



STATE OF ARIZONA
BOARD OF PSYCHOLOGIST EXAMINERS
1740 WEST ADAMS STREET, SUITE 3403
PHOENIX, AZ 85007
PH: 602.542.8162 FX: 602.542.8279
WEBSITE: WWW.PSYCHBOARD.AZ.GOV

DOUGLAS A. DUCEY
Governor

HEIDI HERBST PAAKKONEN
Executive Director

December 17, 2020

Colten Oliver, M.A.



RE: NOTICE OF DENIAL OF APPLICATION

Dear Mr. Oliver:

At a public meeting held on November 6, 2020, the Arizona Board of Psychologist Examiners ("Board"), considered your application for licensure as a behavior analyst in Arizona. You did not appear for this matter despite being noticed in writing.

By way of background, your original application for Behavior Analyst licensure, submitted on October 7, 2019, was denied by the Board on January 10, 2020. The bases for the denial included the findings by the Board, supported by your admissions, that you submitted falsified billing records and a forged client caregiver signature to your former employer, Aspen Behavioral Consulting, who subsequently terminated your employment in September of 2019.

On March 12, 2020, the Board received from you a second application for licensure as a behavior analyst. The Board considered your application and all relevant documentary evidence concerning the related investigation. At the end of the consideration of all relevant information, the Board voted to deny your application for licensure.

The factual basis for the denial of your application includes:

1. You misrepresented information to, and intentionally withheld information from, your former employer, the Center for Autism and Related Disorders ("CARD"), concerning the circumstances of your employment termination by Aspen Behavioral Consulting and

the denial of your first application for licensure. These actions resulted in the termination of your employment with CARD on August 14, 2020.

2. In September of 2020, the Board was notified by the Behavior Analyst Certification Board (“BACB”) of its decision to suspend your certification for one year, after which time you are required to complete BACB prescribed corrective action measures to restore your certification.
3. You failed to supply compelling evidence to the Board that you had effectively corrected the behavior and conduct that constituted the bases for denial of the original application.

Given the foregoing, the Board voted to deny your application for licensure based upon your failure to demonstrate that you meet the requirements as set forth in A.R.S. §32-2091.02, which is requirements for licensure, specifically (3) which requires that an applicant be of good moral character; (6) which requires that an applicant for licensure shall not have committed any act or engaged in any conduct that constitutes grounds for disciplinary action against a licensee; and (7) which requires that an applicant not have had a professional license or certificate refused, revoked, suspended or restricted in any regulatory jurisdiction in the United States or in another country for reasons that relate to unprofessional conduct. The Board found that you committed the following violations of unprofessional conduct: A.R.S. §32-2091(12)(c), making or using statements of a character tending to deceive or mislead; and A.R.S. §32-2091(12)(dd), violating an ethical standard adopted by the Board, as it relates to sections 1.04 (Integrity), 2.13 (Accuracy in Billing Reports), 10.01 (Truthful and Accurate Information Provided to the BACB), and 10.02 (Timely Responding, Reporting, and Updating of Information Provided to the BACB) of the BACB’s Professional and Ethical Compliance Code for Behavior Analysts.

NOTICE

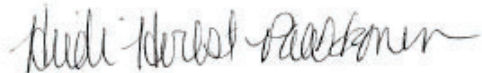
Notice of Appealable Agency Action. Right to Hearing on Denial of Application for Licensure.

Pursuant to A.R.S. § 41-1092.03, you have the right to appeal the denial of application for licensure by requesting a hearing. To obtain a hearing, you must submit a written request for a hearing to the Arizona Board of Psychologist Examiners, 1740 West Adams St., Suite 3403,

Phoenix, Arizona, 85007. Pursuant to A.R.S. §41-1092.03(B) the request for hearing must be received at the Board's office within thirty-five (35) calendar days of the date of this Order. The request must state your name, your address, the action being appealed (denial of licensure), and must contain a concise statement of the reasons for the appeal. The hearing will be held within sixty (60) calendar days after the Board receives your request for hearing (A.R.S. § 41-1092.05(A)) At the hearing, you will have the burden of proof to demonstrate that you are qualified for licensure regarding the matters set forth in this Notice of Denial of Application for Licensure. The Office of the Attorney General will represent the State of Arizona at the hearing.

Please contact me if you have questions: heidi.paakkonen@psychboard.az.gov or 602-542-3018.

Sincerely,

A handwritten signature in cursive script that reads "Heidi Herbst Paakkonen".

Heidi Herbst Paakkonen, MPA
Executive Director

Sent to address of record to:

Colten Oliver, M.S., by regular and certified mail #9489009000276155081457

Sent via email to:

Jeanne Galvin, Assistant Attorney General

Jeanne.galvin@azag.gov