

FILED BY THE BOARD OF  
SOCIAL WORK EXAMINERS

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*KW Coormack*  
4-13-2006

**FILED**  
*Ede* 4/13/06  
STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY  
EXAMINERS

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STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF SOCIAL WORK EXAMINERS  
BOARD OF MARRIAGE AND FAMILY THERAPY  
EXAMINERS

IN THE MATTER OF THE SUSPENSION :  
OR REVOCATION OF THE LICENSES OF :  
:  
:  
**EVELYN S. WILSON, MSW, LCSW, LMFT** :  
**License No. 44SC00033000 and** :  
**License No. 37FI00140000** :  
:  
:  
TO PRACTICE CLINICAL SOCIAL WORK :  
AND MARRIAGE AND FAMILY THERAPY :  
IN THE STATE OF NEW JERSEY :  
:

Administrative Action  
**CONSENT ORDER**

This matter was opened to the New Jersey State Board of Social Work Examiners and the New Jersey State Board of Marriage and Family Therapy Examiners (the "Boards") upon receipt of information that respondent Evelyn Wilson's ("respondent") client billings did not accurately depict the date of services rendered. Specifically, it was alleged that respondent billed an insurance company for one year of visits by patient D.P. after

treatment had ended. On August 5, continuing on September 29, 2005, respondent appeared with counsel, John Manfredonia, Esq., at an inquiry into this matter conducted by a committee of each Board.

At the inquiry, respondent testified that, instead of writing contemporaneous client progress notes, she wrote notes once every three months. She explained that she wrote the notes based on her memory of her discussions with the client, "scratch notes" that she made of significant events, and entries in her appointment book. She acknowledged that if a client had a standing appointment, when she wrote her notes three months later, she may have billed for the originally scheduled date even if the client were to cancel and reschedule. She further testified that she had entered into a settlement with Horizon Blue Cross Blue Shield, dated July 25, 2005, a confidential copy of which was provided to the Boards, under which she agreed to reimburse the insurer without any admission of liability or wrongdoing. Respondent explained that while she actually provided services to clients insured by Horizon Blue Cross Blue Shield, her billing records contained inaccurate dates of service. When asked why she settled with Horizon Blue Cross Blue Shield, respondent testified:

Because of the way I do my billing. Because of me not appropriately billing for -- it was not that I did not see the patients. It's that the dates that I saw the patient was not noted correctly in my book and rather than go through for the last five years or six years, I think it was from 2001 or 2 up until now, to get into litigation and to all of that.

If they said that I saw the patient, didn't see the patient on the date that I said I put down in my billing that I did see the patient, but I saw them on another date, but I didn't bill for that date, then rather than go through all of that, I just entered into a settlement with them to not have to go through any long drawn out court proceedings and litigation in which I was guilty

of not appropriately keeping my billing system the way I should have kept it and I admitted to them that I was guilty of that. I could not prove that I wasn't.

Not that I did anything wrong. Not that I said that I saw the patient and didn't see the patient. I saw the patient, but I didn't see the patient on the date that I billed them for and that had been going on not for just one year or two years. That had been going on for five years.

Respondent testified that as of January 2005, she changed the practices in her office as a result of the Boards' inquiry and the Horizon Blue Cross Blue Shield record audit. She explained that she now uses a system by which a card is kept in each client record, which indicates the dates on which the client comes in for an appointment. She then uses the card system to ensure that she bills for the appropriate dates of service. Respondent produced the record for K.J., who respondent represented was a current client, however, no card was in K.J.'s file. Respondent explained that the card was pulled out because respondent was in the process of doing notes for the file. In addition, there were progress notes for client K.J. for several dates in 2005 when respondent testified that K.J. had not been seen on those dates. Similarly, the client record for S.W., who respondent represented she had seen in July 2005, contained no progress notes for that date. However, respondent testified that she did actually see S.W. in July 2005 and that S.W. would attest to that. Respondent's files for K.J. and S.W. contained different versions of progress notes for certain dates. Respondent's explanation for those notes was that they may have been written three months after the visit. Respondent also testified that her progress notes written for visits in 2005 were not complete or accurate in all cases.

Respondent testified about her treatment of various patients. Respondent discussed her diagnosis and treatment of S.W., who was a minor when she first began

therapy. Respondent further testified that she diagnosed S.W. with depression and borderline personality. Respondent testified, and the progress notes confirmed, that S.W. continued to report the same issues and behavioral concerns during the course of her treatment. Respondent could not provide the Boards with the date, or the year, she began to treat S.W. It appears to the Boards that the treatment plan and progress notes for S.W. failed to reflect the goals of therapy and interventions suggested or employed. The progress notes also did not reflect any conversations with S.W.'s treating psychiatrist, who was prescribing medications for S.W., or her school counselor, despite respondent's testimony that such conversation occurred. The files contained no written consent forms permitting any discussions of S.W.'s condition or behavior. Respondent testified, as confirmed by her notes, that S.W. was placed in an inpatient rehabilitation center. Respondent testified that she believed inpatient rehabilitation would be positive to get S.W. out of an environment of "fighting with her mother, fighting with her stepfather and her sister; acting out in school." Respondent also thought that the clinic's psychiatric component would be useful to address S.W.'s substance abuse, if in fact S.W. was abusing substances. However, respondent could not state whether S.W. was placed in the rehabilitation center because of respondent's clinical judgment, or whether S.W.'s mother decided to place S.W. in the facility.

Having reviewed the entire record, including respondent's denial of certain allegations, it appears to the Boards that respondent failed to keep adequate client progress notes and proper patient records over a period of at least five years, her billings contained inaccurate dates of service, and respondent failed to conform her record keeping to appropriate practices despite her claim to the contrary. It further appears to the Boards

that respondent's inability to document a treatment plan appropriately with goals and interventions, and to demonstrate a client's progress and improvement as a result of therapy, or, in the alternative, make the appropriate referral if goals are not being met, raise serious concerns as to the quality of care respondent provides to her clients. The Boards find that the described conduct provides grounds to take disciplinary action against respondent's licenses to practice clinical social work and marriage and family therapy in New Jersey pursuant to N.J.S.A. 45:1-21(d), (e), and (h). The Boards further find that respondent's conduct, as described above, is in violation of N.J.A.C. 13:34-2.1(a)(3), N.J.A.C. 13:34-5.3 and N.J.A.C. 13:34-7.1, as well as N.J.A.C. 13:44G-10.6 and N.J.A.C. 13:44G-12.1. The parties desiring to resolve this matter without recourse to formal proceedings, and the Boards finding that entry of this Order adequately protects the public health, safety, and welfare, for good cause shown:

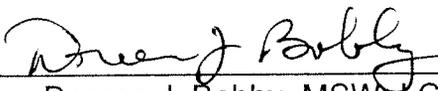
IT IS ON THIS 13<sup>th</sup> DAY OF April, 2006  
HEREBY ORDERED AND AGREED THAT:

1. Effective April 14, 2006, respondent shall voluntarily and permanently surrender her licenses to practice Clinical Social Work and Marriage and Family Therapy, with prejudice, to be deemed a revocation of said licenses. Respondent understands and agrees that she will be precluded from seeking reinstatement of either of her licenses in this State at any time. Respondent agrees to close her private practice no later than March 31, 2006, and cease the remainder of her practice by April 14, 2006. Respondent shall return her wall certificates and current licenses to the Board offices no later than April 14, 2006.

2. Except with respect to respondent's private practice of social work and marriage and family therapy, which, as set forth above, must be concluded no later than March 31, 2006, effective April 14, 2006, respondent shall cease and desist from advertising, offering to engage in or engaging in the practice of clinical social work, social work, marriage and family therapy, mental health therapy and/or counseling, or the provision of social work services in any setting, including exempt settings as defined by N.J.S.A. 45:8B-6 and 45:15BB-5(a), (b), (c), (e), and (f). If respondent works in any other exempt setting in the State of New Jersey, including, but not limited to, working as clergy or in a nonprofit organization, respondent will not directly bill a client, insurance company or any other third party payer for services rendered.

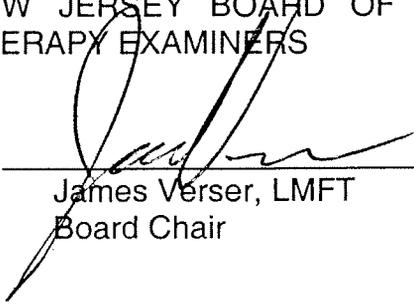
3. Respondent shall be assessed the costs of the State's investigation in this matter in the amount of eight thousand dollars (\$8,000). Payment of costs shall be made by certified check, attorney's check or money order, made payable to the State of New Jersey, and sent to Kay McCormack, Executive Director, Board of Social Work Examiners, 24 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101, and sent to the Board no later than April 14, 2006.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By:   
Doreen J. Bobby, MSW, LCSW  
Board President

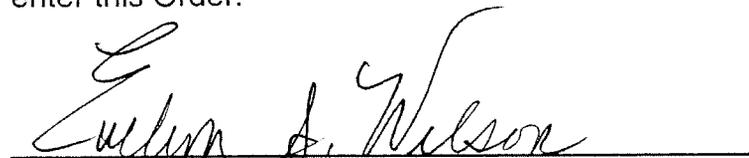
NEW JERSEY BOARD OF MARRIAGE AND FAMILY  
THERAPY EXAMINERS

By: \_\_\_\_\_



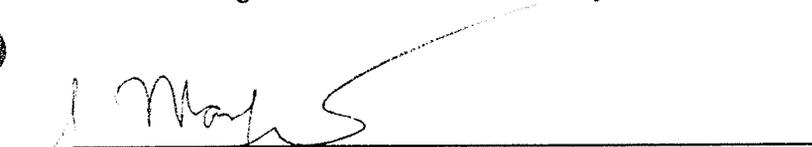
James Verser, LMFT  
Board Chair

I have read and understand the  
within Consent Order and agree  
to be bound by its terms. Consent  
is hereby given to the Board to  
enter this Order.

  
\_\_\_\_\_  
Evelyn S. Wilson, MSW, LCSW, LMFT

4/3/06  
Date

Consent is given as to form and entry of this Order

  
\_\_\_\_\_  
John Manfredonia, Esq.  
Attorney for Evelyn S. Wilson, MSW, LCSW, LMFT

4/3/06  
Date