

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
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
J. Michael Walker
Executive Director
September 4, 2014

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

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
OR REVOCATION OF THE LICENSE OF:

Pamela Gruber, LCSW
License No. 44SC00199200

TO PRACTICE CLINICAL SOCIAL WORK
IN THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") upon receipt of information suggesting that Respondent Pamela Gruber, ("Respondent") had engaged in a personal and intimate relationship with a client, ("S.B.") which began when Respondent was providing psychotherapeutic services to S.B., or prior to the conclusion of two years post-treatment. On February 13, 2013, Respondent appeared with counsel, David Barry, Esq., at an inquiry into this matter conducted by the Board.

At the inquiry, Respondent testified that she first met S.B. on or about June or July of 1997, when S.B. sought therapy for issues relating to her marriage and relationship with her mother. Respondent and S.B. continued working through S.B.'s family issues in therapy until the sessions began to focus on S.B.'s attraction to Respondent. Respondent admitted that on or about April 15, 1998, at S.B.'s request, Respondent accompanied S.B. to her newly purchased vehicle. At that time, S.B. and Respondent kissed while inside S.B.'s vehicle. Respondent further admitted to seeing S.B. for at least one more therapy session after this incident. Respondent testified that she terminated her therapist-client relationship with S.B. and referred her to another therapist. Respondent further testified that sometime in the year 2000, she and S.B. began seeing each other on a personal level, and in 2005 they entered into a legal domestic partnership. The complaint received by the Board was made one month after dissolution of their long-term professional and personal relationship.

Although Respondent claimed that other than the single kiss, she did not have an intimate relationship with S.B. until several years after therapy was terminated in 1998, documents provided to the Board by Respondent contradict that testimony. Respondent provided a copy of a medical report from Columbia University College of Physicians and Surgeons, Department of Neurology, dated October 13, 2005, which states, under "Social History", that Respondent and S.B. "have been together since 1999" and that Respondent began noticing problems in S.B. "as early as 2001". In spite of the documentary evidence, Respondent maintains that she

remained in sporadic contact with S.B., and at some point, in or about 2000, began a friendship with S.B. through contact among their children in their hometown. The friendship developed into a long-term relationship that eventually resulted in a legal domestic partnership. Respondent testified to the Board that as S.B. became ill and was being treated for her illness, Respondent accompanied S.B. to all of S.B.'s medical tests and subsequent appointments at Columbia University, and that she provided much of the background information to the physicians as her domestic partner.

Respondent also provided a letter, dated September 27, 2005, to UNUM Life Insurance Company ("UNUM"). In that letter, Respondent indicates that she and S.B. "have been life partners in a committed loving relationship for seven [years]". The letter to UNUM is written on Respondent's business letterhead, and Respondent points out that her perspective regarding S.B.'s limitations comes from both the personal perspective, as well as from her experience as a psychotherapist. Respondent conceded during testimony that because this was a personal letter, that use of her business letterhead was inappropriate. In addition, the letter describes S.B. as "suffering with an organic brain disease" even though Respondent had no professional training in diagnosis of brain disease. Respondent also questions the results of S.B.'s IQ test, even though Respondent admitted to lacking any professional training in IQ testing.

Whether Respondent and S.B. began their relationship in 1998 or 1999 does not affect the result in this matter. In either

case, Respondent engaged in a sexual and personal relationship with S.B., that resulted in a legal domestic partnership, that began either during or immediately after the time that Respondent was providing psychotherapeutic social work services to S.B., in violation of N.J.A.C. 13:44G-10.7(c),¹ and that in her testimony before the Board, Respondent misrepresented the inception of that relationship.

Having reviewed the entire record, including Respondent's sworn testimony and the documents she submitted, as well as the documents and information submitted by S.B. and others, it appears to the Board that Respondent engaged in professional and sexual misconduct, failed to maintain appropriate boundaries, and that she was not truthful to the Board in her testimony. Respondent's conduct set forth above provides grounds to take disciplinary action against her license to practice clinical social work in the State of New Jersey, pursuant to N.J.S.A. 45:1-21(b), (c), and (e) and (h). The parties desiring to resolve this matter without recourse to formal proceedings, and Respondent waiving her 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 4th DAY OF September, 2014

HEREBY ORDERED AND AGREED THAT:

¹ Given that respondent believes S.B. had an organic brain disease that affected her cognitive function, the prohibition on a sexual relationship between respondent and S.B. should have extended indefinitely.

1. Contemporaneously with the signing of this Order, Respondent shall voluntarily and permanently surrender her license to practice clinical social work in the State of New Jersey, to be deemed a revocation of her license. Respondent agrees that she shall not seek to reinstate her license to practice clinical social work in New Jersey.

2. Upon surrender of her license, Respondent shall cease and desist from advertising, offering to engage in or engaging in the practice of clinical social work, mental health therapy or counseling, personal or life coaching, or the provision of all social work services in New Jersey in any setting, including exempt settings as defined by N.J.S.A. 45:15BB-5.

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

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

5. Respondent shall be assessed the costs of the State's investigation in this matter in the amount of \$8,266.21. Payment

of costs shall be made by certified check, attorney's check or money order, made payable to the State of New Jersey, and submitted to J. Michael Walker, Executive Director, State Board of Social Work Examiners, PO Box 45033, New Jersey 07101, contemporaneously with the signing of this Order.

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.


Pamela Gruber, LCSW

8/6/14
Date

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


~~Michael Schoppman, Esq.~~ Svelhava Ras, Esq.
Attorney for Pamela Gruber

8/12/14
Date