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Therapy Examiners Professional Counselor Examiners Committee

**FILED**  
*7 November 2014*  
STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY EXAMINERS  
PROFESSIONAL COUNSELOR EXAMINERS COMMITTEE  
*Chilaguo Blalaz*

By: Shirley P. Dickstein  
Deputy Attorney General  
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STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF MARRIAGE AND FAMILY  
THERAPY EXAMINERS PROFESSIONAL  
COUNSELOR EXAMINERS COMMITTEE

\_\_\_\_\_  
IN THE MATTER OF THE SUSPENSION OR :  
REVOCATION OF THE LICENSE OF : ADMINISTRATIVE ACTION  
:   
: PROVISIONAL ORDER OF DISCIPLINE  
**Thomas Flaherty** :  
License No. 37PC00041000 :  
:  Finalized by Default on: \_\_\_\_\_  
:   
:   
:   
TO PRACTICE AS A PROFESSIONAL COUNSELOR :  
IN THE STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of  
Marriage and Family Therapy Examiners Professional Counselor  
Examiners Committee (the "Committee") upon receipt of information  
which the Committee has reviewed and on which the following  
preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Thomas Flaherty ("Respondent") is the holder of license number 37PC00041000 and is licensed to practice as a Professional Counselor at all times hereto. (See L2K printout attached hereto as Exhibit A).

2. On or about August 19, 2014, the Committee received a flagging notice advising that Respondent was arrested on June 18, 2014 by the Camden County Police Department for violation of N.J.S.A. 2C:33:2.1B, Loiter to Obtain/Sell Controlled Dangerous Substance in Public. On August 18, 2014, Respondent was found guilty of local ordinance violations and assessed a fine of \$608.00. (Exhibit B).

3. Upon receipt of the flagging notice, on or about, June 23, 2014, the Committee sent a letter to Respondent requesting certain information and submission of documents, to Respondent's address of record in Liberty Corner, New Jersey. The letter was sent by regular and certified mail. The regular mail was not returned and the certified mail was unclaimed. (Exhibit C).

4. To date, Respondent has not provided a response to the Committee's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Committee's request for information constitutes a failure to cooperate with a Committee investigation, in contravention of N.J.A.C 13:45C-1.2,-1.3, in violation of N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A 45:1-21 (h).

ACCORDINGLY, IT IS on this 7 day of November, 2014,

ORDERED that:

1. Respondent's license to practice as a Professional Counselor is provisionally suspended until such time as Respondent cooperates fully with the Committee's investigation by providing the Committee with the information requested in the Committee's June 23, 2014 letter. Respondent shall provisionally refrain from engaging in the practice of professional counseling and shall not represent himself as a professional counselor until such time as his certification is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

2. Respondent shall remit payment of a monetary penalty pursuant to N.J.S.A. 45:1-25 in the amount of \$250.00. Payment shall be made by money order, bank cashier check or certified

check, made payable to the State of New Jersey or by wire transfer, direct deposit or credit card payment delivered or mailed to Milagros Collazo, Executive Director, State Board of Marriage and Family Therapy Examiners Professional Counselor Examiners Committee, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making payment. Payment shall be due no later than fifteen (15) days after the filing of any Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

3. Respondent may request a modification or dismissal of the above stated Findings of Fact or Conclusions of Law within thirty (30) days of the date this Provisional Order is filed by:

- a) Submitting a written request for modification or dismissal to Milagros Collazo, Executive Director, State Board of Marriage and Family Therapy Examiners Professional Counselor Examiners Committee, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101.
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefore or offered in mitigation of penalty.

4. Any submissions will be reviewed by the Committee and the Committee will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty (30) day period, or if the Committee is not persuaded that the submitted materials merit further consideration, a Final Order will be entered.

5. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing is held and upon review of the record, the Committee shall not be limited to the findings, conclusions and sanctions stated herein.

6. In the event that the Committee receives no written request for modification or dismissal within thirty (30) days following entry of this Provisional Order of Discipline, without further Committee review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the

Final Decision and Order of the Committee. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

NEW JERSEY STATE BOARD OF MARRIAGE AND  
FAMILY THERAPY EXAMINERS PROFESSIONAL  
COUNSELOR EXAMINERS COMMITTEE

By: William Green L.R.C.  
William Green L.R.C.  
Committee Chair