



CHRIS CHRISTIE  
Governor

KIM GUADAGNO  
Lt. Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Psychological Examiners  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



JEFFREY S. CHIESA  
Attorney General

ERIC T. KANEFSKY  
Acting Director

May 23, 2012

By Certified and Regular Mail

Barbara Fleischer, Ph.D.  
4286 Route 516  
Matawan, NJ 07747

FILED WITH THE BOARD OF  
PSYCHOLOGICAL EXAMINERS  
ON June 1, 2012  
*J. Michael Walker*  
Executive Director

**Mailing Address:**  
P.O. Box 45017  
Newark, NJ 07101  
(973) 504-6470

Re: Offer of Settlement In Lieu of Filing a Formal Disciplinary Complaint

Dear Dr. Fleischer:

This letter is to advise you that the New Jersey State Board of Psychological Examiners (the "Board") has had an opportunity to review information concerning the complaint submitted by A.T. alleging that your conduct in providing a letter to a client's attorney requesting that shared visitation by one parent be limited only to supervised visits based on your finding that there was a "possibility that there was physical or sexual abuse of the child" constituted professional misconduct in that the responsibility to report your concerns of abuse should have been submitted to the Division of Youth and Family Services ("DYFS") and not to your client's attorney pursuant to N.J.S.A. 9:6-8.10.

Upon review of all available information, the Board has preliminarily found that probable cause exists to support a finding that your conduct in failing to report this matter to the proper reporting source, which in this case was DYFS, constituted professional misconduct pursuant to N.J.S.A. 45: 1-21(e).

At this juncture, the Board has preliminarily concluded that the above violations are sufficient to warrant the initiation of formal disciplinary proceedings against you. Notwithstanding that decision, however, the Board has determined that it will first offer you an opportunity to settle this matter, and thereby avoid the initiation of disciplinary proceedings, should you consent to:

1. You are cautioned in the future to report issues of alleged physical or sexual abuse to DYFS who is the proper reporting authority.

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2. A civil penalty in the amount of \$1,000.00 that shall be paid immediately upon accepting this letter. Payment shall be made payable by certified check or money order to the New Jersey State Board of Psychological Examiners and forwarded to the attention of J. Michael Walker, Executive Director, 124 Halsey Street, P.O. Box 45017, Newark, New Jersey 07101.

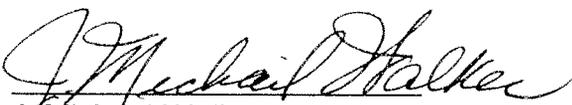
3. You shall attend and successfully complete an ethics course which includes the proper discharging of reporting responsibilities within three months of the acceptance of this settlement letter. This course shall be pre-approved by the Board in order to satisfy the terms of this letter. To obtain approval from the Board you shall submit the course description with a course syllabus for the Board's review. Upon completion of the Board approved course you shall submit a written certificate issued by the course provider that proves that you have satisfactorily completed the course approved by the Board.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. Upon your signature, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than that herein offered in settlement should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order, requiring you to reimburse certain monies and/or requiring you to pay costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General, Carmen A. Rodriguez who may be reached at (973) 648-3696.

If you elect to settle this matter presently, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

NEW JERSEY STATE BOARD OF  
PSYCHOLOGICAL EXAMINERS

By: 

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Executive Director

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ACKNOWLEDGMENT: I, Barbara Fleischer, Ph.D., hereby acknowledge that I have read and reviewed the settlement proposal set forth in the above letter. I acknowledge the conduct which has been charged. I am aware that, by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board herein is a matter of public record, and I acknowledge the cautionary language and agree to the payment of the civil penalty in the amount of \$1000 and to take an ethics course approved by the Board, and that this letter is a public document.

  
Barbara Fleischer, Ph.D.

Dated:

cc: Carmen A. Rodriguez, Deputy Attorney General