

To: Members of the Committee of Reference for Sunset Review of the
Board of Behavioral Health Examiners

Representatives of professional associations and other organizations, academics and individual licensees impacted by the Board of Behavioral Health Examiners request the Committee of Reference of the Joint Legislative Audit Committee, as part of its sunset review, to address a number problems and issues related to this Board. This coalition of interested parties acknowledges that the role of any healthcare professional regulatory board is to protect the public. But that role must be balanced with fairness, regulatory clarity and due process owed the regulated community. The Board labors under a structure of statutes and administrative rules which creates inappropriate obstacles to licensing and creates delays in both licensing and consideration of disciplinary complaints. The Board and its staff also exhibit a culture which is often uncommunicative, confusing and lacking in professionalism and fairness in disciplinary matters.

We recommend:

- Adoption of statutory changes to re-structure the Board and its membership, clarify licensure requirements and mandate the adoption of rules to provide specific guidelines for the regulated community (see attachment).
- Training requirements for staff and board members to improve service and prepare Board members in judicial processes, temperament and staff management.
- Provide for the next sunset review to be performed in four years in order to assure compliance with new statutory measures and allow for a modified rule adoption procedure to include stakeholder notification and meetings, at least two public meetings and issuance of an impact statement. In addition the Auditor General Office should be directed to include rule compliance with statutory language in its 24 month review with a report to the Legislative Audit Committee.
- Urge the appropriation of sufficient funds to the Board so that they have appropriate resources to pursue recommended changes.

Emily Jenkins, Chief Executive Officer
Arizona Council of Human Services Providers

Richard Poppy, Patti Bonnay
Arizona Therapeutic Practitioners Alliance

John Butler
Arizona Independent Counselor's Association

Mike DeMoss, President
Arizona Counselor's Association

Patricia Kerstner, Campus College Chair-College of Social Services
University of Phoenix

Patricia Hernandez, Director of Graduate Studies-Professional Counseling
Ottawa University

Sharon Kurpius, Professor Counseling & Counseling Psychology
Arizona State University

Steven Farmer, Assistant Clinical Professor
Northern Arizona University

Keith Cross, Chair, Counseling Psychology Program
Prescott College