

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

3
4 **In the Matter of:**) **Case No. 20-51**
5 **Dylan Huff, M.Ed., BCBA**) **ORDER FOR CONTINUING**
6 **Holder of License No. #BEH-000267**) **EDUCATION AND SELF-**
7 **for the Practice of Behavior Analysis**) **STUDY**
8 **in the State of Arizona**) **(Non-Disciplinary)**

9 On March 12, 2021, the Arizona Board of Psychologist Examiners (“Board”) met in
10 open session to discuss the above-referenced case. Dylan Huff, M.Ed., BCBA (“Respondent”)
11 appeared virtually with his attorney, Mandi Karvis. After discussion, consideration, and
12 deliberation, the Board voted to issue Respondent this Non-Disciplinary Order for Continuing
13 Education and Self-Study (“Order”).

14 **JURISDICTION**

- 15 1. The Board is authorized to regulate the practice of behavior analysis in Arizona
16 pursuant to Arizona Revised Statutes (hereafter “A.R.S.”) § 32-2091, *et seq.*
- 17 2. Respondent is the holder of license number BEH-000267 for the practice of
18 behavior analysis in the State of Arizona.
- 19 3. The Board has personal and subject matter jurisdiction over Respondent
20 pursuant to A.R.S. § 32-2091, *et seq.*

21 **FINDINGS OF FACT**

- 22 1. Respondent has been a licensed behavior analyst in the State of Arizona since
23 February 9, 2017.
- 24 2. Respondent and his wife Paige Huff (“Applicant”), a pending applicant for
25 behavior analyst licensure in the State of Arizona, are co-owners of Adventure ABA, LLC, a
26 behavior analytic company.
- 27 3. From April 2019 through June of 2020, Adventure ABA provided Applied
28 Behavior Analysis (“ABA”) services to a 5 year old male client (“Client”) who was diagnosed

1 with Autism Spectrum Disorder. Several Adventure ABA staff members provided services to
2 Client, including Respondent.

3 4. In June of 2020, a complaint was filed against Mr. Dylan Huff and Applicant.
4 The complaint alleged, *inter alia*, that Respondent authored a “Transition of Care” letter on
5 behalf of client that contained information about client’s mother that portrayed her in an
6 unfavorable light.

7 5. On January 8, 2021, the Committee on Behavior Analysts (“Committee”)
8 reviewed the complaint against Respondent and Applicant. The Committee noted the
9 following:

10 a. The content of the release of services letter that Respondent sent to the
11 client’s parents failed to align with core ethical principles and lacked
12 documentation to substantiate its contents.

13 b. While there was no evidence on Respondent’s part to cause harm, his actions
14 could be perceived by the client’s mother to have done so. Furthermore,
15 while there is no evidence of gross negligence, record appears to reflect that
16 the client’s interest did not always rise above the needs of the business and
17 its employees.

18 c. Respondent’s conduct was not in adherence with the Behavior Analyst
19 Certification Board’s (BACB) Professional and Ethical Compliance Code,
20 where transfer of care for the client was concerned. If the conduct is not
21 corrected, it may constitute violations of the following sections of the
22 BACB’s code: 2.0; 2.2; 2.15 A, C and D; and 4.1A.

23 6. The Committee voted to forward the complaint to the Board with a
24 recommendation that Respondent be issued a non-disciplinary Letter of Concern and Order for
25 Continuing Education. The Board accepted this recommendation at its meeting on March 12,
26 2021.

27 **ORDER**

28 Pursuant to A.R.S. §32-2091.09(F)(3), the Board considers that while the Respondent’s

1 conduct in Complaint No. 20-51 does not warrant disciplinary action, it is nonetheless cause for
2 concern on the part of the Board and that continuation of such actions may result in disciplinary
3 action therefore, IT IS ORDERED THAT:

4 1. **CONTINUING EDUCATION:** In addition to the continuing education
5 requirements that are required by A.C.C. R4-26-409 for license renewal, Respondent shall
6 complete an additional twenty-four (24) clock hours of continuing education in the following
7 areas: ethics, professionalism, custodial care, forensics, and working with family members.
8 Eight (8) of those hours must focus on forensics and family matters (3 of which must be
9 completed within 45 days of the effective date of the Order), and the remaining sixteen (16)
10 hours to be completed within 180 days of the effective date of the Order shall consist of self-
11 study with a behavior analyst mentor who is knowledgeable in the area of ethics who is
12 licensed Behavior Analyst in the State of Arizona. The mentor shall be pre-approved by the
13 Committee on Behavior Analyst Chair. The mentor shall submit to the Board and to the
14 Committee on Behavior Analysts a report at the conclusion of the self-study that reflects the
15 dates/times of the meetings, the topics discussed and the Respondent's receptivity and
16 understanding of the concepts discussed. All continuing education courses must be pre-
17 approved by the Board's Executive Director or designee. Within fourteen (14) days of
18 completing this continuing education, Respondent shall submit the certificates of completion to
19 the Executive Director or designee.

20 2. **EFFECTIVE DATE:** The effective date of this Order is 35 days after the date
21 that an executed copy of the Order, is mailed to the Respondent.

22 3. **NON-COMPLIANCE:** If Respondent fails to comply with the terms of this
23 Order, the Board shall properly institute proceedings for noncompliance with this Order, which
24 may result in disciplinary and/or remedial actions. Violation of this Order is a violation of
25 A.R.S. § 32-2091(12)(aa), which is "violating a formal board order, consent agreement, term of
26 probation or stipulated agreement."

27 4. **CONSIDERATION IN FUTURE ACTIONS:** Respondent understands that
28 this Order, or any part thereof, may be considered in any future disciplinary action against him.

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

8 6. **TIME:** Time is of the essence with regard to this Order.

9 7. **COSTS:** Respondent shall be responsible for all costs incurred as a result of his
10 compliance with this Order.

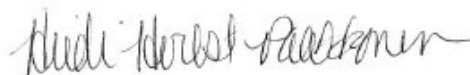
11 8. **PUBLIC RECORD:** This Order constitutes a public record that may be
12 publicly disseminated as a formal action of the Board.

13 9. **RIGHT TO PETITION FOR REHEARING OR REVIEW:** Respondent is
14 hereby notified that he has the right to petition for a rehearing or review. Pursuant to A.R.S. §
15 41-1092.09, the petition for rehearing or review must be filed with the Board's Executive
16 Director within 30 days after service of this Order. Pursuant to A.A.C. R4-26-416, the petition
17 must set forth legally sufficient reasons for granting a rehearing. Service of this Order is
18 effective five days after date of mailing. If a motion for rehearing is not filed, the Board's
19 Order becomes effective 35 days after it is mailed to the Respondent.
20

21 Respondent is further notified that the filing of a motion for rehearing is
22 required to preserve any rights of appeal to the Superior Court.

23 DATED this 12 day of March, 2021.

24
25 ARIZONA BOARD OF
26 PSYCHOLOGIST EXAMINERS

27 

28 By: _____
Heidi Herbst Paakkonen
Executive Director

1 **ORIGINAL** filed electronically
2 this 12 day of March, 2021, with:

3 The Arizona State Board of Psychologist Examiners
4 1740 West Adams St., Suite 3403
5 Phoenix, Arizona 85007

6 **COPY** mailed by regular and certified mail # **9489009000276155081358**
7 this 12 day of March, 2021, to:

8 Dylan Huff, M.Ed., BCBA
9 Address on Record
10 Respondent

11 **COPY** of the foregoing mailed by USPS regular mail
12 this 12 day of March, 2021, with:

13 Mandi Karvis, Esq.
14 Wicker, Smith, O'Hara, McCoy & Ford, P.A.
15 One North Central Avenue, Suite 885
16 Phoenix, AZ 85004
17 Attorney for Respondent

18 **COPY** of the foregoing via email (jeanne.galvin@azag.gov)
19 This 12 day of March, 2021, with:

20 Jeanne M. Galvin
21 Assistant Attorney General
22 2005 North Central Ave. SGD/LES
23 Phoenix, Arizona 85004
24 Attorney for the State of Arizona

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27
28
By: Jennifer Michaelson