

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

3  
4 In the Matter of

Case No.: 2016-03

5 Joanna Woods, Psy.D.

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

6 Holder of License No.3833  
7 For the Practice of Psychology  
8 in the State of Arizona

9 On August 12, 2016, the Arizona Board of Psychologist Examiners ("Board")  
10 met in open session to discuss the above-referenced case. Joanna Woods, Psy.D.  
11 ("Licensee") was present with her legal counsel, J. Arthur Eaves. After discussion,  
12 consideration, and deliberation, the Board voted to enter into a Consent Agreement in  
13 lieu of further administrative proceedings.

14 **JURISDICTION**

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

19 2. Licensee holds a license to practice as a psychologist in the State of  
20 Arizona, License number 3833, issued October 24, 2006 pursuant to A.R.S. § 32-2071  
21 *et seq.*

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

24 **CONSENT AGREEMENT**

25 Licensee understands and agrees that:

26 ...

27 ...

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

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

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

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

12           8.     Although Licensee does not agree that all of the allegations in the  
13 Request for Investigation are supported by the evidence, Licensee acknowledges that  
14 it is the Board's position that if this matter proceeded to a formal hearing, the Board  
15 could establish sufficient evidence to support a conclusion that certain of Licensee's  
16 conduct constituted unprofessional conduct. Licensee therefore has agreed to enter  
17 into this Consent Agreement as an economical and practical means of resolving the  
18 issues alleged in the Request for Investigation.

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

27 ...



1 personally escorts the parents back to her office, hands them the informed consent  
2 form, discusses her obligations and responsibilities, and requires that both parents  
3 sign the form in front of her.

4 **CONCLUSIONS OF LAW**

5 15. The conduct and circumstances described above constitutes  
6 unprofessional conduct pursuant to: 1) A.R.S. § 32-2061(15)(o), providing services  
7 that are unnecessary or unsafe or otherwise engaging in activities as a psychologist  
8 that are unprofessional by current standards of practice, in this case failing to obtain  
9 informed consent from both divorced parents before treatment of a minor, as well as  
10 submission of a letter to the court on behalf of one parent without obtaining informed  
11 consent from the other parent and failing to meet with that other parent; 2) A.R.S. §  
12 32-2061(15)(r), failing to obtain a client's or patient's informed and written consent to  
13 release personal or otherwise confidential information to another party unless the  
14 release is otherwise authorized by law, in this case failing to obtain informed consent  
15 of both parents pursuant to a custody agreement prior to treatment of a minor; and 3)  
16 A.R.S. § 32-2061(15)(dd), violating an ethical standard as adopted by the Board, as it  
17 relates to Informed Consent, Standard 3.10 of the American Psychological  
18 Association Code of Conduct, in this case failing to obtain informed consent of the  
19 mother of a minor client.

20 **ORDER**

21 16. Pursuant to A.R.S. § 32-2081(S) the Board has determined that the  
22 Licensee's conduct in RFI No. 2016-03 warrants disciplinary action. Based on the  
23 foregoing Findings of Fact and Conclusions of Law, IT IS ORDERED THAT:

24 17. **PROBATION:** Licensee's license as a psychologist is placed on  
25 probation for a minimum period of six months from the effective date of this Consent  
26 Agreement, unless otherwise ordered by the Board. The effective date of this Consent

27 ...

1 Agreement is the date that it is signed by the Board's Executive Director, or her  
2 designee, on behalf of the Board.

3 18. **PRACTICE MONITOR:** While on probation, Licensee shall work  
4 with a Practice Monitor pre-approved by the Board's Executive Director and who will  
5 provide professional guidance and input to Licensee with respect to her practice in  
6 obtaining informed consent for the treatment of minors, recordkeeping, and releasing  
7 treatment records.

8 19. Within 10 business days of the effective date of this Consent  
9 Agreement, Licensee shall enter into an agreement with a Board-approved Practice  
10 Monitor. Licensee shall select one of the following to act as her Practice Monitor:

11 a. John DiBacco, Ph.D.  
12 4848 E. Cactus Road, #505-178  
13 Scottsdale, AZ 85254  
14 602-818-8900

15 b. Deborah Lewis, Ph.D.  
16 1313 E. Osborn Road, Suite 100  
17 Phoenix, AZ 85014  
18 602-799-6281

19 c. John Moran, Ph.D.  
20 J. A. Moran, Ph.D., PLLC  
21 1730 E. Northern Avenue, Suite 112  
22 Phoenix, AZ 85020  
23 602-795-4449

24 20. Licensee shall meet with the Practice Monitor at least twice per month  
25 for a minimum of two hours each session during the first three months of the  
26 probation period. At the discretion of the Practice Monitor, the frequency and duration  
27 of the meetings may be decreased thereafter with written notice to the Board. During  
these sessions, the Practice Monitor shall review with Licensee her treatment records,  
responses to parents' requests, if any, for voluntary recommendations to the court,  
informed consent policies and forms, procedures for presenting parents with such

1 forms, and procedures for obtaining custody agreements. The Practice Monitor shall  
2 submit to the Board bi-monthly written reports of the meetings, to include topics  
3 covered and any modifications made to Licensee's practice. The Practice Monitor  
4 shall provide written reports to the Board 30 days after the end of each bi-monthly  
5 period. The first bi-monthly period shall begin on the effective date of this Consent  
6 Agreement. Before the conclusion of the probation period, the Practice Monitor is to  
7 complete a final written report to the Board summarizing his or her interaction with  
8 Licensee, topics discussed, areas of progress, matters of remaining concern, and  
9 overall impressions. The final report shall be submitted to the Board within 30 days of  
10 the end of the sixth-month probation. Licensee shall present this Consent Agreement  
11 to the Board-approved Practice Monitor before the first meeting. The first meeting  
12 between Licensee and the Practice Monitor shall occur within 30 days of the effective  
13 date of this Consent Agreement.

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

21       22. **CONTINUING EDUCATION:** In addition to the continuing education  
22 requirements that are required by rule for license renewal, Licensee shall complete an  
23 additional ten hours of Continuing Education courses to address the issues raised in  
24 the Request for Investigation (seven hours in Ethical Principles in the Practice of  
25 Arizona Mental Health Professionals Seminar and three hours in What Every  
26 Psychologist Should Know to Provide Efficient, Ethical, and Risk Managed Care).

27 ...

1 Within fourteen (14) days of completing the coursework, Licensee shall submit proof  
2 of completion of the courses to the Board.

3 23. **TERMINATION OF PROBATION:** At the end of six months, unless  
4 otherwise ordered by the Board, Licensee may petition the Board, in writing, and  
5 request termination from probation and monitoring. If the Board determines that  
6 Licensee has not complied with the requirements of this Consent Agreement, the  
7 Board may either (a) continue the probation, including the Practice Monitor, or (b)  
8 institute proceedings for noncompliance with this Consent Agreement, which may  
9 result in the suspension, revocation, or other disciplinary or remedial action.

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

16 25. **EFFECTIVE DATE:** Licensee understands that this Consent  
17 Agreement shall not become effective unless and until adopted by the Arizona Board  
18 of Psychologist Examiners and executed on behalf of the Board. Any modification to  
19 this original document is ineffective and void unless mutually approved by the parties  
20 in writing.

21 26. **CONSIDERATION IN FUTURE ACTIONS:** Licensee understands  
22 that this Consent Agreement, or any part thereof, may be considered in any future  
23 disciplinary action against her.

24 27. **FINAL RESOLUTION:** This Consent Agreement constitutes a final  
25 resolution of this disciplinary matter but does not constitute a dismissal or resolution  
26 of other matters currently pending before the Board, if any, and does not constitute  
27 any waiver, expressed or implied, of the Board's statutory authority or jurisdiction

1 regarding any other pending or future investigations, actions, or proceedings. Further,  
2 this Consent Agreement does not preclude any other agency, subdivision, or officer of  
3 this State from instituting other civil or criminal proceedings with respect to the  
4 conduct that is the subject of this Consent Agreement.

5 28. **TIME:** Time is of the essence with regard to this Consent Agreement.

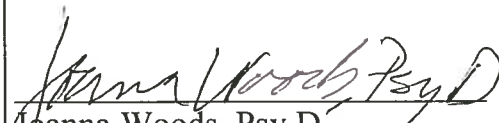
6 29. **COSTS:** The Licensee shall be responsible for all costs incurred as a  
7 result of her compliance with this Consent Agreement.

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

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

17 DATED THIS 28<sup>th</sup> day of September, 2016.

18 ARIZONA BOARD OF  
19 PSYCHOLOGIST EXAMINERS

20  
21   
22 Joanna Woods, Psy.D.  
23 Licensee

21 By:   
22 Cindy Olvey, Psy.D.  
23 Executive Director

24 ORIGINAL of the foregoing filed  
25 this 28<sup>th</sup> day of September 2016, with:

26 The Arizona State Board of Psychologist Examiners  
27 1400 West Washington, Suite 240  
Phoenix, Arizona 85007



1 COPY mailed by Certified Mail, No. 7009 2250 0002 7170 6554  
2 this 28<sup>th</sup> day of September 2016, to:

3 Joanna Woods, Psy.D.  
4 Address on Record

5 COPY mailed  
6 this 28<sup>th</sup> day of September 2016, to:

7 J. Arthur Eaves, Esq.  
8 Sean Quinn, Esq.  
9 3030 N. Third Street, Suite 1300  
10 Phoenix, AZ 85012

11 COPY of the foregoing mailed by interagency  
12 this 28<sup>th</sup> day of September 2016, to:

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

18 By: 

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