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Board Social Work Examiners

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

*K. K. Ermack 1-23-04*

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

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IN THE MATTER OF	:	
	:	
THOMAS DIPAOLO, LSW	:	Administrative Action
	:	
LICENSED TO PRACTICE SOCIAL WORK:	:	CONSENT ORDER
IN THE STATE OF NEW JERSEY	:	
	:	

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This matter was opened to the New Jersey State Board of Social Work Examiners ("the Board") upon information received that Thomas DiPaola ("respondent"), a Licensed Social Worker ("LSW") advertised his social work practice in a manner which misrepresented to the public that he had a private practice where he provided clinical social work services. Specifically, his advertisement represented that he had a solo private practice where he provided adult and adolescent psychotherapy to individuals, couples, and families.

Pursuant to N.J.S.A. 45:15BB-4(c), "(n)o person shall engage in the independent practice of clinical social work for a fee unless the person is licensed under this act as a licensed clinical social worker." Further, N.J.A.C. 13:44G-3.2 provides that an LSW may provide clinical social work services only under the supervision of a licensed clinical social worker or other supervisor acceptable to the Board.

In responding to the Board's inquiries into his practice, respondent claims that he in fact is supervised by Michael Bizzarro, Ph.D., LCSW and that he provides therapy under supervision. Despite this claim, there is nothing in respondent's advertisement which would indicate that he does not own a practice or that he is not working independently, and that he is under supervision.

Having reviewed the entire record, it appears to the Board that respondent's advertisement violates, N.J.A.C. 13:44G-11.2(c) which provides, in part, that "(a) social worker shall assure that an advertisement does not misrepresent, suppress, omit or conceal a material fact." Respondent's advertisement constitutes misrepresentations pursuant to N.J.S.A. 45:1-21(b).

It appearing that the respondent desires to resolve this matter without resort to formal disciplinary proceedings, has waived any right to a hearing, and that good cause exists for the entry of the within Order;

IT IS THEREFORE ON THIS 23<sup>rd</sup> DAY OF January, 2004;  
HEREBY ORDERED AND AGREED THAT:

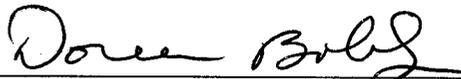
1. Respondent shall immediately cease and desist from advertising that he engages in the private practice of social work without indicating that such practice is under supervision or advertising in any manner which makes misrepresentations to the public, including by omission, regarding his social work practice.

2. Within thirty (30) days from the entry of the within Consent Order, respondent shall submit to the Board his corrected advertisement and an explanation of the steps he has taken to withdraw all advertisements containing misrepresentations from all publications in which they have appeared.

3. Respondent is hereby assessed a civil penalty in the amount of one thousand five hundred dollars (\$1,500.00) for a violation of N.J.A.C. 13:44G-11.2 which constitutes a misrepresentation pursuant to N.J.S.A. 45:1-21(b). The above civil penalty shall be paid within thirty (30) days of the entry of the within Consent Order. The payment shall be by certified check or money order, payable to the State of New Jersey and sent

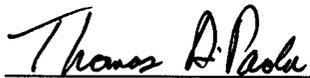
to Kay McCormack, Executive Director, State Board of Social Work  
Examiners, P.O. Box 45033, Newark, New Jersey 07101.

STATE BOARD OF SOCIAL EXAMINERS



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DOREEN BOBBY, MSW, LCSW  
CHAIR

I have read the within Order  
and understand its terms. I  
hereby consent to its entry and  
to be bound by the Order's terms.



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Thomas DiPaola, pro se