

Arizona Board of Psychologist Examiners

Substantive Policy Statement SP.03-12

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona Administrative Procedures Act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under Arizona Revised Statutes § 41-1033 for a review of the statement.

Guidelines for Board Complaint Resolution

The Arizona Board of Psychologist Examiners has adopted this Substantive Policy Statement to provide the public with general guidelines used by the Board in the complaint resolution process. The Board is not limited by these guidelines and may select any combination of resolutions found in the chart, which addresses general guidelines of infractions and suggested resolution.

Arizona Board of Psychologist Examiners Guidelines for Board Complaint Resolution

All Board resolutions are public record.¹ If no violations of rule or statute are found, a Request for Investigation (Complaint) is dismissed. Non-disciplinary action may be taken by the Board for errors not of sufficient seriousness to merit direct action against a licensee. The following are guidelines representing the resolution options available to the Board for violations of A.R.S. Title 32, Chapter 19.1, A.A.C. Title 4, Chapter 26, and/or Community Standards of Care, based upon the nature of the offense or the factual scenarios. The Board is not limited by these guidelines and may select any combination of resolutions found in this chart, which addresses general guidelines of infractions and suggested resolution. **IN THE EVENT OF A CONFLICT BETWEEN THIS DOCUMENT AND THE ACTION BY THE BOARD, THE ACTION IMPOSED BY THE BOARD SHALL PREVAIL.**

Letters of Concern and Non-disciplinary Orders for Continuing Education are non-disciplinary. All other resolutions listed below are disciplinary actions which must be concluded through a consent agreement or a hearing process, whether informal or formal.

Level	Errors or Violations of Law and/or Community Standards of Care	Resolution
I	Errors are not of sufficient seriousness to merit direct action against the licensee	<ul style="list-style-type: none"> ● File letter of concern ● Issue Order for Continuing Education
II	Violations of law or community standard of care have occurred that do not warrant revocation or suspension of a license. Examples may include ethical violations, violation of any federal or state law/rules relating to the practice of psychology; engaging in activities that are unprofessional by current standards of practice; records violations; unintentional violation of confidentiality; unintentional misrepresentation or deception; failing to protect a client; failing to inform or protect a client's intended victim.	<ul style="list-style-type: none"> ● File a letter of concern ● Order for Continuing Education ● Censure ● Civil penalty ● Probation ● Order for rehabilitation ● Probation with temporary suspension ● Restriction or limitation on practice
III	Acts of unprofessional conduct; mentally or physically unable to safely engage in practice; and/or psychologically incompetent. This level may include egregious acts of unprofessional conduct. Examples may include physical abuse, sexual intimacies, ethical violations; commission of a felony or misdemeanor involving moral turpitude; intentional and/or willful fraud, misrepresentation, or deception; intentional and/or willful violation of confidentiality; failing to protect a client and harm occurs; failing to inform or protect a client's intended victim and harm occurs; violating a formal Board order, consent agreement, or term of probation; gross negligence; practicing while impaired or incapacitated.	<ul style="list-style-type: none"> ● Censure ● Civil penalty ● Probation ● Order for rehabilitation ● Probation with temporary suspension ● Summary Suspension ● Revoke or suspend license

¹A.R.S. §32-2081(F)(1) states, “. . . Complaints dismissed by the complaint screening committee shall not be disclosed in response to a telephone inquiry or placed on the board's website.”