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FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS

August 13, 2014
J. Michael Walker

By: Jodi C. Krugman
Deputy Attorney General
(973) 648-7093

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

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

ZACHARY P. BATTIPAGLIA, LSW
License No. 44SL05916000

TO PRACTICE CLINICAL SOCIAL WORK
IN THE STATE OF NEW JERSEY

Administrative Action

**INTERIM
CONSENT ORDER
OF VOLUNTARY SURRENDER**

This matter was opened to the New Jersey Board of Social Work Examiners ("Board") upon receipt of information indicating that respondent Zachary P. Battipaglia ("respondent") was arrested on May 16, 2014 by the Evesham Township Police and charged with: one count of third-degree knowingly manufacturing, distributing or dispensing, or possessing with the intent to manufacture, distribute or dispense, a controlled dangerous substance, specifically by being in possession of an amount of marijuana more than one ounce, but less than five pounds, in violation of N.J.S.A. 2C:35-5B(11); one count of third-degree, in violation of N.J.S.A. 2C:35-7, because the alleged violation of N.J.S.A. 2C:35-5B(11) occurred at his home which the police assert is located within 1,000 feet of school property, which is owned by or leased to Demasi Middle School, located at 199 Evesboro-Medford Road, Evesham, New Jersey; and one count

fourth-degree knowingly possessing a controlled dangerous substance, marijuana, that was not obtained directly from a licensed practitioner or under valid prescription issued by a licensed practitioner, specifically by being in possession of over fifty grams of marijuana, in violation of N.J.S.A. 2C:35-10A(3).

The Board finds that these allegations, if proven, would demonstrate that the Respondent has engaged in acts constituting crimes relating adversely to the practice of social works and clinical social work, providing a basis for discipline against his license pursuant to N.J.S.A. 45:1-21(f). Respondent denies these charges, but nevertheless voluntarily enters into this interim agreement without prejudice to respondent's ability to defend the allegations against him and seek reinstatement of his license after disposition of the above charges; and the Board, finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

IT IS on this 13th day of August 2014,

ORDERED AND AGREED that:

1. Respondent is hereby granted leave and shall immediately surrender his license to practice as a social worker in the State of New Jersey pending disposition of criminal charges and until further Order of the Board.
2. Respondent shall cease and desist from advertising, offering to engage or engaging in the practice of clinical social work, social work, alcohol and drug counseling, mental health therapy and/or counseling, or the provision of social work services in any setting, including exempt settings as defined by N.J.S.A. 45:15BB-5 until disposition of the criminal charges. Respondent also agrees not to engage in practice as nor apply for licensure as mental health professional in any state or jurisdiction until disposition of the criminal charges.

3. Respondent shall surrender his original wall certificate, wallet certificate, and the most recent renewal card of his license to the Executive Director of the Board by mailing them to J. Michael Walker, Executive Director, Board of Social Work Examiners, P.O. Box 45033, Newark, New Jersey 07101 contemporaneously with the signing of this Order.

4. This Order shall not preclude the Board from initiating disciplinary action based upon the conduct relating to respondent as alleged above or any conviction relating to such conduct. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by respondent of any statutes or regulations governing the practice of social work or any mental health profession in this state or any other violations of the law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including but not limited to any matters under pending investigation. Because Respondent has voluntarily relinquished his license before disposition of the criminal charges, the Board will promptly review this matter to make final disposition of this matter after disposition of the above charges and upon receipt of an application from Respondent for reinstatement.

5. Nothing contained herein shall be deemed an admission of liability on the part of the respondent.

6. Prior to application for reinstatement of his license as a social worker, Respondent shall provide the Board with the full evaluation from an independent licensed mental health professional or program experienced with addictions, preapproved by the Board, indicating the Respondent is able to practice the profession with reasonable skill and safety. In addition, Respondent must provide full reports by any and all treatment professionals of any treatment received, and demonstrate compliance with any and all treatment recommendations from all professionals seen.

7. Any practice in this State in violation of the above conditions shall constitute unlicensed practice and/or grounds for discipline for violation of an Order of the Board as well as professional misconduct.

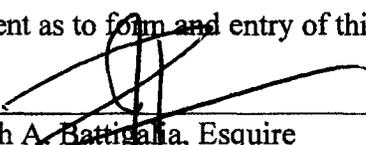
NEW JERSEY BOARD OF SOCIAL WORK
EXAMINERS

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

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is given to the Board for entry of this Order.


Zachary P. Battipaglia, LSW

Consent as to form and entry of this Order.


Joseph A. Battigaglia, Esquire
Attorney for Zachary P. Battipaglia, LSW