

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

3
4 IN THE MATTER OF:

Case No: 20F-2009-PSY

5 **RACHELE ELISA “BARRIE”**
6 **WAGNER, Psy.D.**

INTERIM ORDER FOR
NEUROPSYCHIATRIC AND
NEUROPSYCHOLOGICAL
(LIMITED) EVALUATIONS

7 Holder of License No. 3269
8 **(Suspended)**
9 for the Practice of Psychology
10 in the State of Arizona,

11 Respondent.

12 On June 5, 2020, the Board held a public meeting (virtual) to discuss the above-
13 captioned matter. Respondent was properly noticed but did not appear. At the conclusion
14 of the Board's consideration of the issues, the Board issued this Interim Order For
15 Neuropsychiatric and Neurological Evaluations (“Interim Order”) to Rachele Elisa “Barrie”
16 Wagner (“Respondent”), holder of License No. 3269 (Suspended)

17 **INTERIM FINDINGS OF FACT**

18 1. Respondent is a licensed psychologist in the State of Arizona, license number
19 3269. She has been licensed in Arizona since August 17, 1998.

20 2. On October 3, 2019, the Board received information from an anonymous person
21 alleging that Dr. Wagner had been admitted to a behavioral health facility pursuant to a court-
22 ordered evaluation. The specifics of Respondent’s condition and the allegations supporting the
23 court-ordered evaluation are contained within the Board’s files.

24 3. On October 23, 2019, the Board reviewed the pending complaint against
25 Respondent and voted to summarily suspend Respondent’s license, as emergency action was
26 necessary to protect the public health, safety, and welfare. Additionally, the Board moved the
27 matter to a formal hearing before the Office of Administrative Hearings to keep the suspension

1 in place until such time Dr. Wagner undergoes a fitness for duty evaluation by a Board-approved
2 provider and is cleared to safely practice psychology.

3 4. Following the summary suspension of her license, Respondent was readmitted
4 to Valleywise Behavioral Health (Maryvale) on November 5, 2019, after a court-ordered
5 petition was filed alleging that Respondent was engaging in behavior that some could
6 conclude demonstrate that she is not safe to practice psychology, the specifics of which
7 are contained in the Board's files.

8 5. On December 13, 2019, Respondent entered into an Interim Consent Agreement
9 and Order for Voluntary Suspension of Licensee, which specified that the suspension of
10 Respondent's would continue until she completes a fitness for duty evaluation within forty-five
11 (45) days of the effective date of the Interim Consent Agreement and that evaluation determines
12 that Respondent is safe to practice psychology, with or without certain limitations.

13 6. On June 5, 2020, at its public meeting, the Board reviewed the results of the
14 evaluator's ("Neuropsychologist") report dated January 31, 2020, which opined that Respondent
15 is not fit to return to the practice of psychology currently and that additional testing is
16 recommended. The Board moved to issue this Interim Order for Respondent to complete the
17 additional testing recommended in the evaluator's report.
18

19 **INTERIM CONCLUSIONS OF LAW**

20 1. The Board possesses subject matter and personal jurisdiction over Respondent
21 pursuant to A.R.S. § 32-3601 *et seq.*

22 2. The Board is authorized to issue an Interim Order to ensure a Licensee is safe to
23 practice in the professional field of psychology.
24

25 3. The conduct and circumstances alleged in the Interim Findings of Fact constitute
26 a violation of A.R.S. § 32-2061(16)(l), practicing psychology while impaired or incapacitated to

1 the extent and in a manner that jeopardizes the welfare of the client or patient or renders the
2 psychological services ineffective.

3 **INTERIM ORDER**

4 Based on the Interim Findings of Fact and Interim Conclusions of Law, and pursuant to
5 the authority granted to the Board under A.R.S. § 32-2081, IT IS ORDERED THAT:

6 1. **NEUROPSYCHIATRIC EVALUATION:** Respondent shall undergo a
7 neuropsychiatric evaluation with the provider listed below **or another neuropsychiatrist pre-**
8 **approved by the Board staff:**

- 9 a. Elizabeth Kohlhepp, M.D.
10 Ventura Psychiatric Specialist, L.L.P.
11 8723 East Via De Commercio B104
12 Scottsdale, AZ 85258
13 Phone: 480-607-3520

14 2. **NEUROPSYCHOLOGICAL EVALUATION (Comprehensive Memory**
15 **Testing):** Respondent shall undergo a neuropsychological evaluation for comprehensive
16 memory testing only with one of the providers listed below **or another neuropsychologist**
17 **pre-approved by the Board staff:**

- 18 a. Kevin O'Brien, Ph.D.
19 9832 North Hayden Road #106
20 Scottsdale, AZ 85258
21 Phone: 480-945-3475

- 22 b. H. Daniel Blackwood, Ph.D.
23 1515 East Missouri Avenue #110
24 Phoenix, AZ 85014
25 Phone: 602-230-8325

26 3. The effective date of this Interim Order is the date that it is signed by the Board's
Executive Director.

4. Within five (5) days of the effective date of this Interim Order, the Respondent
shall contact the Board's Executive Director, Heidi Herbst Paakkonen

1 (Heidi.paakkonen@psychboard.az.gov), in writing to inform her of the date and time of the
2 evaluations and the names of the provider/evaluator for each evaluation.

3 5. The neuropsychiatric and neuropsychological/comprehensive memory testing
4 evaluations shall occur within forty-five (45) days of the effective date of this Interim Order.
5 The evaluator's written report shall be transmitted to the Board within thirty (30) days of the
6 finalization of the evaluation.

7 6. Respondent is responsible for all expenses relating to the evaluations. The
8 evaluators conducting the evaluations and reports are solely for the benefit of the Board and is
9 not treating Respondent as a patient.

10 7. Respondent shall sign, authorize and complete any and all releases necessary as
11 requested by the evaluators to help ensure complete and thorough evaluations and to ensure
12 the reports are properly released directly to the Board as set forth above.

13 8. Respondent shall provide a copy of this Interim Order to the evaluators and any
14 treating facility/professional and shall sign a consent form to release all confidential
15 evaluations and/or treatment records to the Board.

16 9. Because Respondent is undergoing these evaluations under Board Order, she
17 shall instruct any attorney retained on her behalf not to contact the evaluator and/or any
18 treatment facility/or professional. Any questions or concerns must be addressed the Board's
19 Executive Director or her representative.

20 10. This is an Interim Order and not a final decision by the Board regarding any
21 pending investigation. As such, it is subject to modification and further consideration by the
22 Board.

23 11. Respondent's license to practice psychology shall not be fully restored unless
24 and until the Board determines in its sole discretion that Respondent may safely engage in the
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26

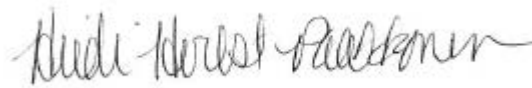
1 practice of psychology. Respondent understands that should the Board lift the suspension of
2 her license, the Board may order that she return to practice on a limited basis and/or under
3 certain terms and conditions.

4 12. Respondent is advised that any violation of any part of this order is a violation of
5 A.R.S. §32-2061(16)(aa). Failure to undergo the evaluation may result in revocation or other
6 available legal remedies against Respondent.

7 13. This Interim Order is a public record that may be publicly disseminated as a
8 formal action of the Board and shall be reported to the National Practitioner Data Bank.

9
10 DATED this 29 day of June, 2020.

11
12 ARIZONA STATE BOARD OF
13 PSYCHOLOGIST EXAMINERS

14 

15 _____
16 Heidi Herbst Paakkonen
17 Executive Director

18 **ORIGINAL** filed

19 This 29 day of June, 2020 to:

20 Arizona State Board of
21 Psychologist Examiners
22 1740 W. Washington, Suite 3403
23 Phoenix, Arizona 85007

24 **COPY** of the foregoing mailed by Certified Mail No. 70092250000111489074

25 This 29 day of June, 2020:

26 Barrie Wagner, Psy.D.
Address on File

COPY of the foregoing via email (jeanne.galvin@azag.gov)

This 29 day of June, 2020 to:

Jeanne M. Galvin
Assistant Attorney General

1 2005 North Central Ave. SGD/LES
2 Phoenix, Arizona 85004
3 Jeanne.galvin@azag.gov
4 Attorney for the State of Arizona

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