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FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS

December 10 2014
J. Michael Stalko

By: Jodi C. Krugman
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
DONNA PAVLIK, LCSW	:	PROVISIONAL ORDER
License No. 44SC05215400	:	OF DISCIPLINE
	:	
TO PRACTICE CLINICAL SOCIAL WORK	:	
IN THE STATE OF NEW JERSEY	:	
	:	
	:	

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") upon receipt of information that respondent Donna Pavlik, LCSW (respondent"), had plead guilty to one count of third degree theft by deception in connection with her billing of clients for her social work practice. The Board sought further information and records from respondent in connection with her treatment of patients in connection with her criminal plea. Based on its review of all materials, the Board makes the following preliminary findings of fact and conclusions of law.

PRELIMINARY FINDINGS OF FACT

1. Respondent Donna Pavlik, License No. 44SC05215400, was first licensed as a Licensed Clinical Social Worker in New Jersey on August 26, 2003. Respondent last renewed

her license on September 29, 2014, and her license is effective until August 31, 2016. Certification of Executive Director Michael Walker, dated December 9, 2014, ¶ 2, (Walker Cert.), attached hereto as Exhibit A and made a part hereof.

2. After receiving information from the Division of Criminal Justice relating to its investigation of respondent's practice, the Board opened its own investigation into the matter. In furtherance of that pending investigation, by letter dated April 21, 2014, the Board demanded respondent submit complete records for 23 clients, information relating to employees and independent contractors working in respondent's practice, as well as continuing education credits for two biennial cycles. On April 23, 2014, the letter was hand delivered to respondent, who signed the letter to acknowledge receipt. A copy of the letter, with respondent's signature, as well as a certification of service, is annexed hereto as Exhibit B and made a part hereof.

3. To date, none of the requested documents have been received from respondent, nor has she contacted the Board to request additional time to respond. Walker Cert. ¶ 4.

PRELIMINARY CONCLUSIONS OF LAW

As the holder of a license to practice clinical social work in the State of New Jersey, respondent has a duty to cooperate with Board investigations. Respondent was sent a letter requiring her to provide the Board with specific information as part of the Board's investigation into her conduct, and she signed the letter indicating receipt of the Board's request. Nevertheless, respondent has neither responded nor contacted the Board regarding that response, constituting a failure to cooperate in violation of N.J.A.C. 13:45C-1.3(a)1, and providing a basis for discipline of respondent's license pursuant to N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 10th day of December, 2014,

ORDERED THAT:

1. Respondent's license to practice clinical social work in New Jersey shall be and hereby is provisionally suspended until respondent fully cooperates with the Board's investigation and provides the totality of documents requested by the Board in the letter of April 21, 2014. The suspension shall begin immediately upon entry of a Final Order in this matter and continue until further Order of this Board.

2. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$750 for the failure to cooperate with the Board's investigation. Payment of the civil penalties shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to J. Michael Walker, Executive Director, Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101, within fifteen (15) days of receipt of a Final Order in this matter. The civil penalty shall be due and payable whether or not respondent provides the documents requested by the Board. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25. Failure to pay the penalty within thirty (30) days of receipt of a Final Order of Discipline in this matter may result in the filing of a certificate of debt.

3. The Board reserves the right to take disciplinary action and place restrictions and/or limitations upon respondent's license to practice clinical social work in the State of New Jersey based upon the conviction and any other violations of law that may be found as a result of the pending complaints and the materials requested by the Board.

4. This Order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following its entry unless respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

a) Submitting a written request for modification or dismissal to J. Michael Walker,

Executive Director, Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101.

b) Setting forth in writing any and all reasons why the 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 the reasons for that consideration. Any submissions will be reviewed by the Board, and the Board will thereafter determine whether any further proceedings are necessary. If no material discrepancies are raised through the submission by respondent during the thirty-day period, or if the Board is not persuaded that submitted materials merit further consideration, a Final Order of Discipline 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 shall serve as notice of the factual and legal allegations in such proceeding. In the event there are further proceedings, the Board shall not be bound by the sanctions and penalties herein.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By: Dawn Apgar 12/10/14
Dawn Apgar, Ph.D., LSW, ACSW
Board President