

1 **BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS**

2 **FOR THE STATE OF ARIZONA**

3
4 In the Matter of

Case No.: 15-31

5 William Arnett, Psy.D.

**FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND
CONSENT AGREEMENT**

6 Holder of License No.3490
7 For the Practice of Psychology
8 in the State of Arizona

9 In the interest of a prompt and speedy settlement of the above-captioned matter,
10 consistent with the public interest, statutory requirements, and the responsibilities of the
11 Arizona Board of Psychologist Examiners ("Board"), the undersigned parties enter into
12 this Consent Agreement as a final disposition of this matter.

13 **JURISDICTION**

14 1. The Board is the state agency authorized pursuant to Arizona Revised
15 Statute ("A.R.S.") § 32-2061 *et seq.*, and the rules promulgated thereunder in the
16 Arizona Administrative Code ("A.A.C." or "rules") at R4-26-101 *et seq.*, to regulate
17 and control the licensing of psychologists in the State of Arizona.

18 2. Licensee holds a license to practice as a psychologist in the State of
19 Arizona, License number 3490, issued March 14, 2002, pursuant to A.R.S. § 32-2071 *et*
20 *seq.*

21 3. The Board has personal and subject-matter jurisdiction over Licensee
22 pursuant to A.R.S. § 32-2061 *et seq.*

23 **CONSENT AGREEMENT**

24 Licensee understands and agrees that:

25 4. The Board and Licensee enter into this Consent Agreement to promptly
26 and judiciously resolve this matter, consistent with the public interest and the statutory
27 requirements of the Board.

1 5. Licensee has the right to consult with an attorney before entering into this
2 Consent Agreement.

3 6. Licensee has a right to a formal public hearing concerning this case where
4 he could present evidence and cross-examine witnesses. Licensee irrevocably waives
5 any right to such a hearing upon this Consent Agreement becoming effective.

6 7. Licensee irrevocably waives any right to rehearing or review or to any
7 judicial review or any other appeal of this matter upon this Consent Agreement
8 becoming effective.

9 8. The Consent Agreement shall be subject to the Board's approval and shall
10 be effective only when signed by the Executive Director and accepted by the Board. In
11 the event that the Board does not approve this Consent Agreement, it is withdrawn and
12 shall be of no evidentiary value and shall not be relied upon nor introduced in any
13 action by any party, except that the parties agree that if the Board rejects this Consent
14 Agreement and this case proceeds to a formal hearing, Licensee shall assert no claim
15 that the Board was prejudiced by its review and discussion of this document or any
16 other records relating to this matter.

17 9. The Consent Agreement, once approved by the Board and signed by the
18 Executive Director, shall constitute a public record that may be disseminated as a
19 formal action of the Board and reported to the National Practitioner Data Bank.

20 **FINDINGS OF FACT**

21 10. In the Fall of 2014, Licensee illegally purchased and obtained certain
22 scheduled medications for his personal use, from an on-line supplier and without a
23 prescription.

24 11. On November 25, 2014, federal and local law enforcement personnel
25 executed a search warrant on Licensee's home and confiscated the medications that
26 Licensee had obtained illegally.

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1 12. On March 24, 2015, felony charges falling under A.R.S.§13-3407 were
2 filed against Licensee, but Licensee was not served with the criminal indictment until
3 mid-May. 2015.

4 13. On May 27, 2015, Licensee notified the Board that he had recently
5 learned that he was “being charged with a felony.”

6 14. These events transpired while Licensee was employed as an agency
7 director for a rural Arizona tribal community (“Tribe”) where he had oversight of the
8 Tribe’s mental health and substance abuse treatment programs. On May, 29, 2015,
9 Licensee resigned from his clinical director position.

10 15. On January 26, 2016, after entering into a plea agreement, Licensee was
11 found guilty of Possession of a Dangerous Drug (Methylphenidate), a designated class
12 four (4) misdemeanor, in violation of A.R.S. §§ 13-3407(A)(I). The Court found
13 Licensee to be eligible for probation and suspended the imposition of a sentence.
14 Licensee was placed on unsupervised probation for one (1) year, and fined.

15 16. During the April 29, 2016, Informal Interview regarding this matter,
16 Licensee and his attorney, Brett Rigg, Esq., were present at the proceedings and made a
17 presentation to the Board. Licensee stated that he had moved to Florida and was on
18 unsupervised probation for his legal matter. He further stated that he was not practicing
19 psychology, but wanted to eventually resume work with the Native American
20 community in Arizona, or for a Federal tribal program in another state. After discussion
21 and deliberation, Board members voted to offer Licensee a Consent Agreement or to
22 issue an Order to include certain terms.

23 17. In early November, 2016, the Board office received correspondence from
24 Licensee that, on August 31, 2016, Licensee had entered into a contract with the Tribe
25 to provide clinical and administrative services to Tribe's Mental Health and Diabetes
26 Comorbid Treatment Program, and that that he had obtained the services of
27 psychologist Eddie Lauritsen, Ph.D., to provide oversight over his work. This oversight

1 by a psychologist was consistent with the Board's recommendations during the
2 Informal Interview.

3 18. In late November, 2016, the Board office received correspondence from
4 Licensee that, in consultation with Licensee's health care practitioner, he was no longer
5 taking medication for his medical condition. Licensee's correspondence included
6 August 27, 2015, through November 7, 2016, reports from his health care practitioner.

7 19. In December, 2016, the Board office received correspondence from Dr.
8 Lauretsen, stating that he had been meeting regularly with Licensee since September 9,
9 2016, and provided a summary of his meetings with Licensee, which indicated that
10 Licensee has been earnest, cooperative, and open to suggestions, is aware of his on-
11 going need to maintain a balance between his professional obligations and personal
12 responsibilities, and is making commendable progress in this endeavor.

13 20. In January, 2017, and again in April, 2017, the Board office received
14 updates from Licensee stating that he continues to work for Tribe's Mental Health and
15 Diabetes Comorbid Treatment Program.

16 **CONCLUSIONS OF LAW**

17 21. The conduct and circumstances described above constitutes
18 unprofessional conduct pursuant to A.R.S. §32-2061(15)(i), commission of a felony,
19 whether or not involving moral turpitude, or a misdemeanor involving moral turpitude.
20 In either case, conviction by a court of competent jurisdiction or a plea of no contest is
21 conclusive evidence of the commission.

22 **ORDER**

23 1. Pursuant to A.R.S. § 32-2081(S) the Board has determined that the
24 Licensee's conduct in Complaint No. 15-31 warrants disciplinary action. Based on the
25 foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED THAT:
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1 2. **PROBATION:** Licensee's license as a psychologist is placed on
2 probation for a minimum period of 12 months, beginning April 29, 2016, unless
3 otherwise ordered by the Board.

4 3. **NOTIFICATION OF EMPLOYMENT:** Licensee shall submit
5 quarterly reports to the Board regarding the progress of his job search. When Licensee
6 obtains employment, he must provide immediate notification to the Board as to the
7 capacity of his employment.

8 4. **SUPERVISOR:** While on probation and after Licensee obtains
9 employment in a setting requiring a license to practice psychology, Licensee shall
10 receive face-to-face supervision from a behavioral health professional/supervisor for the
11 purpose of providing support in his return to practice, and to assist Licensee in
12 maintaining a balance between his professional duties and personal health.

13 5. Licensee shall meet with the behavioral health professional/supervisor at
14 least twice per month. If Licensee is employed in a remote location, supervision may be
15 provided face-to-face via electronic means. The behavioral health
16 professional/supervisor shall submit quarterly reports to the Board.

17 6. Before Licensee's release from probation, the behavioral health
18 professional/supervisor is to complete and submit a final written report to the Board
19 summarizing his or her interaction with Licensee, topics discussed, areas of progress,
20 matters of remaining concern, and overall impressions.

21 7. If, during the probation period, the Licensee's approved behavioral health
22 professional/supervisor is unable or unwilling continue to provide supervision, Licensee
23 shall submit the name and credentials of a proposed behavioral health
24 professional/supervisor for Board approval.

25 8. **IN-PERSON APPEARANCE BEFORE THE BOARD:** After 12
26 months of probation, Licensee shall make an in-person appearance at a Board meeting
27 to provide a status update, and discuss whether probation should be lifted or whether

1 further probation is warranted.

2 9. **TERMINATION OF PROBATION:** After a minimum of 12 months of
3 probation, unless otherwise ordered by the Board, Licensee may petition the Board, in
4 writing, and request termination from probation and supervision. If the Board
5 determines that Licensee is in need of continued supervision, the Board may continue
6 the probation, including supervision by a behavioral health professional/supervisor. If
7 the Board determines that Licensee has not substantially complied with the
8 requirements of this Consent Agreement, the Board may either (a) continue the
9 probation, including supervision by a behavioral health professional/supervisor, or (b)
10 institute proceedings for noncompliance with this Consent Agreement, which may
11 result in the suspension, revocation, or other disciplinary or remedial action.

12 10. **CONTINUED APPLICATION OF TERMS:** If, between the effective
13 date of this Consent Agreement and the termination of Licensee's probation by the
14 Board, Licensee fails to renew his license while under this Consent Agreement and
15 subsequently applies for a license, the remaining terms of this Consent Agreement,
16 including probation and monitoring, shall be imposed if the application for licensure is
17 granted.

18 11. **EFFECTIVE DATE:** Licensee understands that this Consent Agreement
19 shall not become effective unless and until adopted by the Arizona Board of
20 Psychologist Examiners and executed on behalf of the Board. Any modification to this
21 original document is ineffective and void unless mutually approved by the parties in
22 writing. The effective date of this Consent Agreement is the date that it is signed by the
23 Board's Executive Director, or her designee, on behalf of the Board.

24 12. **CONSIDERATION IN FUTURE ACTIONS:** Licensee understands
25 that this Consent Agreement, or any part thereof, may be considered in any future
26 disciplinary action against him.

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1 13. **FINAL RESOLUTION:** This Consent Agreement constitutes a final
2 resolution of this disciplinary matter but does not constitute a dismissal or resolution of
3 other matters currently pending before the Board, if any, and does not constitute any
4 waiver, expressed or implied, of the Board's statutory authority or jurisdiction
5 regarding any other pending or future investigations, actions, or proceedings. Further,
6 this Consent Agreement does not preclude any other agency, subdivision, or officer of
7 this State from instituting other civil or criminal proceedings with respect to the conduct
8 that is the subject of this Consent Agreement.

9 14. **TIME:** Time is of the essence with regard to this Consent Agreement.


10 15. **COSTS:** The Licensee shall be responsible for all costs incurred as a
11 result of his compliance with this Consent Agreement.

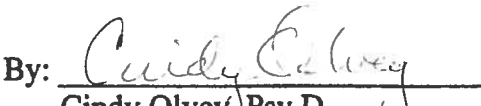
12 16. **NON-COMPLIANCE:** If Licensee fails to comply with the terms of this
13 Consent Agreement, the Board may properly institute proceedings for noncompliance,
14 which may result in suspension, revocation, or other disciplinary or remedial actions.
15 Violation of this Consent Agreement is a violation of A.R.S. § 32-2061(15)(aa)
16 ("violating a formal board order, consent agreement, term of probation or stipulated
17 agreement").

18 17. **PUBLIC RECORD:** This Consent Agreement is a public record that
19 may be publicly disseminated as a formal action of the Board and reported to the
20 National Practitioner Data Bank.

21
22 DATED THIS 1st day of June, 2017.

23 ARIZONA BOARD OF
24 PSYCHOLOGIST EXAMINERS

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26 _____
27 William Arnett, Psy.D.
Licensee

By: 

Cindy Olvey, Psy.D.
Executive Director

1 ORIGINAL of the foregoing filed
2 this 1st day of June 2017, with:

3 The Arizona State Board of Psychologist Examiners
4 1400 West Washington, Suite 240
5 Phoenix, Arizona 85007

6 ^{hand-delivered}
COPY mailed by ~~Certified Mail~~, No. _____
this 2nd day of June 2017, to:

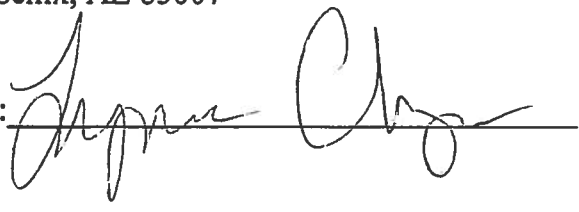
7 William Arnett, Psy.D.
8 Address on Record

9 ^{hand-delivered}
10 COPY ~~mailed~~
this 2nd day of June 2017, to:

11 Brett Rigg, Esq.
12 377 E. White Mountain Blvd.
13 Pinetop, AZ 85935

14 ^{hand-delivered}
COPY of the foregoing ~~mailed by interagency~~
this 2nd day of June 2017, to:

15 Jeanne M. Galvin
16 Office of the Arizona Attorney General
17 SGD/LES
18 1275 W. Washington
19 Phoenix, AZ 85007

20 By: 
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2 **FOR THE STATE OF ARIZONA**

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4 In the Matter of)
5 **William Arnett, Psy.D.**)
6 Holder of License No. 3490)
7 for the Practice of Psychology)
8 in the State of Arizona)

Case No. 15-31

**RELEASE FROM CONSENT
AGREEMENT AND ORDER**

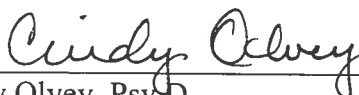
9
10 The Board of Psychologist Examiners (“Board”) received a request to release William
11 Arnett, Psy.D., from the terms and conditions of the above-referenced Consent Agreement and
12 Order dated June 1, 2016.

13 The Board, at its meeting of June 2, 2016, discussed and considered the documentation
14 supporting Dr. Arnett’s release from the terms and conditions of the Consent Agreement and
15 Order. Dr. Arnett has substantially complied with all of the terms and conditions of the Consent
16 Agreement and Order.

17 **ORDER**

18 IT IS THEREFORE ORDERED that Dr. William Arnett is hereby released from all
19 terms and conditions of the Consent Agreement and Order dated June 1, 2017, effective June 2,
20 2017.

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24 DATED this 6th day of June, 2017.

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28 Cindy Olvey, Psy.D.
Executive Director

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ORIGINAL of the foregoing filed this
6th day of June, 2017, with:
The Arizona State Board of Psychologist Examiners
1400 West Washington, Suite 240
Phoenix, Arizona 85007

COPY of the foregoing mailed this
6th day of June, 2017, to:

Brett Rigg, Esq.
The Rigg Law Firm, PLLC
377 E. White Mountain Blvd.
Pinetop, AZ 85935

COPY of the foregoing mailed this
6th day of June, 2017, to:

William Arnett, Psy.D.
Address of Record

COPY of the foregoing mailed by interagency mail
6th day of June, 2017, to:

Jeanne Galvin, Esq.
Office of the Attorney General
1275 West Washington, SGD/LES
Phoenix, Arizona 85007

By: _____

