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**FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS**

6/14/2000

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF

Administrative Action

RHEA ALMEIDA, LCSW

FINAL ORDER
OF DISCIPLINE

LICENSED TO PRACTICE
SOCIAL WORK
IN THE STATE OF NEW JERSEY

This matter was opened to the New Jersey State Board of Social Work Examiners upon receipt of information which the Board has reviewed and on which the following preliminary findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a Licensed Clinical Social Worker ("LCSW") in the State of New Jersey and has been a licensee at all times relevant hereto.

2. A Provisional Order of Discipline was entered by this Board on March 6, 2000, which made the following provisional Findings of Fact:

a. Rhea Almeida is the Executive Director of The Institute for Family Services, Inc. ("the Institute"). Her responsibilities as the Executive Director of the Institute include the administration of the program, training, and clinical services.

b. Respondent, along with three individuals employed by respondent, signed a December 11, 1997 report, entitled Father/Child Visitation Assessment, which was addressed to Judge Dilts, Superior Court of New Jersey, Chancery Division-Family Part, Somerset County.

c. The introduction to the report states that "[t]he faculty at the Institute are Certified by the State of NJ as Domestic Violence Professionals." In fact, the State of New Jersey does not confer any such certification.

3. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

4. Respondent submitted a response through her counsel, Christopher R. Barbrack, Esq. in which certain of the Findings of Fact and Conclusions of Law are disputed.

DISCUSSION

Respondent disputes the Board's finding that she is "the Executive Director of the Institute..." in that the statement is inaccurate and prejudicial. Respondent contends that

the title "Executive Director" cannot be assumed to mean anything in general. The Board finds this contention frivolous at best. By respondent's own testimony at an investigative inquiry held on February 24, 1999, she stated that her responsibilities at the Institute "include both the administration of the program, teaching, we do a lot of training and clinical services." (Transcript 6:25 to 7:1-2). When asked whether anyone supervises her, respondent only mentioned a peer review group with whom she occasionally consults. (Tr. 7:3-18). At no time during the inquiry or in respondent's response to the Provisional Order does she contend that there is someone superior to her in the administration of the Institute who takes responsibility for its actions. Further, in the resumé, which respondent submitted to the Board in connection with the instant investigation, she holds herself out as not only the Executive Director of the Institute but also as its founder in 1980.

Accordingly, the Board takes the position of "Executive Director" to have its plain meaning that respondent is an administrator of the Institute. In view of the fact that she does not qualify this title on her resumé to have some other meaning, or for that matter on the letterhead to Judge Dilts on which the subject Assessment appears, the Board finds no material discrepancy has been established by respondent.

Secondly, respondent asserts that the statement in the Assessment that "[t]he faculty at the Institute are certified by the State of NJ as Domestic Violence Specialists" is a clerical mistake. It should have stated, "...certified in the State of NJ..." (emphasis provided). The Board does not find this contention credible. The statement is made on the first page of a 14-page Assessment addressed to Judge Dilts of the Superior Court of New Jersey, and the Board finds that respondent is responsible for the words utilized in that Assessment. The misleading phrase is further corroborated by the sentence which

immediately follows which states: "Dr. Almeida, the founder and executive director of the Institute, is a founding member of the Domestic Violence Credentialing Board for the State of New Jersey". The Board finds that these statements clearly had the potential to mislead the Court into believing that this Domestic Violence credential is one issued by the State of New Jersey when in fact it is issued by a private organization.

Respondent's written submissions were reviewed in their entirety and given due consideration by the Board at its regular meeting on May 17, 2000. The Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration. Accordingly, the Board here makes final the Findings of Fact set forth in the Provisional Order.

CONCLUSIONS OF LAW

The Board further makes final the Conclusions of Law set forth in the Provisional Order as follows:

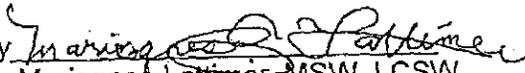
Pursuant to N.J.S.A. 45:1-21(b) and (e), respondent's conduct as set forth herein constitutes the employment of misrepresentation and professional misconduct respectively. Further, pursuant to N.J.S.A. 45:1-22, in addition or as an alternative to revoking, suspending or refusing to renew any license, the Board may order that a person cease and desist from violating any provision of an act or regulation or take affirmative action as may be necessary.

ACCORDINGLY, IT IS on this 14th day of June, 2000,

ORDERED that:

1. Respondent shall cease and desist from misrepresenting to the courts or any other institutions or individuals that the faculty at the Institute are certified by the State of New Jersey as Domestic Violence Professionals.

STATE BOARD OF SOCIAL WORK EXAMINERS

By 
Mariagnes Lattimer, MSW, LCSW
Board President