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Examiners, Alcohol and Drug Counselor Committee

FILED
October 28, 2014
STATE OF NEW JERSEY
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS
ALCOHOL AND DRUG COUNSELOR COMMITTEE
Chilango Ballega

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF MARRIAGE AND FAMILY THERAPY
EXAMINERS, ALCOHOL AND DRUG
COUNSELOR COMMITTEE

IN THE MATTER OF

RODERICK A. MURPHY, CADC
License No. 37CA00077900

CERTIFIED TO PRACTICE ALCOHOL
AND DRUG COUNSELING IN
THE STATE OF NEW JERSEY

Administrative Action

CONSENT ORDER

The New Jersey State Board of Marriage and Family Therapy Examiners, Alcohol and Drug Counselor Committee ("Committee") received information that Roderick A. Murphy ("Mr. Murphy" or "respondent"), had been arrested on charges of theft by deception in Livingston, New Jersey, in June 2012, and had been issued a summons for theft by deception in Union County, also in June 2012, for acts allegedly committed in May 2012. Mr. Roderick pled guilty to one count of theft by deception on

August 24, 2012, and was sentenced on September 28, 2012, to eight days confinement, five years probation, and assessed \$5,654.00 by the Superior Court in Essex County. In March 2013, he was sentenced to three years probation in connection with the Union County charges.

On November 16, 2012, respondent appeared without counsel, at an investigative inquiry into the matter held by the Committee. The underlying criminal charges alleged that Mr. Roderick had presented a credit card bearing his name to three separate jewelry stores to purchase expensive jewelry. When the charges were declined as the card had an insufficient credit limit to cover the purchases, another individual who impersonated a representative of the financial institution underwriting the card was contacted, so that the impersonator could provide an authorization code to the store for the purchase.

Respondent testified that he was unaware of the scheme and that he was a victim of a female acquaintance who had opened the credit card in his name. Mr. Roderick denied ever being in the Union County jewelry store and claimed that the female acquaintance had orchestrated that event. Mr. Roderick acknowledged that he had made a purchase at the Zales jewelry store in Livingston, but maintained that he had no knowledge of the scheme to provide a fake authorization to permit the sale to go through. He also denied making any attempt to purchase jewelry at Kay's Jewelry store. Mr. Rodrick was arrested following a call from Kay's Jewelry store regarding suspicious credit card activity.

In support of his assertion that the female acquaintance has orchestrated the events leading to his arrest and summons, respondent presented a restraining order

issued by the court, restraining the acquaintance from contacting or having any involvement with respondent.

Following his appearance, Mr. Murphy applied for a license to practice clinical alcohol and drug counseling. Since his arrests and conviction, he has completed a Master's Degree in Human Services at The Lincoln University in Lincoln, Pennsylvania.

He is currently employed at the *NEW HORIZONS BEHAVIORAL HEALTH CARE, NEWARK NJ* and is practicing under the supervision of *EMANUEL AARON LSW, LCADC, CCS, DRCC*

Having reviewed the entire record, including the testimony of respondent at the investigative inquiry, it appears to the Committee that these facts provide a basis for discipline in that respondent has been convicted of a crime of moral turpitude. These facts establish basis for disciplinary action pursuant to N.J.S.A. 45:1-21(f). While respondent has continued with his education and has demonstrated a desire to obtain his LCADC, the Committee finds that his conduct warrants a sanction. As such, it will defer taking action on his application for a license as a clinical alcohol and drug counselor for a period of one year following entry of this order. During that period, respondent will hold his CADC credential under the terms of this order. If there are no further arrests or other charges, and no negative information is received, and if his supervisor(s)'s reports reflect that he is practicing in a manner consistent with the public health, safety, and welfare, the Committee will act on his application. The Committee reserves the right to require Mr. Murphy appear before it acts on the application.

It appearing that respondent desires to resolve this matter without recourse to formal proceedings and for good cause shown:

IT IS ON THIS *28* DAY OF *October*, 2014,

HEREBY ORDERED AND AGREED THAT:

1. Respondent's certification to practice alcohol and drug counseling shall be suspended effective on August 15, 2014, for a period of one year, the entirety of which shall be stayed and served as a period of probation. During the probationary period, Mr. Murphy shall practice under the supervision requirements in this order.

2 Respondent is assessed civil penalty, pursuant to N.J.S.A. 45:1-22 in the amount of \$1,000 for conduct with respect to his conviction for theft by deception. Payment of the civil penalty of \$1,000 shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Milagros Collazo, Executive Director, Board of State Board of Marriage and Family Therapy Examiners, Alcohol and Drug Counselor Committee, P.O. Box 45040, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101. Full payment shall be made by December 31, 2014.

3 Failure to remit any payment as required by this Order will result in the filing of a certificate of debt and such other proceedings as authorized by law.

4. During period of probation, respondent shall practice under the supervision of a Committee approved supervisor, who shall hold a current and valid CCS (Certified Clinical Supervisor). The Committee approves *LEROY STANFORD LCADC, CCS* *EMANUEL AARON LSW, LCADC* *CCS, DRCC* as a supervisor. Respondent's supervisor(s) shall be provided with a copy of this order and shall sign a copy of this order indicating that he or she agrees to supervise Mr. Murphy and to provide quarterly reports to the Committee regarding respondent's practice. Reports shall be sent to Milagros Collazo, Executive Director, at the address in paragraph 2 above. The first quarterly report is due November 1, 2014.

5. Respondent shall meet not less than once a week with his supervisor; not

more than half of the weekly supervision meetings may be group supervision.

6. If Mr. Murphy changes supervisors or his place of employment, or if he is employed in more than one location, he shall submit to the Committee written notification of the change(s) within ten (10) days of the change(s), and appear before the Committee if so requested. The Committee reserves the right to grant or deny approval of the proposed supervisor.

7. All supervisors signing this order agree to submit quarterly reports as required by paragraph 5 above and to submit written notification to the Committee if respondent engages in any activity that appears to violate the statutes or regulations governing the practice of alcohol and drug counseling, or if supervision of Mr. Murphy ceases, the reason for ending the supervision. The supervisor agrees to send written notification regarding any change in supervision within ten (10) days of the change. Notification shall be sent to Milagros Collazo at the address in paragraph 2 above.

8. Upon the completion of a minimum of one year of practicing alcohol and drug counseling under supervision in accordance with the terms of this order, and provided he meets all statutory and regulatory requirements, the Committee will consider Mr. Murphy's application for a license to become a clinical alcohol and drug counselor. The Committee specifically reserves the right to require an appearance on that application and to place restrictions on a license should the application be granted.

9. Upon receipt of any reliable information indicating that respondent has violated any of the terms of this order, or has violated the laws and regulations governing the practice of alcohol and drug counseling, respondent's certification may be automatically suspended by the Committee. Respondent, upon five days notice, may

request a hearing to contest the entry of the order of automatic suspension.

10. Failure to comply with any of the terms of this consent order may result in further disciplinary action.

BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS,
ALCOHOL AND DRUG COUNSELOR COMMITTEE

By: Edward G. Reading
Edward G. Reading, LCADC
Committee Chair

I have read and understand this
Consent Order and agree
to be bound by its terms. I consent
to the entry of this Order.

Roderick A. Murphy
Roderick A. Murphy

9.18.14
Date

I have read this consent order and
agree to provide supervision to
Rodrick Murphy under the terms
of this consent order.

Emanuel Aston Lsw, LCADC, CCS
Emanuel Aston Lsw, LCADC, CCS
[print name and credential and sign]

9-18-14
Date