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FILED BY THE BOARD OF  
SOCIAL WORK EXAMINERS

June 6, 2014  
*J. Michael Haller*

STATE OF NEW JERSEY DEPARTMENT OF  
LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF SOCIAL WORK EXAMINERS  
Docket No.

IN THE MATTER OF THE SUSPENSION  
OR REVOCATION OF THE LICENSE OF

DENNIS J. CHETEVAN, EdD, LCSW  
LICENSE NO. 44SC00151900

TO PRACTICE SOCIAL WORK IN THE  
STATE OF NEW JERSEY

Administrative Action

COMPLAINT

JOHN J. HOFFMAN, Acting Attorney General of New Jersey, by Jeri L. Warhaftig, Senior Deputy Attorney General, with offices located at 124 Halsey Street, Fifth Floor, Newark, New Jersey 07101, by way of Complaint, says:

GENERAL ALLEGATIONS

1. Complainant, John J. Hoffman, Acting Attorney General of New Jersey, is charged with enforcing the laws of the State of New Jersey, pursuant to N.J.S.A. 52:17A-4(h), and is empowered to initiate administrative disciplinary proceedings against persons licensed by the New Jersey State Board of Social Work Examiners (the "Board") pursuant to N.J.S.A. 45:1-14 et seq.

2. The Board is charged with the duty and responsibility of regulating the practice of social work in the State of New Jersey pursuant to N.J.S.A. 45:15BB-1 et seq. and 45:1-14 et seq.

3. Respondent Dennis J. Cheteyan, EdD, LCSW (hereinafter "Respondent") is licensed to practice social work in the state of New Jersey and holds license number 44SC00151900, and has been a licensee at all times relevant to this Complaint.

4. Respondent is engaged in the practice of social work with a principal address of 448 Maitland Avenue, Teaneck, New Jersey 07666.

5. Initials are being used in this Complaint to protect the confidentiality of the patients referenced herein. The patients' true identities have been made known to Respondent and to the Board.

#### COUNT I

6. The General Allegations are repeated and re-alleged as if set forth at length herein.

7. A social worker cannot enter into any relationship that would be expected to limit objectivity and impair professional judgment. N.J.A.C. 13:44G-10.4(b).

8. A social worker shall obtain competent professional assistance in order to determine whether to voluntarily suspend, terminate, or limit the scope of the social worker's professional activities which are foreseeably likely to lead to inadequate performance or harm to a client. N.J.A.C. 13:44G-10.5(c).

9. The New Jersey Legislature created the Supervised Visitation Program in order to facilitate supervised visitation by making the facilities and members of local community

organizations available to assist in court ordered supervised visitation. N.J.S.A. 2A:12-7 and N.J.S.A. 2A:12-9.

10. The Supervised Visitation Program employs the use of visitation supervisors as part of the court-ordered visits. The Supervised Visitation Program provides children the opportunity to establish a normal, healthy relationship with the non-custodial parent. Visitation supervisors oversee the visits to observe interaction between the child and parent and to maintain a safe environment.

11. In February 2007, Respondent was appointed by Honorable Thomas P. Zampino, J.S.C., Superior Court of New Jersey, Essex County, Chancery Division - Family Part, to serve as the visitation supervisor for D.R. (father) and S.R. (daughter), as part of the Essex County Supervised Visitation Program. At the time of the assignment, S.R. was approximately seven years old.

12. As a visitation supervisor, Respondent was required to accompany D.R. and S.R. on weekly visits, observe the interactions between D.R. and S.R., provide feedback and guidance to D.R. regarding his observations of the visit, and provide progress reports to the Court regarding visits.

13. In July 2008, Respondent accepted assignment by the Honorable Thomas P. Zampino, J.S.C., Superior Court of New Jersey, Essex County, Chancery Division - Family Part, to act as a father-daughter therapist for D.R. and S.R.

14. During the time that Respondent was the visitation supervisor and the father-daughter therapist he was aware that S.R. was also in individual therapy with a clinical psychologist.

15. Therapy is the "ongoing interaction" between a social worker and clients for "the purpose of helping to resolve symptoms of mental disorder, psychosocial stress, relationship problems or difficulties in coping with the social environment." N.J.A.C. 13:44G-1.2.

16. As part of the "ongoing interaction," a therapist must maintain strict client confidentiality, so that the client may grow to trust the therapist and share things that the client would not otherwise disclose. N.J.A.C. 13:44G-12.3.

17. Respondent entered into a dual role, one which required Respondent to maintain client confidentiality, and one which required him to report back to the court.

18. Respondent's dual roles created a potential impermissible conflict of interest arising from the incompatible obligations of a visitation supervisor as compared with a therapist.

19. Respondent's role as S.R.'s therapist also disregarded how counter-productive it is for a child to have two different therapists.

20. Respondent did not obtain competent professional guidance in order to determine whether to continue the dual roles of therapist and visitation monitor, in violation of N.J.A.C. 13:44G-10.5.

21. Respondent's role as both a visitation supervisor and a father-daughter therapist created a conflict of interest, and his failure to seek guidance compromised his effectiveness in both his roles.

22. The actions of Respondent described herein constitute in violation of N.J.A.C. 13:44G-10.4 and therefore a failure to comply with the provisions of any act or regulation administered

by the Board in violation of N.J.S.A. 45:1-21(h); professional misconduct in violation of N.J.S.A. 45:1-21(e); and repeated acts of negligence in violation of N.J.S.A. 45:1-21(d).

## COUNT II

23. Complainant repeats the General Allegations and the allegations of all prior counts as if fully set forth herein and incorporated by reference.

24. A social worker shall advise the client or the client's legal guardian, in terms the client or guardian can understand, of the nature and purposes of the services to be rendered and the limits and obligations associated with such services. In circumstances where the confidential information may be requested and where disclosure of the confidential information may be legally required, the client or the client's legal guardian shall be notified in writing. N.J.A.C. 13:44G-10.5(a).

25. When Respondent undertook the dual role of visitation supervisor and father-daughter therapist, Respondent did not communicate to D.R. and S.R., orally or in written form, how the father-daughter therapy would be conducted and how it would differ from supervised visitation.

26. Additionally, Respondent did not conduct a comprehensive clinical assessment, as defined in N.J.A.C. 13:44G-1.2, upon undertaking the role of father-daughter therapist.

27. A social worker shall prepare and maintain for each client a contemporaneous, permanent client record that accurately reflects the client contract with the social worker

whether in an office, hospital or other treatment, evaluation or consultation setting. N.J.A.C. 13:44G-12.1.

28. In his role as father-daughter therapist, Respondent did not maintain a contemporaneous client record, failed to prepare a social work assessment and a treatment or service plan.

29. Respondent did not prepare or maintain adequate progress notes, failing to prepare dated progress notes for each father-daughter therapy sessions.

30. The progress notes prepared by Respondent were poorly organized, hard to read, and did not adequately cover what occurred in the therapy session.

31. The actions of Respondent described herein constitute a failure to properly prepare and maintain client records, in violation of N.J.A.C. 13:44G-12.1 and a failure to adequately advise clients in violation of N.J.A.C. 13:44G-10.5 and therefore demonstrate a failure to comply with the provisions of any act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h); professional misconduct in violation of N.J.S.A. 45:1-21(e); and repeated acts of negligence in violation of N.J.S.A. 45:1-21(d).

### COUNT III

32. Complainant repeats the General Allegations and the allegations of all prior counts as if fully set forth herein and incorporated by reference.

33. "Sexual contact" means the knowing touching of person's body directly or through clothing, where the circumstances surrounding the touching would be construed by a

reasonable person to be motivated by the social worker's own prurient interest or for sexual arousal or gratification. N.J.A.C. 13:44G-10.7(a)(4).

34. Respondent was aware that the history of S.R.'s involvement with the court included allegations that S.R. was sexually abused by D.R.

35. Respondent had S.R. sit "side-saddle" on his lap, while he was acting as a visitation supervisor.

36. Respondent put his arms around S.R., while he was acting as a visitation supervisor.

37. Respondent kissed the top of S.R.'s head, and gave her a "head hug" while he was acting as a visitation supervisor.

38. During a June 23, 2010 inquiry by the Board, Respondent, while under oath, was asked by the Board whether he ever put his arms around S.R. and whether he ever kissed the top of S.R.'s head. Respondent admitted that he had given S.R. a little head hug, and denied kissing S.R.'s head.

39. After being shown video proof, Respondent acknowledged putting his arm around S.R., and kissing the top of S.R.'s head, revealing that he previously offered false testimony to the Board.

40. The actions of Respondent described herein constitute failure to comply with the provisions of any act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h), specifically engaging in inappropriate touching of S.R. which, under the circumstances, to a reasonable person would appear to be motivated by Respondent's prurient interest, in violation of N.J.A.C. 13:44G-10.7.

41. Respondent's physical contact with S.R. was inappropriate for his clients and therefore constituted acts of

professional misconduct in violation of N.J.S.A. 45:1-21(e) and repeated acts of simple negligence in violation of N.J.S.A. 45:1-21(d).

42. Respondent's testimony before the Board evidenced professional misconduct in violation of N.J.S.A. 45:1-21(e) and an act of dishonesty in violation of N.J.S.A. 45:1-21(b).

#### COUNT IV

43. Complainant repeats the General Allegations and the allegations of all prior counts as if fully set forth herein and incorporated by reference.

44. As previously stated, a social worker shall obtain competent professional assistance in order to determine whether to voluntarily suspend, terminate, or limit the scope of the social worker's professional activities which are foreseeably likely to lead to inadequate performance or harm to a client. N.J.A.C. 13:44G-10.5(c).

45. On July 2, 2009, Respondent sent a two-and-half page letter regarding his relationship with D.R. to Thomas P. Zampino, J.S.C., Superior Court of New Jersey, Essex County, Chancery Division - Family Part.

46. The July 2, 2009 letter detailed Respondent's issues with D.R., and called upon the Court to take action regarding D.R., by either finding D.R. in contempt of court or by removing his visitation privileges.

47. At the time of the July 2, 2009 letter, Respondent was D.R.'s social worker, acting as both D.R.'s visitation supervisor and father-daughter therapist.

48. Respondent failed to seek professional advice on how to proceed in dealing with D.R. In the alternative, Respondent should have voluntarily removed himself as D.R.'s visitation supervisor and/or father-daughter therapist.

49. The actions of Respondent described herein constitute a failure to maintain professional interactions with clients, in violation of N.J.A.C. 13:44G-10.5 and therefore a failure to comply with the provisions of any act or regulation administered by the Board in violation of N.J.S.A. 45:1-21(h); professional misconduct in violation of N.J.S.A. 45:1-21(e); and repeated acts of negligence in violation of N.J.S.A. 45:1-21(d).

**WHEREFORE**, Complainant Attorney General respectfully demands the entry of an order against Respondent Dennis J. Cheteyan, EdD, LCSW, as follows:

1. Suspending or revoking the license issued to Respondent to practice social work in the State of New Jersey pursuant to N.J.S.A. 45:1-21;

2. Assessing civil penalties against Respondent for each and every separate act violating a statute or regulation administered by the Board, as set forth above, pursuant to N.J.S.A. 45:1-22(b) and N.J.S.A. 45:1-25;

3. Directing Respondent to cease and desist the practice of social work in the State of New Jersey, pursuant to N.J.S.A. 45-1-22(c);

4. Requiring Respondent to pay costs, including investigative costs, attorney's fees and costs, expert and fact witness fees and costs, costs of trial, and transcript costs, pursuant to N.J.S.A. 45:1-25(d); and/or

5. Ordering such other and further relief as the Board shall deem just and appropriate under the circumstances.

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY

By: Jeri L. Warhaftig  
Jeri L. Warhaftig  
Sr. Deputy Attorney General

Dated: June 6, 2014