



alleged that respondent employed unlicensed persons to provide social work services and that he also engaged physicians to provide medical services and used the physicians' names and information to file insurance claims and order controlled dangerous substances without the knowledge or consent of the physicians, and that respondent retained the CDS and authorized unlicensed persons to dispense the drugs. In addition, it was alleged that respondent failed to preserve the confidentiality of patient records, failed to prepare patient records and directed the fabrication of records when production was sought. The Consent Order also lists myriad violations based upon respondent's conduct.

4. The Consent Order further recites that respondent desired to resolve the matter without recourse to further proceedings, and after consulting with counsel determined to plead no contest to the allegations of the Verified Complaint and of the Amended and Supplemented Complaint. It also states that respondent "has proposed to permanently surrender his license to practice social work in any form in this State which he understands shall be deemed a revocation."

5. The Consent Order provided that respondent's license was revoked, effective immediately. Respondent agreed to cease and desist from engaging in clinical social work or in any other form of health care practice requiring a New Jersey State license, and respondent was also barred from offering or rendering professional services in clinics or other settings where practitioners are exempt from licensure requirements. The Consent Order further assessed respondent costs in the amount of \$18,052.45 and required him to reimburse certain third party payors in sums totaling \$85,448.00. These amounts were to be paid within ten days of the signing of the Consent Order, or if respondent requested installment payments, he was to pay \$5,000 per month, plus interest until all payments were complete. Respondent was also to dissolve all general business corporations in

which he holds a financial interest offering any form of health care services, including Integrated Psychotherapy Institute, Inc. and Integrated Health Services, Inc. Proof of dissolution was to be provided to the Board within 30 days of the entry of the Consent Order.

6. The Board also reviewed two letters from prosecuting Senior Deputy Attorney General (“SDAG”) Joan D. Gelber, who filed the Verified and Amended and Supplemented Complaints referred to in the Consent Order. SDAG Gelber opposed the reinstatement of respondent’s license, citing a number of different reasons, including the variety of offenses of moral turpitude that respondent committed; that respondent acknowledged at the time of the Consent Order that the revocation was permanent; that he failed to timely comply with the requirements of the Consent Order with respect to payment of costs and reimbursement; and that he failed to dissolve the corporations within 30 days as required by the Consent Order, and instead waited for the State to revoke the corporate charters years later. In addition, SDAG Gelber expressed concern that respondent has not provided any indication of rehabilitation resulting in improved moral judgments regarding honesty and integrity and that he has failed to demonstrate any remorse for or insight into his prior conduct.

7. The Board also reviewed documents submitted to the Board by respondent, including letters from his treating therapist and his current employer.

8. Following its initial review, the Board was informed of a website, located at [www.theadvisor.com](http://www.theadvisor.com). On that website, respondent is offering counseling and psychotherapy services via the internet or Skype. He offers “expert assistance” with a variety of issues, and lists treatment specializations including addictive disorders, family counseling, couples counseling, anxiety and depression.

## DISCUSSION ON FINALIZATION

Respondent agreed to a permanent surrender of his social work license to be deemed a revocation and further agreed not to practice any type of health care practice in any setting. The Board finds SDAG Gelber's arguments persuasive: respondent, with advice of counsel, agreed to a permanent surrender, and understood at the time of the Consent Order that he had no right to seek reinstatement at any time in the future. Further support for that position can be found by the lack of a provision for reinstatement in the Consent Order itself.

Respondent's revocation was the result of a litany of transgressions. As summarized in the Consent Order, they include: failing to assure that appropriate supervision is provided to any person seeking licensure as a clinical social worker, and aiding and abetting the performance of social work practice by unlicensed and unsupervised employees; dividing fees for professional services with unlicensed persons and also with licensed social workers who are not engaged in a bona fide partnership or professional service corporation or employment relationship; failing to prominently display certain notices required by the Board including the requirement for licensed or certified staff providing social work services; entering into relationships that would be expected to limit objectivity and impair professional judgment or increase the risk of exploitation, such as professional treatment of employees or supervisees, and providing professional services in circumstances that would be expected to limit the licensee's objectivity and impair professional judgment or increase the risk of exploitation in the professional relationship; misrepresenting facts about his professional entities and about the professional staffing thereof; failing to truthfully and accurately identify himself in professional representations and misrepresenting the academic degrees purportedly earned by him; failing to prepare and maintain for each client a contemporaneous, permanent client record that

accurately reflects the client contact with the social worker, and failing to retain the permanent client record for at least seven years from the date of last entry; failing to maintain confidentiality of client records; and failing to cooperate in a lawful investigation conducted by or for the Board. Respondent's conduct warranted the revocation to which he agreed. The public relies on the Board to ensure that licensees are trustworthy, honest and competent. Respondent misused the public's confidence by stealing limited health care dollars and using unlicensed and unqualified people to provide services to the public, demonstrating a complete lack of respect for the laws that regulate professions in the public interest.

The Board finds that respondent failed to comply with multiple requirements of the Consent Order. He failed to pay the costs and restitution as required: the Board much later accepted a settlement for those sums as a result of a bankruptcy proceeding and reorganization. Respondent was also required to provide proof of dissolution of the corporate entities cited in the Complaints and Consent Order, and failed to do so in spite of numerous requests from the Board. Indeed, the "proof" he has now provided to the Board indicates that respondent did not take any affirmative steps to dissolve the corporations, but instead waited for the State to take action based on his non-compliance with filing and other corporate requirements. Respondent's continuing course of conduct does not demonstrate willingness to comply with Board orders or requirements; the Board does not believe that he is reformed.

Indeed, the website [www.theadvisor.com](http://www.theadvisor.com) demonstrates respondent's complete and continuing disregard for the Consent Order. Although respondent agreed that he would not represent himself to be a practicing professional such as a counselor, psychotherapist, therapist or other mental health care worker, he is acting in contravention of that agreement by offering counseling services

and psychotherapy via his website. The website and the services he is offering are additional evidence of his continuing non-compliance with the requirements of the Consent Order, and his willingness to engage in the unlicensed practice of social work, drug and alcohol counseling as well as other mental health professions.

The letters submitted in support of his application for reinstatement do not persuade the Board that reinstatement would be appropriate. Respondent provided letters from his treating therapist, who has treated him since 2001, as well as from the General Manager of M&M Auto Group, who has been respondent's supervisor for the past five years. Both letters describe respondent's success in automotive sales, his large customer base and the awards and promotions he has earned. His therapist additionally notes that respondent has no evidence of substance abuse and is free of symptoms of depression. However, neither these letters nor any of the other materials submitted by respondent demonstrate any specific evidence of rehabilitation or remorse or provide any explanation for his prior conduct. The sentencing judge noted that respondent had an inflated opinion of himself and chose to blame others for his conduct; respondent has provided no information on which the Board could draw a different conclusion. Respondent's apparent success in the automotive sales industry does not persuade the Board that respondent has the skills to resume the practice of clinical social work.

Respondent's revocation was the result of many acts of moral turpitude relating adversely to the profession of clinical social work. His course of dealings with the Board, failure to comply with the requirements of the Consent Order, including his new website offering e-therapy and counseling, and the information he has provided do not demonstrate respondent's rehabilitation or

readiness to resume a career in clinical social work. The Board therefore concludes that denial of respondent's request for reinstatement is proper at this time.

### **CONCLUSIONS OF LAW**

Despite respondent's agreement to a permanent surrender of his license, the Board nonetheless entertained and thoroughly reviewed all materials submitted in support of his application for reinstatement. The Board has concluded that respondent has failed to demonstrate his fitness to practice clinical social work or provide any basis upon which the Board should change the terms of the agreed-upon permanent surrender set forth in the Consent Order. Respondent's course of conduct that led to his revocation, his failure to comply timely with any of the requirements of the Consent Order, and his current violation of the Consent Order by offering his services through the internet cause the Board grave concern and warrant the denial of his request for reinstatement at this time pursuant to N.J.S.A. 45:1-21(b), (d), (e), (f), (h) and (n).

Based on the foregoing findings and conclusions, a Provisional Order of Denial of Reinstatement of respondent's license to practice clinical social work in the State of New Jersey was entered on October 27, 2011 and a copy was forwarded to respondent at the last known address on file with the Board. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th 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.

Although the Provisional Order sent by means of certified mail was returned as unclaimed, the regular mail was not returned. Because the Order was forwarded to respondent's address of record, the Board deems service to have been effected. Accordingly, it is determined that further proceedings were not necessary and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 25th day of April, 2012,

ORDERED that:

1. Respondent's request to reinstate his license to practice clinical social work in the State of New Jersey is denied at this time.
2. Any practice in this State in violation of the above conditions shall constitute grounds for discipline for violation of a Board Order and professional misconduct.
3. This Order is limited to respondent's application for reinstatement of his license to practice clinical social work. The Board expressly reserves the right to take action against respondent based upon his conduct, including, but not limited to, the unlicensed practice of social work and other mental health professions, or to make referrals to other appropriate Boards or agencies, where appropriate.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By:   
Doreen Bobby, MSW, LCSW  
Board President