

FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS
November 24, 2015

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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

ELLIOT Z. HALBERSTAM, LSW
License No. 44SL05929900

TO PRACTICE SOCIAL WORK
IN THE STATE OF NEW JERSEY

Administrative Action

INTERIM
CONSENT ORDER
OF VOLUNTARY SURRENDER
OF LICENSE

This matter was opened to the New Jersey Board of Social Work Examiners ("Board") upon receipt of information indicating that respondent Elliot Z. Halberstam ("respondent") was arrested on November 10, 2015 and charged with Coercion and Enticement of a Minor to Engage in Illegal Sexual Activity, in violation of 18 U.S.C.A. § 2422(b); Sexual Exploitation of a Child, in violation of 18 U.S.C.A. §§ 2251(a), (e) and 2; and Receipt of Child Pornography, in violation of 18 U.S.C.A. §§ 2252A(a)(2)(B) and (b)(1).

Specifically, the criminal complaint alleges that respondent provided child therapy services to the victim (identified only as "Victim-1"), an individual under the age of 18, beginning in or about 2011 through in or about 2014. It further alleges that beginning in or about 2014, respondent began exchanging sexually explicit text messages and emails with the victim, as well as photographs and explicit videos. The complaint also alleges that the victim reported that he and respondent engaged in fellatio on at least one occasion at respondent's office.

The Board finds that the allegations, if proven, would demonstrate that the respondent has engaged in acts constituting crimes relating adversely to the practice of social work and clinical social work, as well as sexual misconduct within the meaning of N.J.A.C. 13:44G-10.7, providing a basis for discipline against his license pursuant to N.J.S.A. 45:1-21(e), (f) and (h). Respondent denies the allegations, and voluntarily enters into this interim agreement without prejudice to his ability to defend the allegations against him; and the Board, finding the within disposition adequately protective of the public health, safety and welfare, and other good cause having been shown;

IT IS on this 24th day of November 2015,

ORDERED AND AGREED that:

1. Respondent is hereby granted leave and shall immediately surrender his license to practice as a social worker in the State of New Jersey pending disposition of criminal charges and until further Order of the Board, such surrender to be deemed a temporary suspension of his license.

2. Respondent shall cease and desist from advertising, offering to engage in or engaging in the practice of clinical social work, social work, alcohol and drug counseling, or any other type of mental health therapy and/or counseling, or the provision of social work services in any setting, including exempt settings as defined by N.J.S.A. 45:15BB-5, until resolution of the criminal charges.

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

4. This Order shall not preclude the Board from initiating disciplinary action based upon the conduct relating to respondent as alleged above or any conviction relating to such conduct. The entry of the within Order is without prejudice to the further investigation and/or prosecution of any violations by respondent of any statutes or regulations governing the practice of social work or any mental health profession in this state or any other violations of the law, by the Board, the Attorney General, or any other regulatory or law enforcement agency, including but not limited to any matters under pending investigation.

5. Nothing contained herein shall be deemed an admission of liability on the part of the respondent, nor prejudice his ability to defend against the charges against him.

6. Any practice of social work, clinical social work, or any other mental health therapy or counseling in this State in violation of the above conditions shall constitute unlicensed practice and/or grounds for discipline for violation of an Order of the Board as well as professional misconduct.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By: 
Dawn Apgar, Ph.D., LSW, ACSW
Board Chair

I have read and understood the foregoing Order and agree to be bound by its terms. Consent is hereby given to the Board of Social Work Examiners to enter this Order. I understand that this Order has serious professional and legal import, and I have decided to enter into this Order without legal counsel.

 , LSW
Elliot Z. Halberstam, LSW