirmed.</p>	
<p>3.</p>	<p>REMARKS/ANNOUNCEMENTS</p> <ul style="list-style-type: none"> ● General Committee Remarks, Announcements and Updates <p>Dr. Stenhoff commended staff for their behind-the-scenes work to prepare this meeting, and stated his appreciation to Ms. Galvin for her contributions as well. Additionally he acknowledge the efforts of the Committee members to prepare for yet another lengthy meeting agenda. Finally, he thanked the applicants and the students for their attendance.</p>	
<p>4.</p>	<p>APPROVAL OF MINUTES</p> <ul style="list-style-type: none"> ● September 24, 2021 Regular Session Minutes ● September 24, 2021 Executive Session Minutes <p>MOTION: Dr. Davis-Wilson moved to approve both sets of draft minutes. Dr. Davey seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p>	
<p>5.</p>	<p>DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATION TO THE BOARD PERTAINING TO APPROVAL OF BEHAVIOR ANALYST APPLICANTS</p>	
	<p>A. Behavior Analyst Applications for Licensure</p>	
	<p>Applicant Name</p>	
	<p>1) Louis Alexander Marull, M.A. (FAIR)</p>	
	<p>Dr. Davey summarized the status of the application, noting that it was previously reviewed by the Committee, but questions arose concerning the 4th and most recent charge of DUI. The applicant supplied additional information in response to the FAIR, but elements of his written statement are inconsistent with those found in the police report and court records. I some instances, Mr. Marull states alcohol was not a factor, when the documentation reflects the opposite.</p> <p>MOTION: Dr. Davey moved to meet in Executive Session for purposes of receiving legal advice. Dr. Davis-Wilson seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p> <p>Upon resuming the meeting in public session, the Committee members posted questions to Mr. Marull who was present for the review and discussion of his application. He was asked to speak to his criminal history of alcohol and driving infractions. Mr. Marull summarized his memory of the events that occurred while he lived in Oklahoma City. The statements made by the applicant did not entirely align with those that are reflected in the documentation in that he states alcohol was not involved with many of them; law enforcement indicated otherwise.</p> <p>MOTION: Dr. Davis-Wilson moved to meet in Executive Session for purposes of reviewing confidential information and also for receiving legal advice. Dr. Davey seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p> <p>Upon resuming the meeting in public session, the Committee articulated concerns about the validity of the information and statements supplied by the applicant. Mr. Marull explained that he hastily supplied information to Board staff without first obtaining copies of the documentation; due to these matters occurring several years ago the accuracy of his recollection of certain details has eroded. With respect to the recent DUI</p>	

	<p>charge, Mr. Marull indicated that court hearings will occur throughout November and likely into December. He indicated that he will likely be sentenced to the established minimums. In response to questioning, he stated that his memory of certain events is lost, likely due to head trauma. He further affirmed that he never intended to make inconsistent statements to the Board, but in his haste to comply with the FAIR he relied on his flawed memory of events and did not consult the documentation.</p> <p>The Committee members reiterated concerns around the events disclosed by Mr. Marull and his representation of them, noting that there may be some denial on his part. A statement was made that the applicant has not yet supplied satisfactory evidence to assure the Committee that he is currently safe to practice behavior analysis. The discussion reflected that a substance abuse evaluation would inform the Board’s decision with respect to the question.</p> <p>MOTION: Dr. Davis-Wilson proposed a motion consisting of a recommendation to the full Board to issue an interim order to Mr. Marull for a substance abuse and fitness for duty evaluation, the results of which will determine what subsequent order shall be issued relative to the application. The final order of the Board may include a term to complete prescribed continuing education focused to ethical conduct and reporting. Ms. Denton seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p>
2)	<p>Nilvia Leonor Rodriguez Zaldivar, M.S. (FAIR)</p>
	<p>The Committee proceeded with a substantive review of the application. The applicant was issued a FAIR letter for purposes of obtaining clarity as to how the applicant could have completed her training hours so rapidly during a pandemic. The applicant was asked to explain how she completed client-facing contact. Through a translator the applicant stated that the services she provided were not significantly impacted during the pandemic because her supervisor met with her remotely, and when she was face-to-face with the client they wore masks and followed other safety protocols. Ms. Rodriguez Zaldivar explained that up until April of 2021 she was working with the client for 40 hours a week which was approved by the insurer; this was subsequently reduced to 35 hours per week. It was noted that the BACB allows only 130 hours of client contact per month for purposes of meeting certification requirements; Ms. Rodriguez Zaldivar earned 35-40 hours per week which could result in a number of hours being disqualified.</p> <p>Given the applicant’s statement that some of her supervised hours were not client-facing, the Committee determined that clarification from her supervisor is required.</p> <p>MOTION: Ms. Denton moved to issue a second request for additional information consisting of a detailed breakdown from Ms. Rodriguez Zaldivar’s supervisor of the restricted and unrestricted hours earned, and a copy of the BACB tracker form. The motion included the provision that her supervisor appear before the Committee to address questions. Dr. Stenhoff seconded the motion.</p> <p>VOTE: The motion was approved 4-0.</p>
3)	<p>Alexis Erbschloe, M.A.</p>
	<p>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, but that one of the supervisors appears to have initiated that role prior to having completed the required training. It was the consensus of the Committee to issue her a FAIR letter to obtain clarification as to when the supervisor initiated supervision.</p>
4)	<p>Bryanna Gabbert, M.S.</p>

	<p>Dr. Stenhoff and Dr. Davis-Wilson both disclosed having previously served as the applicant's instructor, but they indicated they are able to review and vote on the application objectively. 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.</p>	
	5)	Briar Lopez, M.S.
	<p>Dr. Stenhoff disclosed he was the applicant's instructor but he is able to vote on the application objectively. Additionally Dr. Davis-Wilson disclosed for the record that she is recused from the review of this application. The applicant was present for the review of 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.</p>	
	6)	Tara Nicole Russell, M.S.
	<p>The applicant was present for the review of 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, however she will need to correct an erroneously entered date on page 11 of the application. The Committee determined the application can be forwarded to the Board with a recommendation for approval once the corrected is received.</p>	
	7)	Trishta Siqueiros-Villalta, M.S.
	<p>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.</p>	
	8)	Jessica Leichtweisz, M.P.S.
	<p>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.</p>	
	9)	Jayne C. Turner, M.Ed.
	<p>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.</p>	
	10)	Whitney Marie Cromley, M.S.
	<p>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.</p>	
	11)	Kate Walker, M.A
	<p>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, however a</p>	

	supervisor will need to complete a missing answer to a question. Presuming the answer is “no” and the correction is made, the Committee determined the application can be forwarded to the Board with a recommendation for approval.	
	12)	Meghan Frances King, 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.	
	13)	Jesus Belmonte, 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.	
	14)	Alexandra Montenegro, M.S.
	The applicant was present for the review of 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.	
	15)	Laura Rivera, 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, however on page 3 of the application she will need to correct the answer she supplied to #9. Once the correction is received the Committee determined the application can be forwarded to the Board with a recommendation for approval.	
	16)	Elizabeth Marie Dodd, 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.	
	17)	Kayla Foster, M.A.
	The applicant was present for the review of her application. The review of the application reflected that the start dates of supervision are of concern given the dates that were recorded on the Multiple Supervisors form. Ms. Foster explained that there were errors made on the form, and she affirmed that the supervision hours she acquired were in California where licensure is not required. Upon further review, the Committee noted that the materials submitted were complete and fulfilled the requirements of statutes and rules, however she will need to supply a missing date on page 11 of the application. The Committee determined the application can be forwarded to the Board with a recommendation for approval once the corrected is received.	
	18)	Leah Janell Fairweather, 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.	
	19)	Amy L. Turner, 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.	
	20)	Allyson D. Standifird, M.A.
	The applicant was present for the review of 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. The Committee determined the application can be forwarded to the Board with a recommendation for approval.	
	21)	Chelsea Silveira Burgos, M.Ed.
	<p>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.</p> <p>MOTION: Ms. Denton moved to forward the applications with the staff directions to issue FAIR letters and with the recommendations to the Board as reflected by the discussion. Dr. Davey seconded the motion.</p> <p>VOTE: The motion was approved 4-0 with the recusals as noted in the discussion.</p>	
	B. Behavior Analyst Applications for Licensure by Universal Recognition	
	1)	Emily MacRae, M.S.
	<p>The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted reflect that the applicant’s Massachusetts verification indicates that she is a Behavior Analyst Assistant. The applicant was present for the review of her application, and in response to the Committee’s questions indicated that she has never been in BCaBA. Ms. MacRae advised the Committee that her license accurately reflects that she is licensed as a behavior analyst. Ms. Galvin suggested Board staff contact the Massachusetts to inquire about a corrected verification. Board staff confirmed that the online verification for Ms. MacRae reflects that she is a licensed behavior analyst in good standing. Ms. Galvin affirmed that the online verification can be used, but Board staff should make an attempt to obtain an official verification of licensure directly from the Massachusetts board.</p> <p>MOTION: Dr. Davis-Wilson moved to direct Board staff to confirm she is licensed in good standing as a behavior analyst. Ms. Denton seconded the motion.</p> <p>VOTE: The motion was approved 4-0</p>	
	2)	Lauren M. Krowitz, M.S.
	The Committee proceeded with a substantive review of the application. Upon review, the Committee noted that the materials submitted reflect that the applicant is licensed in Pennsylvania as a behavior specialist and not as a behavior analyst. The requirements for a behavior specialist are not synonymous with that of a behavior analyst in that there is no examination requirement for this license type, and there is course content not present in the applicant’s education program that is required for Arizona licensure. Additionally, the applicant is ineligible for BACB certification. The discussion reflected that the Committee and Board must	

	<p>determine whether a behavior specialist is able to practice at the same level as that of a behavior analyst in Arizona. It was noted that the state association for behavior analysts in Pennsylvania is supporting a bill that would establish licensure for behavior analysts which strongly suggests that behavior specialists are distinct from behavior analysts. The Committee directed Board staff to contact the Pennsylvania Bureau of Regulatory Affairs to request information with respect to whether a behavior specialist is permitted to practice at the same level as that of a behavior analyst. Additionally staff was directed to request the same information from the BACB.</p>
	<p><i>*First Formal Additional Information Request</i> <i>** Second Formal Additional Information Request</i></p>
<p>6.</p>	<p>DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING STATE OF EMERGENCY TEMPORARY LICENSE APPLICATION a. Cinda Atwood</p> <p>The applicant was present for the review and discussion of this application. Ms. Paakkonen explained to the Committee that she brings this matter before the members for direction given that Ms. Atwood, an Arizona resident, applied for the emergency temporary license and the facts and circumstances may be such that she doesn't meet the eligibility criteria for an emergency license. Additionally she has an open application for an unrestricted license that she is working to complete. It was the consensus of the Committee that based on the information she has supplied to the Board, Ms. Atwood appears to not qualify for the temporary emergency license. Following discussion between the applicant and Ms. Atwood, the applicant indicated that she would communicate with staff regarding her intention to withdraw the application, and she would also request information concerning applying for licensure by Universal Recognition.</p>
<p>7.</p>	<p>DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING TELEHEALTH ADVISORY COMMITTEE ON TELEHEALTH BEST PRACTICES</p> <p>Dr. Davey indicated he had no new information to report as the Committee has not met recently; he anticipates sharing an update at the next CBA meeting.</p>
<p>8.</p>	<p>DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECENT UPDATES FROM THE BEHAVIOR ANALYST CERTIFICATION BOARD (BACB)</p> <p>Ms. Paakkonen reported that the BACB recently announced the conclusion of the waiver for the requirement for observations with a client effective January 1, 2022.</p>
<p>9.</p>	<p>DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING THE OUT-OF-STATE TELEHEALTH PRACTICE REGISTRY ESTABLISHED AT A.R.S. §36-3606</p> <p>Ms. Paakkonen advised the Committee that the website established for purposes of Registry applications is now live. She explained that the link has not yet been posted to the agency website as some direction is required from the Board with respect to whether the Registry is to replace the temporary emergency licenses that were authorized under the current state of emergency, or whether both options should be available.</p> <p>The Committee discussion reflected that it doesn't seem necessary or warranted to offer temporary emergency license applications and the Registry applications concurrently.</p>

10.	DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATIONS FOR REVISIONS OF THE STATUTES THAT REGULATE THE PRACTICE OF BEHAVIOR ANALYSIS IN ARIZONA (A.R.S. TITLE 32, CHAPTER 4, ARTICLE 4) Ms. Paakkonen presented and reviewed the documentation recorded of previous discussions by the Committee reflecting an interest in revising certain statutes. She suggested the Committee give consideration to whether the potential changes need to be proposed in 2022, or whether they can be introduced in a future legislative session. Following the review and discussion, it was the consensus of the Committee to not move forward with any proposed changes in 2022 unless the Board determines any of the psychologist statutes are in need of revision.
11.	DISCUSSION, CONSIDERATION AND POSSIBLE ACTION REGARDING RECOMMENDATIONS FOR REVISIONS OF THE ADMINISTRATIVE RULES THAT REGULATE THE PRACTICE OF BEHAVIOR ANALYSIS IN ARIZONA (A.A.C. TITLE 4, CHAPTER 26, ARTICLE 4) Ms. Paakkonen presented and reviewed the previously documented rule revisions discussed by the Committee. In addition to affirming the proposed changes that were recorded, the Committee directed staff to draft some proposed language for a reciprocity/endorsement rule.
12.	NEW AGENDA ITEMS FOR FUTURE MEETINGS This agenda item was not addressed prior to the meeting's conclusion.
13.	ADJOURNMENT MOTION: Ms. Denton moved to adjourn the meeting. Dr. Davis-Wilson seconded the motion. VOTE: The motion was approved 4-0.