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Therapy Examiners and the Professional Counselor
Examiners Committee

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STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY
EXAMINERS

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MARRIAGE AND FAMILY THERAPY
EXAMINERS
PROFESSIONAL COUNSELOR EXAMINERS
COMMITTEE

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSES OF:

LAUREL PERLMAN, LMFT, LPC
License No. 37F100145500 and
License No. 37PC00065900

TO PRACTICE MARRIAGE AND FAMILY
THERAPY AND PROFESSIONAL
COUNSELING IN THE STATE OF
NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Marriage and Family
Therapy Examiners (the "Board") and the Professional Counselor Examining Committee
(the "Committee") upon receipt of information that respondent Laurel Perلمان

("respondent") filed a certification submitted to a court in a custody dispute that disclosed confidential information without first obtaining the necessary authorizations from her clients. Specifically, the Board and the Committee received a complaint from N.S. alleging that respondent filed a report containing information about N.S. that had been revealed during therapy sessions without first obtaining N.S.'s consent. N.S. also contended that respondent sought reimbursement from insurance companies by using her daughter's clinical social work license. On November 16, 2006, respondent appeared with counsel, James F. Fine, Esq., at an inquiry into this matter conducted by the Board and the Committee .

At the inquiry, respondent discussed her treatment of the complainant and his wife, M.S. Several years before M.S. and N.S. sought marital therapy, respondent treated M.S. individually. Respondent conceded that she empathized greatly with M.S. and that level of empathy prevented her from being objective in her treatment: she admitted that, in hindsight, she realized she should not have agreed to see M.S. and N.S. in therapy together. Respondent stated that it was clear from early in the therapy that N.S. wanted to get out of the marriage, and that the focus of the therapy quickly became assisting M.S. in that transition.

Respondent also admitted that she provided a letter offering an opinion concerning custody of B.S. in the divorce of N.S. and M.S. Respondent testified that M.S.'s attorney contacted her by telephone and told her that it was an emergency. The attorney explained that N.S. was seeking joint custody, and respondent needed to write a letter expressing an opinion about what would be best for custody and visitation for B.S. Respondent testified that she wrote the letter because she thought that M.S.'s attorney would know what

respondent could and could not do, and because of her concern for the child and the emergent nature of the request. She had not seen N.S. in more than a year, but had continued to see M.S. during that time. Respondent made no attempt to obtain releases from M.S., N.S. or N.S.'s attorney before submitting the report to M.S.'s attorney.

Respondent further admitted that her daughter provided supervision in several of her cases involving children because her daughter had more expertise in this area. There was no formalized supervision agreement or written consent by any client that permitted respondent to discuss the case as part of supervision; rather, the client was informed orally that Ms. Coniglio would be supervising the matter. Moreover, clients were not charged for Ms. Coniglio's supervision.

As to the forms and documentation at use in her practice, respondent informed the Board and the Committee that she now uses forms that had not been in use at the time of the incident in question. At that time, she had no standard release form for clients to use in the event respondent was to write a report to be used by a Court. Respondent also previously had no intake forms or formalized treatment plans: respondent either wrote the information in her date book or failed to keep any written note of the treatment plan for a particular client.

Respondent also testified that she is not a participant in any insurance plan, and advises all patients prior to commencing therapy that payment must be made at the time of service. Respondent provided the Board and the Committee with a letter from Oxford Health Plans that states that no claims were filed by respondent for treatment of M.S. or her daughter B.S., and that Oxford closed its inquiry.

Having reviewed the entire record, including respondent's client progress notes and her testimony at the inquiry, it appears to the Board and the Committee that respondent entered into a client relationship where her objectivity was limited, in violation of N.J.A.C. 13:34-5.2(c) and -30.4(a), and her employment of her daughter as a supervisor constituted a further conflict of interest; respondent failed to keep adequate client records, in that she had no documented significant medical and psychosocial history, no diagnostic assessment and prognosis and no written treatment plan, in violation of N.J.A.C. 13:34-7.1 and -18.1; and she failed to preserve the confidentiality of client records, in that she disclosed information obtained from client sessions about M.S. and N.S. without obtaining a waiver of the therapist-client privilege as required by N.J.A.C. 13:34-7.3 and -18.5. It also appears to the Board and the Committee that respondent has made substantial changes in her professional practices, including an increased use of forms and a better understanding of the requirements of protecting patient confidentiality.

The Board and the Committee find that the described conduct provides grounds to take disciplinary action against respondent's licenses to practice marriage and family therapy and professional counseling in New Jersey pursuant to N.J.S.A. 45:1-21(e) and (h). The parties desiring to resolve this matter without recourse to formal proceedings, respondent waiving any right to a hearing in this matter, the Board and the Committee having considered the mitigating factors presented in the testimony, and the Board and the Committee finding that entry of this Order adequately protects the public health, safety and welfare; and for good cause shown:

IT IS ON THIS 10th DAY OF January, 2008
HEREBY ORDERED AND AGREED THAT:

1. Respondent shall voluntarily and permanently surrender her license to practice Professional Counseling, with prejudice. Respondent shall cease and desist the practice of professional counseling, and shall no longer hold herself out as a professional counselor. Respondent shall return her wall certificate and current biennial license to the Committee office contemporaneously with the signing of this Consent Order.

2. Respondent shall cease and desist failing to preserve patient confidentiality, entering into relationships that present a conflict of interest, using her daughter as a supervisor, and failing to keep adequate client records.

3. Respondent's license to practice marriage and family therapy shall be suspended for a minimum of two (2) years beginning with the date of the filing of this Order and until receipt of written notification from the Board stating that respondent has fully complied with the terms of this Order, such period of suspension to be stayed and served as a period of probation. Periods of time during which respondent is not employed as a practicing marriage and family therapist shall be excluded from the computation of time to be served on probation. Respondent shall not be permitted to supervise the work of licensed marriage and family therapists or other licensees during the probationary term and until further order of the Board of Marriage and Family Therapy Examiners.

4. In the event the Board receives information which the Board in its sole discretion deems reliable that respondent has failed to comply with any of the terms of this Consent Order, the Board may immediately enter an order making respondent's period of stayed suspension active. Respondent shall have the right to apply to the Board to request a hearing, on seven (7) days' notice, for removal of the automatic suspension, but the

application shall be limited to a showing that the information submitted to the Board was false or inaccurate.

5. During the period of probation provided herein, respondent's marriage and family therapy services shall be supervised weekly by a New Jersey licensed marriage and family therapist, pre-approved by the Board. The prospective supervisor shall be provided a copy of this Consent Order. He or she shall submit to the Board a curriculum vitae along with a signed copy of this Consent Order, indicating that he or she has read the Order and agrees to comply with its terms. Respondent and her supervisor shall meet face-to-face a minimum of one hour per week for every ten hours of client contact to review respondent's cases, including a review of her intake forms, client progress notes and treatment plans. Respondent shall not have more than thirty hours of client contact per week. The supervisor may require audio taping of sessions to be used as part of the supervision plan. The supervisor shall provide quarterly progress reports, including specifics on respondent's handling of patient confidentiality issues, conflict of interest issues, use of appropriate forms, documentation of treatment plans, and clinical skills in marriage and family therapy for the period of probation. After the first year of respondent's probation, respondent's supervisor may apply to the Board for a reduction in the supervision hours, if he or she thinks it appropriate. Any such application must be supported by favorable reports and specific reasons for the requested reduction. An unfavorable supervision report may be considered a violation of this Consent Order.

6. Respondent shall successfully complete and pass the following course work, taken at a regionally accredited institution:

(a) one, three-credit graduate level course on Ethical and Legal Issues in the Practice of Marriage and Family Therapy - the course to include ethics, confidentiality and conflicts of interest, among other topics;

(b) one, three-credit graduate level course on the Basics of Marriage and Family Therapy; and

(c) One, three-credit graduate level course on Advanced Family Systems.

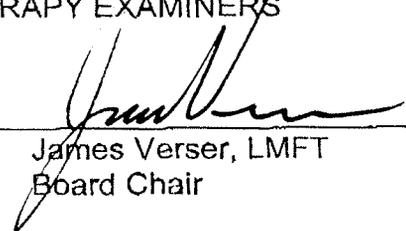
Respondent shall submit the specific courses proposed to satisfy these requirements to the Board for approval within sixty (60) days of the entry of this Order, and shall complete the courses within the probationary period. The course on basics of marriage and family therapy may be taken in-person or on line but the remaining course work must be completed in-person. These courses are in addition to the regularly required continuing education hours. Respondent shall provide the Board with proof of successful completion for each course taken.

7. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$2,000 for the violations set forth above. Payment of the civil penalties shall be stayed pending satisfactory completion of the course work set forth in paragraph 6. In the event respondent successfully completes the course work pursuant to the terms of this Order, the civil penalties shall be deemed satisfied. In the event respondent fails to successfully complete the required course work, this penalty shall be due and owing upon demand of the Board. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

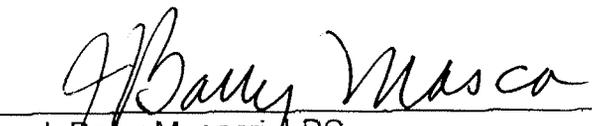
8. Respondent shall be assessed the costs of the State's investigation in this matter in the amount of \$459.00. Payment of costs shall be made by certified check,

attorney's check or money order, made payable to the State of New Jersey and shall be sent to Elaine DeMars, Executive Director, 124 Halsey Street, Sixth Floor, P.O. Box 45007, Newark, New Jersey 07101, contemporaneously with the signing of this Consent Order.

NEW JERSEY BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS

By: 
James Verser, LMFT
Board Chair

NEW JERSEY PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE

By: 
J. Barry Mascari, LPC
Committee 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.


Laurel N. Perlman, LMFT, 

7/11/07
Date

Consent is given as to form and entry of this Order


James F. Fine, Esq.
Attorney for Laurel N. Perlman, LMFT, LPC

7-23-07
Date