

FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS

J. Michael Haller
March 19, 2014

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

IN THE MATTER OF THE SUSPENSION OF	:	
THE CERTIFICATION OF:	:	
	:	Administrative Action
EFTHIMIA HOMERIDES GRAY, CSW	:	
Registration No. 44SW01358800	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE AS A CERTIFIED SOCIAL	:	
WORKER IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Efthimia Homerides Gray ("Respondent") is a certified social worker ("CSW"), registered in the State of New Jersey and has been a certificate holder at all times relevant hereto.

2. By Final Order of Discipline filed on April 25, 2012, respondent was reprimanded for using designations by her name that implied that she was entitled to engage in clinical social work, and was ordered to cease and desist any misrepresentation of her credentials unless and until she is granted a license to practice clinical social work in New Jersey.

3. N.J.S.A. 45:15BB-4d provides that "[n]o certified social worker shall practice clinical social work...". Clinical social work includes "psychotherapeutic counseling of individuals, families and groups." N.J.S.A. 45:15BB-3.

4. Notwithstanding the entry of that Final Order of Discipline, Respondent continued to represent herself as a licensed clinical social worker ("LCSW"). At some point in 2012, respondent created a website through which she offered individual, couple, family and group counseling. Respondent's website also contains a client testimonial, suggesting that respondent had helped with a client's depression and medical issues.

5. In addition, respondent has repeatedly sent unsolicited documents to the Board office by fax. On or about December 11, 2012, respondent sent in her form for authorization for a criminal history background check, with some handwritten notes. Under Professional License Number, she has written "LCSW" and lists her license number underneath as 44SC/SL/SW01358800. The prefix "SC" is used in license numbers for LCSWs, the prefix "SL" is for licensed social workers ("LSWs") and "SW" is for CSWs. By responding to the questions in this manner, respondent is again holding herself out to be an LCSW, outside of the scope of her certification and in violation of the Final Order.

6. Also on or about December 11, 2012, respondent sent a copy of what purports to be a resume to the Board office. She has

handwritten "currently LCSW/NJ", and again lists her license number as 44SC/SL/SW01358800. Under "Qualifications/Experience" she includes "psychotherapy".

7. Respondent's unsolicited faxing of materials to the Board office continued at varying points in 2012, and often included long and rambling dissertations on various issues. These faxes continued into 2013, and although the license number was corrected in the submissions, she began to include confidential client information. On or about November 21, 2013, respondent faxed a letter to the Board, with a copy to "Reverend Gerard Machado, Psych.D., Ph.D." The letter states that it encloses information regarding one of her current clients in the Easter Seals Behavioral Program, and includes a postscript: "Very Confidential." The information provided includes handwritten notes with the patient's name and multiple DSM diagnoses. It is unclear if these are progress notes for the client or simply notes that respondent took for some other reason, but the information is clearly protected personal identifying health information that is required to be maintained as confidential.

8. The information sent on November 23, 2013 was not requested by the Board or the Attorney General. Moreover, Executive Director J. Michael Walker contacted a recipient of the fax, Dr. Gerard Machado, a New Jersey licensed psychologist. Dr.

Walker was told by Dr. Machado that he has no connection to this client and did not know why the information had been sent to him.

9. Some of respondent's submissions have raised concerns as to her competence to continue to practice as a certified social worker. The correspondence is often long, rambling and unfocused. For example, on or about October 17, 2012, respondent faxed the Board a handwritten letter. In that letter, Respondent discusses her dreams of warnings of potential terrorist attacks by others on the United States, and wants the government to "hold on to this" information so that the government may be alerted to potential threats which Respondent receives in her dreams. On December 3, 2012, respondent faxed a fourteen-page document to the Board office. The document, labeled "confidential," recites her personal history, including various physical ailments, discusses her education and personal life, and then moves on to a dissertation, in rambling fashion, on the rise of the Ottoman Empire, the Byzantine Empire, the American Revolution and the Greek Revolution.

10. Respondent's most recent submission, a letter dated January 27, 2014, begins "I was hearing voices the other day" and continues in a rambling fashion to discuss issues in Libya and Egypt.

11. To date, respondent has not applied for a license to practice clinical social work, nor has she demonstrated the

necessary qualifications to sit for the clinical-level licensure examination.

CONCLUSIONS OF LAW

Respondent's conduct in repeatedly holding herself out as an LCSW and offering to provide or providing clinical social work services violates the Final Order of Discipline entered April 25, 2012, and exceeds the scope of practice of a CSW, in violation of N.J.S.A. 45:15B-4 and N.J.A.C. 13:44G-1.3. Additionally, her submissions to the Board suggest that she may be incapable of discharging the functions of a certificate holder in a manner consistent with the public's health, safety, and welfare, thus providing a basis for discipline against respondent's certification pursuant to N.J.S.A. 45:1-21(b), (e), (h) and (i), and permits the Board to order, as a condition of her continued registration, that respondent submit to medical or diagnostic testing and monitoring or psychological evaluation to determine whether respondent's continued practice may jeopardize the safety and welfare of the public, pursuant to N.J.S.A. 45:1-22(f).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered requiring respondent to obtain an in-depth, current evaluation from a Board-approved psychiatrist to determine whether her continued practice would jeopardize the health and safety of the public, and to cease and desist the provision of social work services until further Order of the Board.

The Provisional Order of Discipline was entered on February 7, 2014 and a copy was forwarded to respondent's last known address by means of both regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 20th 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 record reflects that the Board received a green return receipt card signed by respondent on February 14, 2014, indicating receipt of the Provisional Order, no response has been received to date, nor has respondent contacted the Board seeking approval of a psychiatrist to conduct the evaluation. A licensee or certificate holder cannot evade process by failing to respond. Accordingly, the Board considered the matter at its March 12, 2014 meeting, determined that further proceedings were not necessary and Provisional Order should be made final.

IT IS THEREFORE ON THIS 19th day of March, 2014

ORDERED THAT:

1. As a condition of continued certification, respondent shall obtain an in-depth, current evaluation from a Board-approved psychiatrist who has not previously treated respondent, to determine whether respondent's continued practice may jeopardize the safety and welfare of the public. The evaluation should also address the reasons for respondent's prior failures to comply with Board orders and her repeated offering of clinical services beyond the scope of her registration, and should include suggestions, if any, for continuing treatment and/or limitations on her practice. The costs of this evaluation must be borne by respondent. The evaluation must be provided to the Board for its review.

2. Respondent shall immediately cease and desist the provision of social work services until further Order of the Board, which shall not be entered until the Board has had the opportunity to review the report of the evaluation required by paragraph 1 herein and determine whether respondent should be permitted to resume practice. Respondent shall not engage in or offer to engage in, advertise, or hold herself out as able to engage in the practice of social work, clinical social work or the provision of mental health services or clinical mental health services, including, but not limited to, psycho-social assessments, mental status evaluations, diagnoses and psychotherapy.

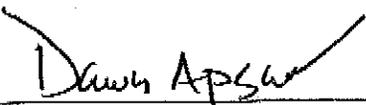
3. Upon receipt of this Final Order, Respondent shall surrender her wall certificate, wallet certificate, and her most

recent renewal card of her certification to practice as certified social worker by mailing them to J. Michael Walker, Executive Director, Board of Social Work Examiners, P.O. Box 45033, Newark, New Jersey 07101.

4. Any practice in this State in violation of the above conditions shall constitute unregistered practice, pursuant to N.J.A.C. 13:44G-1.3, and grounds for discipline, pursuant to N.J.S.A. 45:1-21 (h) and (e), for violation of a Board Order and professional misconduct.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By:


Dawn Appgar, Ph.D., LSW, ACSW
Board President

3/19/14