FILED BY THE BOARD OF
SOCIAL WORK EXAMINERS
8/10/2016
J. Michael Walker

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

IN THE MATTER OF THE SUSPENSION OR REVOCATION OF THE LICENSE OF **DANIELLE WALL, LCSW** **License No. 44SC05485100** TO PRACTICE CLINICAL SOCIAL WORK IN THE STATE OF NEW JERSEY	Administrative Action **CONSENT ORDER**

This matter was opened to the New Jersey State Board of Social Work Examiners (the "Board") upon receipt of information that alleged that respondent Danielle Wall ("respondent") engaged in an inappropriate sexual relationship with the father of a minor client and engaged in improper billing practices. Specifically, the complaint alleged that, several years earlier, respondent had been the school social worker for complainant P's child, A, who has a developmental disability. In January 2012, P and her husband G hired respondent privately to provide treatment for their son. Respondent made a number of home visits, and was in email and telephone communication with G during this time. P alleges that respondent engaged in a sexual

relationship with G, spoke about A's care in a public place, questioned A about the status of P and G's relationship, and failed to submit necessary claim forms to the insurance company.

Respondent submitted a letter to the Board in response to the complaint. Respondent admitted to engaging in a sexual relationship with G, which began prior to agreeing to see A in her private practice, and which ended when she became aware of a decline in A's behavior. Respondent told G she would not continue to engage in a relationship with him if A was her client, and G indicated that he would rather she help A. Respondent also explained that in terms of the billing issue, she gave P and G a reduced rate until their deductible was met. Despite her admission of a sexual relationship with her client's parent, respondent nonetheless maintains that she provided ethical and clinically sound services, and also billed P and G appropriately.

Having reviewed the entire record, it appears to the Board that respondent agreed to treat A as a private client under circumstances where she should have refused to treat A because of her relationship with A's father, G. Respondent's act of terminating the sexual relationship with G, apparently in recognition of the conflict, was insufficient under the circumstances. The NASW Code of Ethics, to which all social workers must adhere, prohibits sexual relationships with family members of clients. Because Respondent made several home visits to the family, respondent was treating the entire family, not just the minor child; thus, any sexual relationship with a member of the family would constitute a conflict of interest. Although respondent apparently recognized that there was a conflict and determined to end the sexual relationship, respondent had an ethical responsibility as a social worker to refuse to treat A.

Although the Board accepts respondent's explanation as to her billing practices, the Board believes that some restitution is appropriate given the circumstances of the treatment.

Accordingly, the Board finds respondent's conduct, as described above, was a conflict of interest in violation of N.J.A.C. 13:44G-10.4, and constitutes professional misconduct, providing a basis for disciplinary action against her license to practice clinical social work in New Jersey pursuant to N.J.S.A 45:1-21(e) and (h). In fashioning an appropriate remedy, the Board also has recognized that respondent has voluntarily closed her private practice, taken additional continuing education credits in ethics, and entered psychotherapy. She has expressed remorse and appears to understand the errors she had made.

The parties desiring to resolve this matter without recourse to formal proceedings, and respondent waiving her right to a hearing in this matter, and the Board finding that entry of this Order adequately protects the public health, safety, and welfare, for good cause shown:

IT IS ON THIS 10th DAY OF August, 2016,

HEREBY ORDERED AND AGREED THAT:

1. Respondent shall not engage in the private independent practice of social work for a minimum of one year and until further Order of the Board. Respondent may work in a hospital, agency or school setting where there is appropriate supervision of her work.

2. Respondent shall advise the Board in the event she wishes to return to the private practice of clinical social work. At that time, respondent agrees that for a

period of two years, her provision of clinical social work services shall be supervised weekly by a New Jersey licensed clinical social worker who satisfies the requirements of N.J.A.C. 13:44G-8.1 and who shall be pre-approved by the Board following submission of his or her credentials to the Board. The prospective supervisor shall be provided with a copy of this Consent Order. He or she shall submit to the Board a curriculum vitae along with a signed copy of this Consent Order, indicating that he or she has read the Order and agrees to comply with its terms. Respondent and her supervisor shall meet face-to-face a minimum of one hour a week for the first year, with the exact frequency to be determined by the supervisor, to review all of respondent's cases. In addition to a review of all client progress notes, the supervision shall focus on clinical judgment, conflicts of interest, transference and counter-transference, ethics and boundary issues. After the first year, the supervisor may apply to the Board for a reduction in the number of supervisory hours, with the application to be supported by the reasons for the request. The supervisor shall provide quarterly progress reports regarding supervision of respondent for the two-year period. An unfavorable report may be considered a violation of this Consent Order. In the event the supervisor becomes aware of a boundary violation by respondent, or any other violations of the statutes or regulations governing social work practice, the supervisor shall notify the Board by telephone and in writing within twenty-four hours of learning of the events. At the conclusion of two years of supervision, the supervisor shall submit to the Board a final report assessing respondent's ability to resume the independent clinical practice of social work.

3. Respondent is hereby assessed civil penalties, pursuant to N.J.S.A. 45:1-22, in the amount of $1,000 for the violations found herein. 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 J. Michael Walker, Executive Director, Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, P.O. Box 45033, Newark, New Jersey 07101, contemporaneously with the signing of this order. Any other form of payment will be rejected and will be returned to the party making payment. Subsequent violations will subject respondent to enhanced penalties pursuant to N.J.S.A. 45:1-25.

4. Respondent shall pay restitution in the amount of $150 to P. Payment of the restitution shall be made by money order, bank cashier check, or certified check made payable to P and sent to J. Michael Walker, Executive Director, at the address set forth in paragraph 6 above, contemporaneously with the signing of this Order.

5. Failure to make timely payments as required by this Order shall result in the filing of a certificate of debt and may result in further disciplinary action for failure to comply with a Board order.

NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

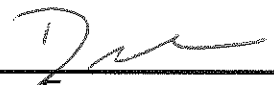
By: Dawn Apgar
Dawn Apgar, Ph.D., LSW, ACSW
Board President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is given to the Board for entry of this Order.

Danielle L. Wall, LCSW
Danielle Wall, LCSW

7/21/2016
Date

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



Debra Marcus, Esq.
Attorney for Danielle Wall, LCSW

7-26-16
Date