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FILED

SEP 12 2003

Attorney for the New Jersey Division of
Consumer Affairs and the New Jersey
State Board of Psychological Examiners

JOSEPH C. MESSINA, J.S.C.

By: Susan C. Berger
Deputy Attorney General
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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION - MIDDLESEX COUNTY
DOCKET NO. C-222-03

PETER HARVEY, Attorney General of
the State of New Jersey;
RENI ERDOS, Director of the Division
of Consumer Affairs; and the
NEW JERSEY STATE BOARD OF PSYCHOLOGICAL
EXAMINERS,

Civil Action

Plaintiffs,

FINAL Judgment
~~ORDER~~

v.

DAVID M. FINK, PH.D.,

Defendant.

This matter was opened to the court on an ex parte application brought by the Attorney General of the State of New Jersey, the Director of the New Jersey State Division of Consumer Affairs, and the New Jersey State Board of Psychological Examiners, by Peter Harvey, Attorney General of New Jersey, counsel for plaintiffs, Susan C. Berger, Deputy Attorney General appearing, pursuant to

Sep 10 2003 13:49 P.03

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N.J.S.A. 45:1-18, 45:1-23 and R. 4:52-1 and it appears that defendant David M. Fink, engaged in the unlicensed practice of psychology after having pled guilty to one count of health care claims fraud in Middlesex County Superior Court, Accusation No. 02-06-00242, and after having entered into a Consent Order, filed on August 29, 2002 with the New Jersey State Board of Psychological Examiners, in which his license to practice psychology was revoked with prejudice to any application for reinstatement. The Court found good cause existed for the entry of temporary restraints and entered an order temporarily enjoining and restraining defendant, David M. Fink from holding himself out as a psychologist and from offering or engaging in the practice of psychology. A hearing was scheduled for September 10, 2003.

The Verified Complaint further alleged that defendant engaged in conduct constituting the practice of psychology without a license by offering to perform psychological services for a fee to Investigator Menapace and by submitting insurance claims for psychological services for thirty (33) patients.

Defendant David M. Fink appeared pro se before the Honorable Joseph C. Messina on September 10, 2003 and admitted that he engaged in the unlicensed practice of psychology by offering to perform psychological services, by treating patients and by submitting insurance claims for psychological treatment after his licensed to practice psychology was revoked. Upon review of the

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certifications submitted, oral argument and other good cause existing for the entry of the within order;

IT IS on this 12th day of SEPT., 2003

ORDERED:

1. Defendant, David M. Fink is permanently enjoined from engaging in or holding himself out as engaging in the practice of psychology, counseling and/or therapy unless and until duly authorized by the New Jersey State Board of Psychological Examiners to do so.

2. Defendant, David M. Fink is permanently enjoined from submitting insurance claims to any insurance company for psychological services, counseling and/or therapy unless and until duly authorized by the New Jersey State Board of Psychological Examiners to do so.

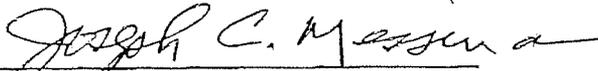
3. Defendant David M. Fink shall pay civil penalties in the amount of \$34,000.00 to the State of New Jersey by certified check or money order payable to the Treasurer, State of New Jersey within twenty (20) days of the date of entry of this Order.

4. Defendant David M. Fink shall pay costs of the investigation in the amount of \$3,256.40 to the State of New Jersey by certified check or money order payable to the Treasurer, State of New Jersey within twenty (20) days of the date of entry of this Order.

5. Defendant David M. Fink shall pay attorneys fees in the

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amount of \$2,153.14 to the State of New Jersey by certified check or money order payable to the Treasurer, State of New Jersey within twenty (20) days of the date of entry of this Order.


Joseph C. Messina, J.S.C.

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