

1 10. Licensee voluntarily enters into this Consent Agreement for the purpose of
2 avoiding the expense, uncertainty, and prolonged time involved in further administrative
3 proceedings.

4 **FINDINGS OF FACT**

5 11. In September, 2011, Licensee began treating a minor female patient (“Patient”).
6 From September, 2011, through April, 2012, Patient attended approximately weekly sessions
7 with Licensee. During 2013, Patient began repeatedly missing or late-cancelling appointments.

8 12. During Licensee’s treatment of Patient:

9 a. Licensee crossed boundaries that resulted in a multiple relationship.
10 Licensee’s boundary crossings included Licensee’s disclosure of information
11 about Licensee’s personal health issues to Patient; Licensee’s texting with
12 Patient; Licensee meeting with Patient at various locations other than Licensee’s
13 office; and Licensee offering to pay Patient to do yardwork at Licensee’s home.
14 Licensee asserts that boundary crossings were in an effort to maintain rapport
15 with the patient and retain the patient in therapy.

16 b. Licensee lacked documentation in the form of progress notes for each
17 session.

18 c. Licensee discussed protected health information pertaining to Patient via
19 text messages, failing to ensure the privacy and security of that information.

20 d. Licensee incorrectly billed Patient’s insurance for missed and late-
21 cancelled appointments. Licensee did reimburse insurance in the amount that
22 she incorrectly-billed.

23 13. Patient discontinued treatment with Licensee in mid-2014.

24 14. After Patient’s mother requested a copy of Patient’s records, Licensee left
25 Patient’s copied records in an envelope outside of Licensee’s office door, permitting a non-
26 confidential method for records pickup.

27 15. Patient’s mother subsequently filed a complaint (RFI No. 14-33) which included
28 an allegation by Patient that, during a May, 2014, session, Licensee was behaving in a manner

1 which may have indicated impairment.

2 16. Licensee obtained a neuropsychological examination as ordered. While it was
3 determined that Licensee is fit for duty, the Board emphasized the need for Licensee's self-
4 awareness.

5 17. Licensee allowed use of text messages for communication with patients, which
6 was non-confidential and permitted a non-confidential method for records pickup.

7 **CONCLUSIONS OF LAW**

8 18. The conduct and circumstances described above may constitute unprofessional
9 conduct pursuant to:

10 a. A.R.S. § 32-2061(15)(b) – betraying professional confidences;

11 b. A.R.S. § 32-2061(15)(h) – failing or refusing to maintain and retain
12 adequate business, financial or professional records pertaining to the psychological services
13 provided to a client or patient;

14 c. A.R.S. § 32-2061(15)(k) – violating any federal or state law or rules that
15 relate to the practice of psychology or to obtaining a license to practice psychology;

16 d. A.R.S. § 32-2061(15)(o) – providing services that are unnecessary or
17 unsafe or otherwise engaging in activities as a psychologist that are unprofessional by current
18 standards of practice;

19 e. A.R.S. § 32-2061(15)(p) – falsely or fraudulently claiming to have
20 performed a professional service, charging for a service or representing a service as the
21 licensee's own when the licensee has not rendered the service or assumed supervisory
22 responsibility for the service;

23 f. A.R.S. § 32-2061(15)(dd) – violating an ethical standard adopted by the
24 Board as it pertains to the American Psychological Association Ethical Principles of
25 Psychologists and Code of Conduct 3.05 Multiple Relationships.

26 ...
27 ...
28 ...

1 **ORDER FOR PROBATION, PRACTICE MONITOR,**
2 **AND CONTINUING EDUCATION**

3 Pursuant to A.R.S. §32-2081(Q) the Board has determined that the Licensee's
4 conduct in RFI No. 14-33 warrants disciplinary action. Based upon the foregoing Findings of
5 Fact and Conclusions of Law, IT IS ORDERED THAT:

6 19. **PROBATION:** Licensee's license as a Psychologist is placed on probation for
7 a period of eighteen months from the effective date of this Consent Agreement and Order.
8 Licensee may petition the Board to be released from probation after twelve months. If the
9 Licensee petitions the Board to be released from probation after twelve months and before the
10 Board grants the request, the Board shall determine whether Licensee is in compliance with the
11 terms of the Consent Agreement and Order and whether the conduct that lead to this Order has
12 been remediated satisfactorily. The effective date of this Consent Agreement is the date that it
13 is signed by the Board's Executive Director, or her designee, on behalf of the Board.

14 20. **PRACTICE MONITOR:** Within ten (10) calendar days of the effective date of
15 this Consent Agreement, Licensee shall enter into an agreement with one of the following
16 Board-approved licensees to serve as Licensee's Practice Monitor:

17 James J. Cox, Ed.D.
18 416 N. Kendrick St., Ste. 5
19 Flagstaff, AZ 86001
20 520-560-1028

21 Yolanda Eve Garcia, Ph.D.
22 P. O. Box 30518
23 Flagstaff, AZ 86003
24 602-568-9119

25 Laura Lyn, Ph.D.
26 519 N. Leroux Street
27 Flagstaff, AZ 86001
28 928-607-4595

1 Licensee shall work with the selected Practice Monitor for a minimum period of twelve
2 months. The Licensee shall have weekly, in-person meetings with the Practice Monitor for the
3 first six months.

4 After six months, and contingent upon favorable report by the Practice Monitor,
5 Licensee may petition the Board to reduce the meeting frequency to every other week.

6 After twelve months, and contingent upon favorable report by the Practice Monitor,
7 Licensee may petition the Board for release from the Practice Monitor term.

8 Topics to be addressed by the Practice Monitor include: ethics, multiple relationships,
9 self-awareness, adequate provision of services, billing, accounting, and administrative record-
10 keeping practices.

11 Licensee shall present this Order to the Board-approved Practice Monitor prior to the
12 date of the first meeting. The first meeting between Licensee and her Practice Monitor shall
13 occur within 30 days of selection of the Practice Monitor.

14 The Practice Monitor shall submit to the Board quarterly reports of the meetings to
15 include topics covered and any modifications made to the Licensee's practice. [A.R.S. §32-
16 2081]. The Practice Monitor shall provide reports to the Board 30 days after the end of each
17 quarter. The first quarter shall begin on the date of Licensee's first meeting with the Practice
18 Monitor. At the end of the twelve month period, the Practice Monitor is to complete a written
19 Summary Report to the Board regarding the Practice Monitor's interaction with Licensee,
20 topics discussed, areas of progress, matters of remaining concern and overall impressions. The
21 Summary Report shall be submitted to the Board within 30 days of the end of the twelve month
22 period.

23 If, during the probation period, the Practice Monitor is unable or unwilling continue to
24 act as Licensee's Practice Monitor, within ten (10) days of the Practice Monitor's termination
25 of the practice monitor relationship, Licensee shall contact the Board in writing and request
26 three names of other potential Practice Monitors approved by the Board. Licensee shall notify
27 the Board of her new Practice Monitor within 15 days after the names of additional Practice
28 Monitors are provided.

1 21. **CONTINUING EDUCATION REQUIREMENT:** In addition to the
2 continuing education requirements that are required by rule for license renewal, Licensee must
3 complete an additional six hours of continuing education in professional ethics, focusing on
4 maintaining professional boundaries. The continuing education requirements used to comply
5 with this agreement shall not be counted as continuing education for licensure renewal
6 purposes. However, continuing education acquired over and above any minimums used to
7 comply with this agreement may be counted as continuing education for licensure renewal
8 purposes.

9 22. **EVALUATION RECOMMENDATIONS AND PROTOCOL OF SELF-**
10 **EVALUATION STRATEGIES:** Licensee provided to the Board a protocol of self-evaluation
11 strategies to assist Licensee in maintaining awareness of periods when stressors may impact
12 judgment and to address concerns noted by Dr. Jason Baker, Ph.D.

13 23. **RE-EVALUATION:** Licensee shall be re-evaluated for fitness for duty by a
14 neuropsychologist prior to the Board's approval of Licensee's release from the requirement of
15 the Practice Monitor. Licensee shall notify the Board when she is ready for re-evaluation. The
16 Board or the Board's Executive Director shall pre-approve the neuropsychologist who is to
17 perform the re-evaluation. A copy of the re-evaluation report shall be provided to the Board
18 within 30 days of completion of that report.

19 24. **TERMINATION OF PROBATION:** At the end of 12 months, and if all other
20 requirements have been fulfilled, unless otherwise ordered by the Board, Licensee may petition
21 the Board, in writing, and request termination from probation and practice monitoring. If the
22 Board determines that Licensee has not complied with all the requirements of this Consent
23 Agreement, the Board may either (a) continue the probation for an additional six months or
24 longer as specified by the Board, including practice monitoring, or (b) institute proceedings for
25 noncompliance with this Consent Agreement, which may result in the suspension, revocation or
26 other disciplinary and/or remedial action.

27 25. **CONTINUED APPLICATION OF TERMS:** If, between the effective date of
28 this Consent Agreement and the termination of Licensee's probation by the Board, Licensee

1 fails to renew her license while under this Consent Agreement and subsequently applies for a
2 license, the remaining terms of this Consent Agreement, including probation and supervision,
3 shall be imposed if the application for licensure is granted.

4 26. **TOLLING FOR PERIODS OF NON-PRACTICE:** If, for any reason,
5 Licensee ceases practicing psychology in Arizona for more than 30 days or leaves Arizona to
6 reside or practice psychology outside Arizona, the periods of temporary or permanent residency
7 or practice outside Arizona or the non-practice within Arizona do not apply to reduce the
8 duration of probation under this Order. License shall notify the Board in writing within five
9 days of the dates of departure and return or the dates of non-practice in Arizona.

10 27. **EFFECTIVE DATE:** Licensee understands that the foregoing Consent
11 Agreement and Order shall not become effective unless and until adopted by the Board of
12 Psychologist Examiners and executed on behalf of the Board. Any modification to this original
13 document is ineffective and void unless mutually approved by the parties in writing.

14 28. **CONSIDERATION IN FUTURE ACTIONS:** Licensee understands that this
15 Order, or any part thereof, may be considered in any future disciplinary action against her.

16 29. **FINAL RESOLUTION:** This Order constitutes a final resolution of this
17 disciplinary matter but does not constitute a dismissal or resolution of other matters currently
18 pending before the Board, if any, and does not constitute any waiver, expressed or implied, of
19 the Board's statutory authority or jurisdiction regarding any other pending or future
20 investigations, actions or proceedings. Further, this Order does not preclude any other agency,
21 subdivision or officer of this State from instituting other civil or criminal proceedings with
22 respect to the conduct that is the subject of this Order.

23 30. **TIME:** Time is of the essence with regard to this Order.

24 31. **COSTS:** The Licensee shall be responsible for all costs incurred as a result of
25 her compliance with this Order.


26 32. **NON-COMPLIANCE:** If Licensee fails to comply with the terms of this Order,
27 the Board shall properly institute proceedings for noncompliance with this Order, which may
28 result in suspension, revocation, or other disciplinary and/or remedial actions. Violation of this

1 Order is a violation of A.R.S. § 32-2061(15)(aa), which is “violating a formal board order,
2 consent agreement, term of probation or stipulated agreement.”

3 33. **PUBLIC RECORD**: This Consent Agreement and Order is a public record that
4 may be publicly disseminated as a formal action of the Board and shall be reported to the
5 National Practitioner Data Bank.

6
7 DATED this 5th day of February, 2016.

8
9
10 ARIZONA BOARD OF
11 PSYCHOLOGIST EXAMINERS

12
13 
14 _____
15 Sandra J. Brim, Pd.D.
16 Licensee

17 By: Cindy Olvey
18 Cindy Olvey, Psy.D.
19 Executive Director

20
21 ORIGINAL of the foregoing filed this
22 8th day of February, 2016, with:

23 The Arizona State Board of Psychologist Examiners
24 1400 West Washington, Suite 240
25 Phoenix, Arizona 85007

26 COPY mailed by Certified Mail, No. 7009 2250 0001 7373 0435
27 8th day of February, 2016, to:
28 Sandra J. Brim, Ph.D.
Address on Record

29 COPY mailed
30 8th day of February, 2016, to:
31 Faren Akins
32 Akins Law Firm
33 7702 E. Doubletree Ranch Road, Ste. 300
34 Scottsdale, AZ 85258

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

COPY of the foregoing mailed by interagency
8th day of February, 2016, to:
Jeanne M. Galvin, AAG
Office of the Attorney General
SGD /LES
1275 West Washington
Phoenix, Arizona 85007

By: 

BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS

FOR THE STATE OF ARIZONA

In the Matter of:

Sandra J. Brim, Ph.D.

Holder of License No. 3205

for the Practice of Psychology

in the State of Arizona

Case No. 14-33

**SECOND CONSENT
AGREEMENT AND
ORDER FOR
EVALUATIONS**

On December 11, 2015, the Board met in open session and discussed Case No. 14-33 regarding Licensee. Her attorney, Faren Akins, addressed the Board and answered questions. The Board discussed provisions of a proposed Consent Agreement, resulting in a Consent Agreement and Order for Probation, Practice Monitor, and Continuing Education, with a February 5, 2016, effective date ("February 2016 Consent Agreement").

During a March 17, 2017, Board meeting, Complaint 16-33 regarding Licensee was reviewed. As factual information discussed during the Board's review of Complaint 16-33 was potentially relevant to certain issues addressed within in the February 2016 Consent Agreement, the Board authorized the Board's Assistant Attorney General, Jeanne Galvin, to engage in discussions with Licensee's attorney, Mr. Akins, regarding modifications to the February 2016 Consent Agreement. Those discussions resulted in the First Amended Consent Agreement and Order for Evaluations ("First Amended Consent Agreement").

On July 3, 2017, the Board met telephonically in special session and discussed Case No. 14-33 regarding Licensee. Licensee, Dr. Sandra Brim and her attorney, Faren Akins, addressed the Board and answered questions. The Board discussed the findings, opinions, and recommendations of two evaluations conducted for Licensee: a May 18, 2017, Neuropsychological Re-Evaluation conducted by Kevin O'Brien, Ph.D. and a May 22, 2017, Substance Use Evaluation conducted by Phillip Lett, Ph.D. The Board voted to modify the First Amended Consent Agreement and Order for Evaluations. This discussion resulted in the current Second Amended Consent Agreement.

JURISDICTION

1 1. The Board is authorized to regulate the practice of psychology in Arizona
2 pursuant to A.R.S. § 32-2061, *et seq.*, and the rules promulgated thereunder, found in Arizona
3 Administrative Code ("A.A.C." or "rules") at R4-26-101, *et seq.*, to regulate and control the
4 licensing of psychologists in the State of Arizona.

5 2. Licensee is the holder of license number 3205 for the practice of psychology in
6 the State of Arizona.

7 3. The Board has personal and subject matter jurisdiction over Licensee pursuant
8 to A.R.S. § 32-2061, *et seq.*, and the rules at A.A.C. R4-26-101, *et seq.*

RECITALS

9 Licensee understands and agrees that:

10 4. The Board and Licensee enter into this Second Amended Consent Agreement to
11 promptly and judiciously resolve this matter, consistent with the public interest and the
12 statutory requirements of the Board.
13

14 5. Licensee has the right to consult with an attorney prior to entering into this
15 Second Amended Consent Agreement.

16 6. Licensee has a right to a public hearing concerning this case. She further
17 acknowledges that at such formal hearing she could present evidence and cross-examine
18 witnesses. Licensee irrevocably waives her right to such a hearing.

19 7. Licensee irrevocably waives any right to rehearing or review or to any judicial
20 review or any other appeal of this matter.

21 8. This Second Amended Consent Agreement shall be subject to the approval by
22 the Board and shall be effective only when signed by the Executive Director and accepted by
23 the Board. In the event that the Board does not approve this Second Amended Consent
24 Agreement, it is withdrawn and shall be of no evidentiary value and shall not be relied upon nor
25 introduced in any action by any party, except that the parties agree that should the Board reject
26 this Second Amended Consent Agreement and this case proceeds to hearing, Licensee shall
27 assert no claim that the Board was prejudiced by its review and discussion of this document or
28 any records relating thereto.

14. After Patient's mother requested a copy of Patient's records, Licensee left Patient's copied records in an envelope outside of Licensee's office door, permitting a non-confidential method for records pickup.

15. Patient's mother subsequently filed a complaint (RFI No. 14-33) which included an allegation by Patient that, during a May, 2014, session, Licensee was behaving in a manner which may have indicated impairment.

16. Licensee obtained a neuropsychological examination as ordered. While it was determined that Licensee is fit for duty, the Board emphasized the need for Licensee's self-awareness.

17. Licensee allowed use of text messages for communication with patients, which was non-confidential and permitted a non-confidential method for records pickup.

18. In December 2015, Licensee provided to the Board a protocol of self-evaluation strategies to assist Licensee in maintaining awareness of periods when stressors may impact judgment and to address concerns noted in the previous neuropsychological evaluation report.

19. Licensee subsequently entered into the February 2016 Consent Agreement placing Licensee's psychologist license on probation for a period of eighteen months and setting forth a number of additional terms, including the following:

a. **PRACTICE MONITOR**: Licensee was required to enter into an agreement with a Board-approved psychologist to serve as her practice monitor. Licensee subsequently selected James J. Cox, Ed.D. to serve as her practice monitor, and that practice monitoring was to occur for a minimum of 12 months. Per Licensee and Dr. Cox, Licensee has participated in weekly, in-person practice monitor meetings in accordance with the February 2016 Consent Agreement. In his February 10, 2017, Fourth Quarterly Monitoring Report, Dr. Cox opined that Licensee was no longer in need of a practice monitor and recommended, in part, that the term requiring Licensee to have a practice monitor be discontinued. In an April 1, 2017, letter, Licensee requested, in part, that her practice monitoring sessions with Dr. Cox be reduced from weekly sessions to every other week sessions.

1 Consistent with the Board's discussion at the March 17, 2017 meeting, the following
2 requirements were included and agreed to in the First Amended Consent Agreement:

3 **ORDER FOR EVALUATIONS**

4 Pursuant to A.R.S. §32-2081(S) the Board has determined that the Licensee's conduct
5 in RFI No. 14-33 warrants disciplinary action. Based upon the foregoing Findings of Fact and
6 Conclusions of Law, IT IS ORDERED THAT:

7 21. **PROBATION**: Licensee's license as a psychologist is placed on probation for
8 a period of eighteen months from February 5, 2016, the effective date of the February 2016
9 Consent Agreement. Licensee may petition the Board to be released from probation after
10 twelve months of the effective date of the February 2016 Consent Agreement. If the Licensee
11 petitions the Board to be released from probation after twelve months, and before the Board
12 grants the request, the Board shall determine whether Licensee is in compliance with the terms
13 of the First Amended Consent Agreement and whether the conduct that lead to the February
14 2016 Consent Agreement and subsequent First Amended Consent Agreement has been
15 remediated satisfactorily.

16 22. **PRACTICE MONITOR**: Licensee shall have in-person meetings, every other
17 week, with her selected Practice Monitor, James J. Cox, Ph.D. Topics to be addressed by the
18 Practice Monitor include: ethics, multiple relationships, self-awareness, adequate provision of
19 services, billing, accounting, and administrative record-keeping practices. After Licensee has
20 been re-evaluated for fitness for duty by a neuropsychologist, and contingent upon favorable
21 report by the Practice Monitor, Licensee may petition the Board for release from the Practice
22 Monitor term.

23 The Practice Monitor shall submit to the Board quarterly reports of the meetings to
24 include topics covered and any modifications made to the Licensee's practice. [A.R.S. §32-
25 2081]. The Practice Monitor shall provide reports to the Board 30 days after the end of each
26 quarter. The first quarter shall begin on the date of Licensee's first meeting with the Practice
27 Monitor. At the end of the twelve month period, the Practice Monitor is to complete a written
28 Summary Report to the Board regarding the Practice Monitor's interaction with Licensee,

1 topics discussed, areas of progress, matters of remaining concern and overall impressions. The
2 Summary Report shall be submitted to the Board within 30 days of the end of the twelve month
3 period.

4 If, during the probation period, the Practice Monitor is unable or unwilling continue to
5 act as Licensee's Practice Monitor, within ten (10) days of the Practice Monitor's termination
6 of the practice monitor relationship, Licensee shall contact the Board in writing and request
7 three names of other potential Practice Monitors approved by the Board. Licensee shall notify
8 the Board of her new Practice Monitor within 15 days after the names of additional Practice
9 Monitors are provided.

10 23. **NEUROPSYCHOLOGICAL RE-EVALUATION AND SUBSTANCE USE**

11 **EVALUATION:** Licensee shall obtain an independent neuropsychological re-evaluation to
12 determine if there has been any change in Licensee's cognitive functioning since her June
13 2015, Board-ordered neuropsychological evaluation, to address whether any conditions exist
14 that would prohibit Licensee from safely practicing psychology, Licensee's attentive capacity,
15 and Licensee's capacity to exercise the self-awareness and self-monitoring described in the
16 2015 neuropsychological evaluation report as recommended to minimize the likelihood of a
17 recurrence of the issues involved in Complaint 14-33 . Additionally, Licensee shall obtain an
18 independent substance use evaluation. The resulting neuropsychological re-evaluation and
19 substance use evaluation reports shall be completed and provided to the Board within 30 days
20 of completion of each respective evaluation.

21 24. **SELECTION OF NEUROPSYCHOLOGICAL EVALUATOR:** Within
22 fifteen (15) days of the effective date of this First Amended Consent Agreement, Licensee shall
23 make arrangements with one of the following three psychologists to conduct an independent
24 neuropsychological re-evaluation:

- 25 a. Kevin O'Brien, Ph.D.
26 Arizona Neuropsychology, P.C.
27 9832 N. Hayden Rd., Ste. 106
28 Scottsdale, AZ 85258
(480) 945-3475

- b. Daniel Blackwood, Ph.D.
Neuropsychology Associates, P.C.
1515 E. Missouri Avenue, #110
Phoenix, AZ 85014
(602) 230-8325
- c. Jeannine Morrone-Strupinsky, Ph.D.
Arizona Neuropsychological Services, PLLC
3115 South Price Road
Chandler, AZ 85018
(480) 855-4011

25. **SELECTION OF SUBSTANCE USE EVALUATOR:** Within fifteen (15) days of the effective date of this First Amended Consent Agreement, Licensee shall make arrangements with one of the following two psychologists to conduct an independent substance-use evaluation:

- a. Phillip Lett, Ph.D.
Professional Psychology Associates, PC
4222 E. Camelback Road, Suite 230H
Phoenix, AZ 85018
(602) 852-0911
- b. Lawrence M. Sideman, Ph.D, ABPP
10269 North Central Avenue
Phoenix, AZ 85020
(602) 677-1206

26. **BOARD NOTIFICATION OF SELECTED EVALUATORS AND SCHEDULED EVALUATION DATES:** At least seven (7) days prior to each scheduled evaluation, Licensee shall notify the Board in writing of the selected evaluator and the scheduled evaluation date. The Board shall subsequently provide each selected evaluator with collateral materials for review prior to Licensee's examination, to include a copy of the First Amended Consent Agreement.

...
...

1 27. **COMMUNICATION WITH EVALUATORS:** Because Licensee is
2 undergoing the independent evaluations under Board Order, she shall instruct any attorney
3 retained on her behalf not to contact the evaluators. Any questions or concerns must be
4 addressed to Board staff.

5 28. **CLIENT:** Each evaluator is conducting an independent evaluation solely for
6 the benefit of the Board, is not treating Licensee as a client or patient, and there is no
7 doctor/patient relationship between the evaluator and Licensee.

8 29. **COSTS:** All costs associated with the compliance with this Order and
9 completion of the evaluations are the sole responsibility of Licensee.

10 30. **RELEASES:** Licensee shall sign, authorize and complete any and all releases
11 necessary as requested by the evaluator to help ensure a complete and thorough
12 evaluation/examination and to ensure the reports are properly released to the Board as set forth
13 in paragraphs 23 and 31 of this First Amended Consent Agreement.

14 31. **FINAL WRITTEN REPORTS:** The Board authorizes the Executive Director
15 to contact any and all evaluators to request the final reports in writing for the Board's review.
16 All results of the neuropsychological re-evaluation and substance use evaluation are the sole
17 property of the Board, and shall be released to the Board before, or concurrent with, their
18 release to the Licensee or any attorney retained on her behalf.

19 32. **BOARD REVIEW OF NEUROPSYCHOLOGICAL RE-EVALUATION**
20 **AND SUBSTANCE USE EVALUATION REPORTS:** The Board shall review the results of
21 Licensee's neuropsychological and substance use evaluations and determine, based on the
22 results of the evaluations, whether further Board action is warranted.

23 33. **TERMINATION OF PROBATION:** After all requirement of the First
24 Amended Consent Agreement have been fulfilled, unless otherwise ordered by the Board,
25 Licensee may petition the Board, in writing, and request termination from probation and
26 practice monitoring. If the Board determines that Licensee has not complied with all the
27 requirements of this First Amended Consent Agreement, the Board may either (a) continue the
28 probation for an additional six months or longer as specified by the Board, including practice

1 monitoring, or (b) institute proceedings for noncompliance with this First Amended Consent
2 Agreement, which may result in the suspension, revocation or other disciplinary and/or
3 remedial action.

4 34. **CONTINUED APPLICATION OF TERMS**: If, between the effective date of
5 this First Amended Consent Agreement and the termination of Licensee's probation by the
6 Board, Licensee fails to renew her license while under this First Amended Consent Agreement
7 and subsequently applies for a license, the remaining terms of this First Amended Consent
8 Agreement, including probation and supervision, shall be imposed if the application for
9 licensure is granted.

10 35. **TOLLING FOR PERIODS OF NON-PRACTICE**: If, for any reason,
11 Licensee ceases practicing psychology in Arizona for more than 30 days or leaves Arizona to
12 reside or practice psychology outside Arizona, the periods of temporary or permanent residency
13 or practice outside Arizona or the non-practice within Arizona do not apply to reduce the
14 duration of probation under this First Amended Consent Agreement. Licensee shall notify the
15 Board in writing within five days of the dates of departure and return or the dates of non-
16 practice in Arizona.

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

23 37. **CONSIDERATION IN FUTURE ACTIONS**: Licensee understands that this
24 First Amended Consent Agreement, or any part thereof, may be considered in any future
25 disciplinary action against her.

26 38. **FINAL RESOLUTION**: This First Amended Consent Agreement constitutes a
27 final resolution of this disciplinary matter but does not constitute a dismissal or resolution of
28 other matters currently pending before the Board, if any, and does not constitute any waiver,

1 expressed or implied, of the Board’s statutory authority or jurisdiction regarding any other
2 pending or future investigations, actions or proceedings. Further, this First Amended Consent
3 Agreement does not preclude any other agency, subdivision or officer of this State from
4 instituting other civil or criminal proceedings with respect to the conduct that is the subject of
5 this First Amended Consent Agreement.

6 39. **TIME**: Time is of the essence with regard to this First Amended Consent
7 Agreement.

8 40. **NON-COMPLIANCE**: If Licensee fails to comply with the terms of this First
9 Amended Consent Agreement, the Board shall properly institute proceedings for
10 noncompliance with this First Amended Consent Agreement, which may result in suspension,
11 revocation, or other disciplinary and/or remedial actions. Violation of this First Amended
12 Consent Agreement is a violation of A.R.S. § 32-2061(15)(aa), which is “violating a formal
13 board order, consent agreement, term of probation or stipulated agreement.”

14 41. **PUBLIC RECORD**: This First Amended Consent Agreement is a public record
15 that may be publicly disseminated as a formal action of the Board and shall be reported to the
16 National Practitioner Data Bank.

17 **SECOND AMENDED CONSENT AGREEMENT**

18 Licensee complied with all requirements detailed in the First Amended Consent
19 Agreement including completion of a Neuropsychological Re-Evaluation and a Substance Use
20 Evaluation. Both evaluations recommended further interventions. This Second Amended
21 Consent Agreement sets forth modifications and additional terms to the First Amended Consent
22 Agreement and the February 2016 Consent Agreement as follows:

23 42. **PROBATION**: Licensee’s license as a psychologist is continued on probation
24 commencing the effective date of this Second Amended Consent Agreement, and shall
25 continue until all terms detailed herein have been fulfilled and so confirmed by the Board’s
26 Executive Director.

27 ...

28 ...

1 43. **PRACTICE MONITOR:** Licensee shall have in-person meetings once
2 monthly with her selected Practice Monitor, James J. Cox, Ph.D. Topics to be addressed by the
3 Practice Monitor include: ethics, multiple relationships, self-awareness, adequate provision of
4 services, billing, accounting, and administrative record-keeping practices.

5 Within one week following any consultation meeting with the Licensee, the Practice
6 Monitor shall submit to the Board written confirmation of the date, topics covered and any
7 modifications made to the Licensee's practice. [A.R.S. §32-2081].

8 Upon request from the Board's Executive Director, the Practice Monitor shall complete
9 and submit within one week a final written Summary Report to the Board regarding the
10 Practice Monitor's interaction with Licensee, topics discussed, areas of progress, matters of
11 remaining concern and overall impressions.

12 If, during the probation period, the Practice Monitor is unable or unwilling to continue
13 to act as Licensee's Practice Monitor, within ten (10) days of the Practice Monitor's
14 termination of the practice monitor relationship, Licensee shall contact the Board in writing and
15 request three names of other potential Practice Monitors approved by the Board. Licensee shall
16 notify the Board of her new Practice Monitor within 15 days after the names of additional
17 Practice Monitors are provided.

18 Upon completion of this Second Amended Consent Agreement and release from
19 probation, Licensee agrees to voluntarily continue at least once monthly consultation with her
20 Practice Monitor for a period of six months, or for less than six months if Dr. Brim relocates to
21 California and obtains agency employment.

22 44. **COMPLIANCE WITH AND FULFILLMENT OF**
23 **RECOMMENDATIONS OF NEUROPSYCHOLOGICAL RE-EVALUATION:** Licensee
24 shall comply with all of the Recommendations as provided in the June 14, 2017
25 Neuropsychological Re-Evaluation conducted by Kevin O'Brien, Ph.D.

26 45. **COMPLIANCE WITH AND FULFILLMENT OF**
27 **RECOMMENDATIONS OF SUBSTANCE USE EVALUATION:** Licensee shall comply
28 with all of the Recommendations provided in the May 22, 2017, Substance Use Evaluation
conducted by Phillip Lett, Ph.D.

1 Confirmation of compliance with the following Recommendations from Dr. Lett's
2 report shall expressly be provided in writing directly to the Board's Executive Director by the
3 professional providing the service:

4 1) obtain a medical consultation from a practicing addiction medicine specialist to
5 identify and possibly implement treatment strategies other than opioids for managing chronic
6 pain and mitigating risk factors for harm;


7 2) complete 8 sessions of behavioral health treatment with a qualified professional to
8 help manage co-occurring chronic pain and diagnosed condition; and

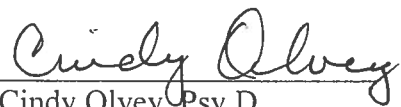
9 3) complete 8 sessions of individual or group substance use disorder relapse prevention
10 counseling with a qualified substance abuse professional.

11 46, **TERMINATION OF PROBATION:** After receipt of all of the written
12 statements of compliance as detailed in Section 45 of this Second Amended Consent
13 Agreement, the Executive Director shall request the final report of the Licensee's Practice
14 Monitor as detailed in Section 43 of this Second Amended Consent Agreement. Upon receipt
15 of that report by the Executive Director, and determination that licensee is in full compliance
16 with all requirements, the Executive Director shall release Licensee from probation and
17 mandatory practice monitoring, and licensee shall be appropriately notified. This shall be
18 confirmed by notice from the Board's Executive Director.

19
20
21 DATED this 11th day of July, 2017.

22
23 ARIZONA BOARD OF
24 PSYCHOLOGIST EXAMINERS

25
26 
27 Sandra J. Brim, Pd.D.
28 Licensee

By: 
Cindy Olvey, Psy.D.
Executive Director

ORIGINAL of the foregoing filed this

11th day of July, 2017, with:

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

COPY mailed by Certified Mail, No. 7016 2140 0000 6959 4442
11th day of July, 2017, to:

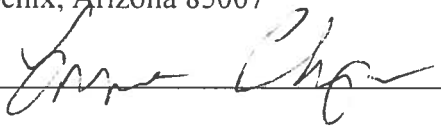
Sandra J. Brim, Ph.D.
Address on Record

COPY mailed
11th day of July, 2017, to:

Faren Akins
Akins Law Firm
7702 E. Doubletree Ranch Road, Ste. 300
Scottsdale, AZ 85258

COPY of the foregoing mailed by interagency mail
11th day of July, 2017, to:

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

By: 

1 **BEFORE THE BOARD OF PSYCHOLOGIST EXAMINERS**
2 **FOR THE STATE OF ARIZONA**

3
4 In the Matter of)
5 **Sandra J. Brim, Ph.D.**)
6 **Holder of License No. 3205**)
7 **for the Practice of Psychology**)
 in the State of Arizona)

Case No. 14-33

**RELEASE FROM SECOND
CONSENT AGREEMENT AND
ORDER FOR EVALUATIONS**

8
9 The Board of Psychologist Examiners (“Board”) received a request to release Sandra J.
10 Brim, Ph.D. from the terms and conditions of the above-referenced Second Consent Agreement
11 and Order dated July 11, 2017.

12 The Board, at its meeting of July 3, 2017, discussed and considered requirements for
13 release from the terms and conditions of the Second Consent Agreement and Order for
14 Evaluations. Dr. Brim has substantially complied with all of the terms and conditions of the
15 Second Consent Agreement and Order for Evaluations.

16
17 **ORDER**

18 IT IS THEREFORE ORDERED that Dr. Sandra Brim is hereby released from all terms
19 and conditions of the Second Consent Agreement and Order for Evaluations dated July 11,
20 2017, effective October 30, 2017.

21
22
23 DATED this 31st day of October, 2017.

24
25 *Cindy Olvey*
26 _____
27 Cindy Olvey, Psy.D.
28 Executive Director

1 **ORIGINAL** of the foregoing filed this
2 31st day of October, 2017, with:
3 The Arizona State Board of Psychologist Examiners
4 1400 West Washington, Suite 240
5 Phoenix, Arizona 85007

6 **COPY** of the foregoing mailed this
7 31st day of October, 2017, to:
8 Faren Akins
9 Akins Law Firm
10 7702 E. Doubletree Ranch Road, Suite 300
11 Scottsdale, AZ 85258

12 **COPY** of the foregoing mailed this
13 31st day of October, 2017, to:
14 Sandra J. Brim, Ph.D.
15 Address of Record

16 **COPY** of the foregoing mailed by interagency mail
17 31st day of October, 2017, to:
18 Jeanne Galvin, Esq.
19 Office of the Attorney General
20 1275 West Washington, SGD/LES
21 Phoenix, Arizona 85007

22 By: Cindy Olvey
23
24
25
26
27
28