

and FY 2007 for Contract Investigators. Laws 2003, Chapter 65 required that all health professionals practicing psychotherapy be licensed by the Board of Behavioral Health Examiners. Licensure has significantly increased the board's workload. The number of new and existing licenses issued has increased 31% from FY 2002 to FY 2004 (5,876 to 7,700). An increase in licensing activity has led to a 90% increase in complaints about licensees from FY 2002 to FY 2004 (59 to 112). The board received 45 complaints in the first 2 months of FY 2005. The complaints received under licensure are typically more time consuming than those received under voluntary certification.

The board has requested funds to hire temporary contract investigators rather than new FTE Positions because it is hoped that the new Chief Investigator position can process complaints in the future, once the current backlog of 117 complaints has been reduced. Contract investigators charge approximately \$3,000 per resolved complaint. The funds would enable 66 complaints to be resolved by contract services in both FY 2006 and FY 2007. The board's first priority will be to take action against licensees presenting the greatest danger to the public. The recommended amount is one-time for FY 2006 and FY 2007.

Chief Investigator OF 82,100 80,700

The JLBC recommends an increase of \$82,100 from the Board of Behavioral Health Examiners Fund in FY 2006 and an increase of \$80,700 in FY 2007 for a Chief Investigator. The board would hire the Chief Investigator using a currently vacant position. The board requires an individual who can conduct complex investigations, negotiate with attorneys, testify in hearings and supervise other members of an investigative staff. Hiring a Chief Investigator will allow the board to process complaints in a more timely way and also allow other board staff to return to their regular duties. The starting salary of \$70,000 is above the E1 midpoint for this position, but reflects the difficulty in finding a capable individual. The recommended amount includes \$1,400 of one-time expenditures for equipment in FY 2006.

Lead Investigator OF 43,500 42,100

The JLBC recommends an increase of \$43,500 from the Board of Behavioral Health Examiners Fund in FY 2006 and an increase of \$42,100 in FY 2007 for a Lead Investigator. The board would hire the Lead Investigator using a currently vacant position. The board requires an individual to conduct background investigations for licensed applicants where issues that may adversely affect the ability to practice psychotherapy have arisen. The starting salary of \$36,500 is the minimum for the grade 21 range. The recommended amount includes \$1,400 of one-time expenditures for equipment in FY 2006.

Compliance Officer

Reclassification OF 5,400 5,400

The JLBC recommends an increase of \$5,400 from the Board of Behavioral Health Examiners Fund in FY 2006 and FY 2007 for reclassification of a compliance officer

position. The recommended amount would allow an individual classified at a grade 15 to be reclassified at the minimum level for a grade 19 position. The board seeks the reclassification in order to use resources to ensure compliance with probation terms for licensees subject to disciplinary action.

Executive Director Salary OF 5,800 8,600

The JLBC recommends an increase of \$5,800 from the Board of Behavioral Health Examiners Fund in FY 2006 and an increase of \$8,600 in FY 2007 for a salary increase for the Executive Director. The requested amount would provide a salary increase in FY 2006 of 6% above FY 2005 for the Executive Director and 9% above FY 2005 in FY 2007. The board feels the salary increase is justified because of the increased administrative responsibilities and increased workload related to licensing and regulation of psychotherapists. The Salary Comparison Chart indicates that after the increase, the salary will fall generally in the middle of appropriate salary comparison groups.

Increased Attorney

General Services OF 56,500 57,500

The JLBC recommends an increase of \$56,500 from the Board of Behavioral Health Examiners Fund in FY 2006 and an increase of \$57,500 in FY 2007 for increased use of Attorney General Services. The board currently has an Interagency Service Agreement for 50% of the board's Assistant Attorney General. The cost of this contract was \$57,400 in FY 2005. The Assistant Attorney General's workload for the board exceeds the time he is contracted to provide. The board believes that a lack of sufficient legal support has impaired the board's ability to take timely disciplinary action against professionals who are a danger to the public. The board would increase its ISA to 100% of its Assistant Attorney General's time.

Electronic Recording OF 4,000 0

The JLBC recommends an increase of \$4,000 from the Board of Behavioral Health Examiners Fund in FY 2006 for one-time electronic recording equipment costs. The equipment would be used to record board hearings and other related activities.

Compressed File System OF 39,000 0

The JLBC recommends an increase of \$39,000 from the Board of Behavioral Health Examiners Fund in FY 2006 for one-time compressed file system and related supply costs. The board has experienced an increased need for filing capacity. The compressed file storage system will allow the board to maintain its files in an accessible format while significantly reducing the amount of storage space required.

JLBC RECOMMENDED FORMAT — Lump Sum by Agency

JLBC RECOMMENDED FOOTNOTES

Standard Footnotes

This appropriation is available for use pursuant to the provisions of A.R.S. § 35-143.01C and is exempt from the provisions of A.R.S. § 35-190, relating to lapsing of appropriations until June 30, 2007.

OTHER ISSUES FOR LEGISLATIVE CONSIDERATION

Additional Revenue from Psychotherapist Licensing

The Board of Behavioral Health Examiners expects to have an ending fund balance of \$1,320,900 for FY 2005. The board estimates that future revenues will be approximately \$1,000,000 annually. After FY 2007 when contract investigators are no longer required, the board's expenses should be covered by its current revenue. For FY 2006 and FY 2007, the board has a sufficient fund balance to cover expenditures.

<u>Salary Comparison Chart for Board of Behavioral Health Examiners</u>			
Position (Pay Grade)	Current Salary/ After Increase	ADOA Avg. for Pay Grade	Similar Small 90/10 Boards
Executive Director (E2)	\$83,400/\$88,400	\$75,700	\$75,500

SUMMARY OF FUNDS	FY 2004 Actual	FY 2005 Estimate
Board of Behavioral Health Examiners (BHA2256/A.R.S. § 32-3254)		Appropriated
Source of Revenue: Monies collected by the board from the certification and regulation of behavioral health professionals in the fields of social work, counseling, marriage and family therapy, substance abuse counseling and psychotherapy. The board retains 90% of these monies and deposits 10% in the General Fund.		
Purpose of Fund: To examine, certify, investigate, and regulate behavioral health professionals, and for board administration.		
Funds Expended	786,000	840,400
Year-End Fund Balance	1,238,500	1,320,900

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