FILED

8 December 2015

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

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the State Board of Marriage and Family
Therapy Examiners Professional Counselor Examiners Committee

By: Shirley P. Dickstein
Deputy Attorney General
(973) 648-7093

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 **Joseph McKeon**, Licensed Professional Counselor License No. 37PC00472200 TO PRACTICE AS A PROFESSIONAL COUNSELOR IN THE STATE OF NEW JERSEY	ADMINISTRATIVE ACTION **PROVISIONAL ORDER OF DISCIPLINE** ☐ Finalized by Default on:____

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. Joseph McKeon ("Respondent") is the holder of license number 37PC00472200 and is licensed to practice as a Professional Counselor at all times hereto. (See L2K printout attached hereto as Exhibit A).

2. On March 7, 2014, Respondent entered a consent order with the Committee as the result of a finding by the Committee that Respondent engaged in professional misconduct by engaging in a social relationship with D.S., the mother of his former client. The Consent Order reprimanded Respondent for engaging in professional misconduct and required that Respondent practice under supervision for a minimum of one (1) year. (Exhibit B).

3. On or about September 30, 2015, the Committee received a complaint from D.S. alleging that Respondent engaged in a sexual relationship with her. (Exhibit C). On or about September 22, 2015, the Committee received notification from Respondent's employer that Respondent was discharged for professional misconduct. (Exhibit D).

4. On or about November 6, 2015, the Committee sent a letter to Respondent's address of record in Lincroft, New Jersey requesting Respondent to appear at an investigative inquiry to be held by the Committee on December 3, 2015. The letter was sent by regular and certified mail. The regular mail was not

returned and the certified mail was returned unclaimed. (Exhibit E).

4. Respondent did not appear at the investigative inquiry and did not contact the Committee regarding its request that he appear for the inquiry.

CONCLUSIONS OF LAW

Respondent's failure to appear at the investigative inquiry 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 8 day of December 2015,

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 appearing at an investigative inquiry before the Committee and addressing the allegations of the complaint to the Committee's satisfaction. 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 license is reinstated. Any practice in this State prior to such reinstatement shall constitute grounds for a charge of unlicensed practice.

2. Upon the filing of a FINAL ORDER OF DISCIPLINE, 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 Committee 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 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 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 LRC

William Green L.R.C.
Committee Chair