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Consent Order
FILED
Date: November 2, 2020
New Jersey Board of Social Work
Examiners
Andria Nunez

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

CONSENT ORDER

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). On November 24, 2015, respondent entered into an Interim Consent Order with the Board voluntarily surrendering his license pending the outcome of his criminal matter.

On July 9, 2018, respondent pleaded guilty to the Coercion and Enticement of a Minor to Engage in Illegal Sexual Activity, in violation of 18 U.S.C.A. §§ 2422(b). Respondent was sentenced to federal prison for a total term of 165 months. Upon release from imprisonment, respondent will be on supervised release for a term of 10 years.

Respondent's guilty plea is based on the following factual basis: specifically, respondent admitted that while respondent provided child therapy services to the victim (identified only as "Victim-1"), an individual under the age of 18, respondent began exchanging sexually explicit text messages and emails with the victim, as well as photographs and explicit videos. Respondent also admitted that he engaged in fellatio with the victim.

The Board finds that respondent's conduct, as admitted in his guilty plea, constitutes professional misconduct; a conviction of an offense involving moral turpitude as well as one relating adversely to the practice of social work; and a failure to comply with regulations administered by the Board, specifically N.J.A.C. 13:44G-10.7 (engaging in sexual contact with a client with whom he has a social worker-client relationship), therefore providing grounds for the Board to revoke respondent's license to practice social work in New Jersey pursuant to N.J.S.A. 45:1-21(e), (f) and (h), demonstrates 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).

The parties being desirous of entering into a final resolution of this matter, and it appearing that respondent had read the terms of the within Order and understands their meaning and effect and consents to be bound by same, and waives his right to a hearing in this matter. The Board finding that the within disposition is adequately protective of the public health, safety and welfare, and other good cause having been shown;

IT IS, therefore, on this 2nd day of November _____ 2020,

ORDERED AND AGREED that:

1. Respondent, Elliot Z. Halberstam, LSW, hereby surrenders his license to practice as a social worker in the State of New Jersey, with such surrender to be deemed a permanent revocation.
2. Respondent is permanently barred from applying for a license to practice social work in the State of New Jersey.
3. Any practice of social work, clinical 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, in violation of the above conditions shall constitute the unlicensed practice and/or grounds for discipline for violation of an Order of the Board as well as professional misconduct.

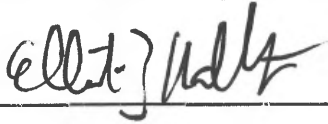
NEW JERSEY BOARD OF SOCIAL WORK EXAMINERS

By: 

Maureen Braun Scalera, LCSW
Board Chair

I have read and understood the within Order and agree to be bound by its terms. Consent is hereby given to the Board 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.



Elliot Z. Halberstam, LSW

10/27/2020

Date