

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Social Work Examiners

FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS
May 14, 2014
J. Michael Hall

By: Jodi C. Krugman
Deputy Attorney General
(973) 648-2436

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

IN THE MATTER OF THE LICENSE OF	:	
	:	Administrative Action
MONICA MCGOLDRICK, LCSW	:	
License No. 44SC01486500	:	CONSENT ORDER
	:	
TO PRACTICE CLINICAL SOCIAL WORK	:	
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 a complaint from Ms. A., the mother of minor child C, alleging that respondent Monica McGoldrick ("respondent") engaged in professional misconduct and breached her ethical obligations. Specifically, complainant alleges that she requested individual therapy for C, who had experienced a traumatic event. C, along with C's mother and father, had been seeing respondent and Barbara Petkov, LMFT for family therapy at their practice location, the Multi-Cultural Family Institute (the "Institute"). Respondent refused to allow C to be seen for individual therapy and instead required that the entire family unit be seen

together. Ms. A asserted that the cost of such sessions was too high and she provided statements from physicians supporting her assertions that C needed a psychiatric evaluation and individual therapy. Ms. A sought an order from a family court to permit C to obtain a psychiatric evaluation and individual therapy from another therapist. Respondent and Ms. Petkov submitted a certification opposing the request, and disclosed information obtained during family therapy sessions without obtaining Ms. A's consent. Ms. A had received family therapy training at University Behavioral Healthcare, and the training program was run by respondent. Respondent was Ms. A's supervisor in the third year of family therapy training. In addition, Mr. B, C's father, had briefly been considered faculty for the Institute and had rented space from the Institute for his private practice.

Respondent, through her counsel, David Barry, Esq., submitted a detailed response to the complaint, explaining that she and Petkov collaboratively provided child-focused family therapy to Ms. A, Mr. B and C for a total of 20 hours, meeting individually with various family members as well as small family groups. Respondent admits to submitting a certification to the family court, including information revealed in therapy which was confidential, as part of opposition to Ms. A's motion, and provided a copy of the certification. Respondent argues, among other things, that submitting the certification was appropriate because the issue of the family therapy was placed before the Court by Ms. A and Mr. B.

Having reviewed the entire record, the Board finds that a social worker may not disclose confidential information without consent simply because the issue of a child's therapy is raised before a court. Notwithstanding respondent's suggestions and

arguments to the contrary, none of the exceptions in the regulations apply, and as set forth in N.J.A.C. 13:44G-12.3(a)7, respondent was not permitted to disclose confidential information absent a waiver of privilege for each family member receiving social work services. In addition, respondent engaged in a conflict of interest by serving as therapist for Ms. A and Mr. B because of her prior professional relationship with them, in violation of N.J.A.C. 13:44G-10.4. This conduct provides a basis for discipline 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, and the Board finding that entry of this Order adequately protects the public health, safety, and welfare, and for good cause shown:

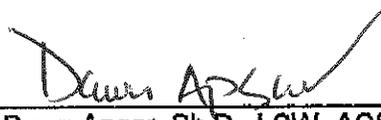
IT IS ON THIS *14th* DAY OF *May*, 2014

HEREBY ORDERED AND AGREED THAT:

1. Respondent is reprimanded for the conduct described herein.
2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$5,000 for the conduct described herein. Payment of the civil penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to J. Michael Walker, Executive Director, Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101. Payment shall be made within ninety (90) days of the entry of this Order.

3. Respondent shall successfully complete six (6) credits of in-person continuing education courses relating to ethics, boundaries, and confidentiality. The courses must be pre-approved by the Board, and may not be courses offered by or through the Multi-Cultural Family Institute. These credits are in addition to the biennial requirement of forty (40) credits for the renewal of respondent's license and shall be completed within ninety (90) days of entry of this Order. Respondent shall provide the Board with proof of successful completion for each course taken within thirty (30) days of completion.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

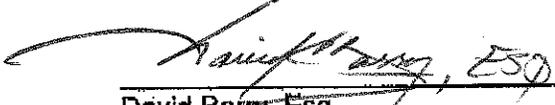
By: 
 Dawn Apgar, Ph.D., LSW, ACSW
 Board President

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.


 Monica McGoldrick, LCSW

April 18, 2014
 Date

Consent is given as to form and entry of this Order.


 David Barry, Esq.
 Attorney for Monica McGoldrick, LCSW

April 18, 2014
 Date