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**FILED**

*14 May 2015*

STATE OF NEW JERSEY  
BOARD OF MARRIAGE AND FAMILY THERAPY  
EXAMINERS



STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF MARRIAGE AND FAMILY  
THERAPY EXAMINERS

IN THE MATTER OF THE LICENSE OF  
**BARBARA J. PETKOV, LMFT**  
**License No. 37FI00162400**  
TO PRACTICE MARRIAGE AND FAMILY  
THERAPY IN THE STATE OF NEW JERSEY

Administrative Action

**CONSENT ORDER**

This matter was opened to the New Jersey State Board of Marriage and Family Therapy Examiners (the "Board") upon receipt of a complaint from Ms. A., the mother of minor child C, alleging that respondent Barbara J. Petkov ("respondent") engaged in professional misconduct and breached her ethical obligations. Specifically, complainant alleges that she requested individual therapy for C, who had experienced a traumatic event. C, along with C's mother and father, had been seeing respondent and Monica McGoldrick, LCSW, for family therapy at their practice location, the Multi-Cultural Family Institute (the "Institute"). Respondent and Ms. McGoldrick

refused to allow C to be seen for individual therapy and instead required that the entire family unit be seen together. Ms. A asserted that the cost of such sessions was too high and she provided statements from physicians supporting her assertions that C needed a psychiatric evaluation and individual therapy. Ms. A sought an order from a family court to permit C to obtain a psychiatric evaluation and individual therapy from another therapist. Respondent and Ms. McGoldrick submitted a certification opposing the request, and disclosed information obtained during family therapy sessions without obtaining Ms. A's consent.

Respondent, through her counsel, David Barry, Esq., submitted a detailed response to the complaint. She explained that she and McGoldrick collaboratively provided child-focused family therapy to Ms. A, Mr. B and C for a total of 20 hours, meeting individually with various family members as well as small family groups. Respondent admits to submitting a certification to the family court, including information revealed in therapy which was confidential, as part of opposition to Ms. A's motion, and provided a copy of the certification. Respondent argues, among other things, that submitting the certification was appropriate because the issue of the family therapy was placed before the Court by Ms. A and Mr. B.

Having reviewed the entire record, the Board finds that a marriage and family therapist may not disclose confidential information without consent simply because the issue of a child's therapy is raised before a court. Notwithstanding respondent's suggestions and arguments to the contrary, none of the exceptions in the regulations set forth in N.J.A.C. 13:34-8.3 apply, and as set forth in N.J.A.C. 13:34-8.3(a)6, respondent was not permitted to disclose confidential information absent a waiver of

privilege for each family member receiving social work services. This conduct provides a basis for discipline for breach of confidentiality pursuant to N.J.S.A. 45:1-21(e) and (h) and N.J.A.C. 13:34-8.3.

The parties desiring to resolve this matter without recourse to formal proceedings, respondent waiving any 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 14 DAY OF May, 2015

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of \$3,000 for the conduct described herein. Payment of the civil penalties shall be submitted by bank check, or money order made payable to the State of New Jersey, or arrangements shall be made for wire transfer or payment by credit card. Any other form of payment will be rejected by the Board and returned to respondent. Payment shall be sent to Milagros Collazzo, Executive Director, Board of Marriage and Family Therapy Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45007, Newark, New Jersey 07101, contemporaneously with the signing of this Order.
2. Respondent shall successfully complete six (6) credits of in-person continuing education courses in ethics specifically related to the practice of marriage and family therapy. The courses must be pre-approved by the Board, and may not be courses offered by or through the Multi-Cultural Family Institute. These credits are in addition to the biennial requirement of forty (40) credits for the renewal of respondent's

license and shall be completed within ninety (90) days of entry of this Order. Respondent shall provide the Board with proof of successful completion for each course taken within thirty (30) days of completion.

3. Failure to comply with the terms of this Order may result in further discipline for professional misconduct pursuant to N.J.A.C. 13:45C-1.4.

NEW JERSEY BOARD OF MARRIAGE AND  
FAMILY THERAPY EXAMINERS

By: Ben K. Beitin Ph.D. LMFT  
Ben K. Beitin, Ph.D., LMFT  
Board Chair

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.

Barbara Petkov  
Barbara Petkov, LMFT

4/10/15  
Date

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

David Barry  
David Barry, Esq.  
Attorney for Barbara Petkov, LMFT

4/10/15  
Date