

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

3  
4 In the Matter of:

Case No. 20-52

5 **PAIGE HUFF, M.S., BCBA**

6 Applicant for Licensure as a  
7 Behavior Analyst  
8 In the State of Arizona.

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW, AND CONSENT  
AGREEMENT FOR ISSUANCE OF  
LICENSE, PROBATION AND  
PRACTICE MONITOR**

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10 In the interest of a prompt and judicious settlement of the above-captioned matter before  
11 the Arizona Board of Psychologist Examiners (“Board”) and consistent with public interest,  
12 statutory requirements and responsibilities of the Board and pursuant to A.R.S. § 32-2061 *et seq.*,  
13 and A.R.S. § 41-1092.07(F)(5), Paige Huff, M.S., BCBA. (“Applicant”), Applicant for licensure  
14 as a Behavior Analyst and the Board enter into this Consent Agreement for Probation and Practice  
15 Monitor (“Consent Agreement”) as the final disposition of this matter.

16 **JURISDICTION**

17 1. The Board is authorized to regulate the practice of behavior analysis in Arizona  
18 pursuant to A.R.S. § 32-2091, *et seq.*, and the rules promulgated thereunder, found in Arizona  
19 Administrative Code (“A.A.C.” or “rules”) at R4-26-401, *et seq.*, to regulate and control the  
20 licensing of behavior analysts in the State of Arizona.

21 2. Applicant applied for licensure as a behavior analyst on December 26, 2019.

22 3. The Board has personal and subject matter jurisdiction over Applicant pursuant to  
23 A.R.S. § 32-2091, *et seq.*, and the rules of A.A.C. R4-26-401, *et seq.*

24 **RECITALS**

25 Applicant understands and agrees that:

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

2           2.     Applicant has the right to consult with an attorney prior to entering into this Consent  
3 Agreement.

4           3.     Applicant has a right to a public hearing concerning this case. She further  
5 acknowledges that at such formal hearing she could present evidence and cross-examine witnesses.  
6 Applicant irrevocably waives his right to such a hearing.

7           4.     Applicant irrevocably waives any right to rehearing or review or to any judicial  
8 review or any other appeal to this matter.

9           5.     Applicant acknowledges and agrees that the acceptance of this Consent Agreement  
10 is solely to settle this Board matter and does not preclude the Board from instituting other  
11 proceedings as may be appropriate now or in the future.

12           6.     Applicant understands that this Consent Agreement does not constitute a dismissal  
13 or resolution of any other matters currently pending before the Board, if any, and does not constitute  
14 any waiver, express or implied, of the Board's statutory authority or jurisdiction regarding any other  
15 pending or future investigation, action or proceeding.

16           7.     Furthermore, and notwithstanding any language in this Consent Agreement, this  
17 Consent Agreement does not preclude in any way any other state agency or officer or political  
18 subdivision of this state from instituting proceedings, investigating claims, or taking legal action as  
19 may be appropriate now or in the future relating to this matter or other matters concerning  
20 Applicant, including violations of the Arizona Consumer Protection Act. Applicant acknowledges  
21 that, other than with respect to the Board, this Consent Agreement makes no representations,  
22 implied or otherwise, about the views or intended actions of any other state agency or officer or  
23 political subdivision of the state relating to this matter or other matters concerning Applicant.  
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25           8.     This Consent Agreement shall be subject to the approval by the Board and shall be  
26 effective only when approved by the Board and signed by the Board's Executive Director. In the  
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1 event that the Board does not approve this Consent Agreement, it is withdrawn and shall be of no  
2 evidentiary value and shall not be relied upon nor introduced in any action by any party, except the  
3 parties agree that should the Board reject this Consent Agreement and this case proceeds to hearing,  
4 Applicant shall assert no claim that the Board was prejudiced by its review and discussion of this  
5 document or any records relating thereto.

6 9. The Consent Agreement, once approved by the Board and signed by the Applicant  
7 and the Executive Director, shall constitute a public record, which may be disseminated as a formal  
8 action of the Board and shall be reported to the National Practitioner Data Bank.

9 10. Applicant voluntarily enters into this Consent Agreement for the purpose of  
10 avoiding the expense, uncertainty, and prolonged time involved in further administrative  
11 proceedings. The issues contained herein are resolved by settlement and not actually litigated.  
12 Any allegations and findings herein may not be used for *res judicata* or collateral estoppel effect  
13 in any subsequent civil proceedings for any claims of professional liability or negligence by or on  
14 behalf of Complainant(s).  
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16 **FINDINGS OF FACT**

17 1. On or about December 26, 2019, Applicant filed with the Board an application for  
18 licensure as a behavior analyst in the State of Arizona. With respect to Applicant's professional  
19 education, supervision and experience:

- 20 a. Applicant became certified as a BCaBA (Board Certified Assistant Behavior  
21 Analyst) in November of 2017;  
22 b. Applicant became certified as a BCBA (Board Certified Behavior Analyst) in  
23 November of 2019;  
24 c. In January of 2020, Applicant became licensed as a behavior analyst in Texas.  
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26 2. Applicant and her husband, Dylan Huff, are co-owners of Adventure ABA, LLC, a  
27 behavior analytic company. Dylan Huff is a licensed behavior analyst (#BEH 000267). He has held  
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1 that license since February of 2017.

2 3. From April 2019 through June of 2020, Adventure ABA provided Applied Behavior  
3 Analysis (“ABA”) services to a 5 year old male client (“Client”) who was diagnosed with Autism  
4 Spectrum Disorder. Several Adventure ABA staff members provided services to Client, including  
5 Dylan Huff.

6 4. During the review of Applicant’s application for licensure, in June of 2020, a  
7 complaint was filed against Mr. Dylan Huff and Applicant. The complaint alleged, *inter alia*, that  
8 Applicant authored a “Transition of Care” letter on behalf of client that contained information about  
9 client’s mother that portrayed her in an unfavorable light. In addition, it was alleged that Applicant  
10 engaged in the unauthorized/unlicensed practice of behavior analysis and that she was providing  
11 supervision to individuals employed at Adventure ABA and who are pursuing BCBA certification  
12 and licensure.

13 5. Upon recommendation of the Committee on Behavior Analysis (“Committee”), the  
14 Board found that Applicant was practicing behavior analysis without a license. This included  
15 Applicant’s supervision of Registered Behavior Technicians (RBTs), her signing two of Client’s  
16 Treatment Plans, Applicant’s written communication with Mother that went beyond administrative  
17 matters and into clinical matters, and Applicant listed her credentials as BCBA although she was  
18 not licensed to practice behavior analysis in Arizona at the time. Doing so could lead members of  
19 the public to conclude Applicant was actually licensed to practice behavior analysis in Arizona.  
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21 6. Finally, the Committee on Behavior Analysis expressed concern raised by  
22 Mother/Complainant that given the organizational structure of Adventures ABA, clients may find  
23 it difficult to raise concerns about Applicant because she and her husband are co-owners of the  
24 business, thus making reporting any complaints difficult. There appeared to be no mechanism in  
25 place to allow clients to complain to someone other than the co-owner’s husband.  
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1 **CONCLUSIONS OF LAW**

2 1. A.R.S. §32-2091.02 provides, in part, that a person who wishes to practice  
3 behavior analysis must be licensed and further (6) if an applicant for licensure as a behavior  
4 analyst must not have committed any act or engaged in any conduct that would constitute  
5 grounds for disciplinary action against a licensee.

6 2. The conduct and circumstances above constitute a violation of A.R.S. §32-  
7 2091(12)(dd), which defines unprofessional conduct as violating an ethical standard adopted by  
8 the Board as it relates to the Behavior Analyst Certification Board’s Professional and Ethical  
9 Compliance Code for Behavior Analysts. The conduct set forth above is a violation of the  
10 following ethical code provisions:

- 11 a. 1.0 Responsible Conduct of Behavior Analysts, which require behavior  
12 analysts to maintain the high standards of behavior of the profession;
- 13 b. 1.02(a) Boundaries of Competence, which requires all behavior analysts to  
14 provide services, teach, and conduct research only within the boundaries of  
15 their competence, defined as being commensurate with the education, training  
16 and supervised experience;
- 17 c. 1.04(d) Integrity, which requires a behavior analysts’ behavior conforms to  
18 the legal and ethical codes of the social and professional community of which  
19 they are members;
- 20 d. 5.01 Supervisory Competence, which requires behavior analysts supervise  
21 only within their areas of defined competence.  
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24 **ORDER**

25 Based upon the foregoing Findings of Fact and Conclusions of Law, the parties agree to  
26 the provisions and penalties imposed as follows:

- 27 1. **IT IS THEFORE ORDERED APPROVING** Applicant’s application for  
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1 licensure as a behavior analyst in the State of Arizona. **However, the license shall**  
2 **not issue until such time Applicant signs this Consent Agreement.** Upon  
3 Applicant's signing of this Consent Agreement, the license shall issue as soon as  
4 practicable. **If the Applicant fails to sign the Consent Agreement within**  
5 **fourteen (14) calendar days from the date that it is sent to her via email, the**  
6 **application for licensure is automatically denied and Applicant hereby waives**  
7 **her right to a hearing on that denial.**

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9 2. **The effective date of the Consent Agreement Order is the date it is signed by**  
10 **the Board's Executive Director.** As soon as the license is issued, **it shall be**  
11 **placed on probation immediately for a minimum period of twelve (12) months.**

12 3. **During the period of probation, Applicant shall engage with a Board-approved**  
13 **Practice Monitor for the purpose ensuring Applicant's compliance with the**  
14 **Board's statutes, rules and ethical requirements.**

15 4. **Applicant shall submit the name of the licensed behavior analyst who shall**  
16 **serve as the Practice Monitor to the Board's Executive Director for approval**  
17 **within ten (10) business days of the effective date of this Order. Within twenty**  
18 **(20) business days of the effective date of this Order, Applicant shall enter into**  
19 **the Practice Monitor agreement. The Practice Monitor shall have no familial**  
20 **or prior business relationship with Applicant.**

21 5. **The Practice Monitor shall provide professional guidance and input to**  
22 **Applicant to ensure Applicant meets all requirements for the standard of**  
23 **practice required of a behavior analyst and to address the violations set forth**  
24 **in this Consent Agreement.** Once approved, the Practice Monitor shall submit to  
25 the Executive Director a detailed monitoring program outlining the monitoring  
26 goals and objectives and how achievement of them will be measured. The written  
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monitoring program shall be provided to the Executive Director within ten (10) days of contracting with Applicant to serve as Practice Monitor.

6. Applicant shall meet with the Practice Monitor in-person or virtually at least twice per month for a minimum of two hours each session during the probationary period. The Practice Monitor shall review a minimum of five of Applicant’s recent patient records each quarter and discuss with Applicant the Monitor’s findings, conclusions, and recommendations for improvement. If five patient files are not available due to Applicant’s recent licensure, the Practice Monitor and Applicant shall engage in activities to address the stated deficiencies.

7. The Practice Monitor shall submit to the Committee on Behavior Analysis quarterly written reports of the sessions with Applicant, to include topics covered, any concerns, and any modifications made to Applicant’s practice. The Practice Monitor shall provide written reports to the Committee within 30 days after the end of each quarter. The first quarter shall begin on the date of the first session between the Applicant and the Practice Monitor. Before the conclusion of the probationary period, the Practice Monitor is to complete a final written report to the Committee/Board summarizing his/her interaction with Applicant, topics discussed, areas of progress, matters of remaining concern, and overall impressions. The final report shall be submitted to the Committee within 30 days prior to the date of the meeting at which the Committee will consider Applicant’s written request to terminate probation as set forth in paragraph 10. The Committee shall then make a recommendation to the Board concerning Applicant’s request to terminate probation. Applicant shall present this Consent Agreement to the Practice Monitor before the first meeting. The first meeting between Applicant and the Practice Monitor shall occur within 30 days of the effective date of this Consent

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Agreement.

- 8. After a period of six (6) months, Applicant may petition the Committee to reduce the frequency and length of the sessions with the Practice Monitor. The Practice Monitor must support such a request before its submission to the Committee. The Committee shall consider the request during the next meeting, assuming the agenda allows for it. The Committee shall then make a recommendation to the Board regarding the frequency and duration of Applicant’s Practice Monitor sessions.
- 9. If, during the probationary period, the Practice Monitor is unable or unwilling to continue to act as Applicant’s Practice Monitor, within 10 business days of the Practice Monitor’s termination of the practice monitor relationship, Applicant shall contact the Executive Director in writing and present another potential Practice Monitor for approval. Applicant shall notify the Board of her new Practice Monitor within 20 business days of receiving approval.
- 10. **TERMINATION OF PROBATION:** At the end of twelve (12) months and upon the Practice Monitor’s recommendation, Applicant may petition the Committee/Board, in writing, and request termination from probation. If the Committee determines that Applicant has not complied with the requirements of this Consent Agreement, the Committee may recommend to the Board that Board either (a) continue the probation, or (b) institute proceedings for noncompliance with this Consent Agreement, which may result in the suspension, revocation, or other disciplinary or remedial action. The Committee shall make a recommendation to the Board with respect to Applicant’s request to terminate probation.
- 11. **CONTINUING EDUCATION:** Within six (6) months of the effective date of this Consent Agreement, Applicant shall complete nine (9) hours of continuing education. The continuing education shall be in the areas of ethics, specifically



1 addressing the following provisions of the BACB ethical code 1.0 - Responsible  
2 Conduct of Behavior Analysts; 2.0 - Behavior Analysts' Responsibility to Clients;  
3 and 5.0 - Behavior Analysts as Supervisors. The continuing education shall be pre-  
4 approved by the Board's Executive Director and shall be in addition to what is  
5 required for the renewal of Applicant's license. The continuing education may be  
6 taken in-person or through distance learning.

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8 12. **CONSIDERATION IN FUTURE ACTIONS:** Applicant understands that this  
9 Consent Agreement, or any part thereof, may be considered in any future  
10 disciplinary action against her.

11 13. **TIME:** Time is of the essence with regard to this Consent Agreement.

12 14. **COSTS:** Applicant shall be responsible for all costs incurred as a result of her  
13 compliance with this Consent Agreement.

14 15. **NON-COMPLIANCE:** If Applicant fails to comply with the terms of this Consent  
15 Agreement, the Board may properly institute proceedings for noncompliance,  
16 which may result in suspension, revocation, or other disciplinary or remedial  
17 actions. Violation of this Consent Agreement is a violation of A.R.S. § 32-  
18 2091(12)(aa) ("violating a formal board order, consent agreement, term of  
19 probation or stipulated agreement").

20 16. **NON-RENEWAL OR LATE RENEWAL:** If Applicant fails to renew her license  
21 while under the terms of this Consent Agreement and subsequently applies for late  
22 renewal of license or a new license, the remaining terms of this Consent Agreement  
23 shall be imposed if the late renewal or reapplication for license is granted.

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25 17. **TOLLING:** If Applicant for any reason stops practicing behavior analysis in  
26 Arizona for more than 30 consecutive days or leaves Arizona to reside or practice  
27 behavior analysis outside of Arizona, the periods of temporary or permanent  
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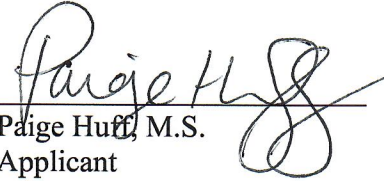
residency or practice outside Arizona or the non-practice within Arizona do not reduce the duration of the terms under this Order. Applicant shall notify the Board in writing within five (5) business days of the dates of departure or the dates of non-practice in Arizona.

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

19. **COMMITTEE RECOMMENDATION:** As Applicant is a co-owner of Adventure ABA and also a licensed professional (upon finalization of this Consent Agreement), the Committee strongly recommends Applicant become a member of a professional organization that focuses on owning a business and simultaneously holding a professional license. Such organizations include: Association for Behavior Analysis International; Association of Professional Behavior Analysts; Behavior Health Center of Excellence; and Council for Autism Service Providers. Membership in one or more similar organizations will provide Applicant much needed mentorship and guidance.

DATED this 16<sup>th</sup> day of March, 2021.

Arizona Board of  
Psychologist Examiners

  
Paige Huff, M.S.  
Applicant

  
Heidi Herbst Paakkonen  
Executive Director

**ORIGINAL** filed electronically  
This 16 day of March, 2021 with:

1 Arizona State Board of Psychologist Examiners  
2 1740 W. Adams St., Suite 3403  
3 Phoenix, Arizona 85007

4 **COPY** of the foregoing mailed by Certified Mail No. 9489009000276155081341  
5 This **16** day of **March**, 2021 to:

6 Paige Huff, M.S.  
7 Address on Record  
8 Respondent

9 **COPY** of the foregoing mailed by USPS regular mail  
10 This **16** day of **March**, 2021 to:

11 Mandi Karvis, Esq.  
12 Wicker, Smith, O'Hara, McCoy & Ford, PA  
13 One N. Central Avenue, Suite 885  
14 Phoenix, Arizona 85004  
15 Attorney for Applicant

16 **COPY** of the foregoing via email (jeanne.galvin@azag.gov)  
17 This **16** day of **March**, 2021 to:

18 Jeanne M. Galvin  
19 Assistant Attorney General  
20 2005 North Central Ave. SGD/LES  
21 Phoenix, Arizona 85004  
22 Jeanne.galvin@azag.gov  
23 Attorney for the State of Arizona

24 By: Jennifer Michaelson

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26  
27  
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