

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE SYSTEMS BRANCH**

In re: Robert Lucas, P.A.

Petition No. 2011-633

**CONSENT ORDER**

WHEREAS, Robert Lucas of Palm Desert, California (hereinafter "respondent") has been issued license number 000371 to practice as a physician assistant by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. On or about June 17, 2011, respondent entered into a Stipulated Settlement and Disciplinary Order in Case No. 1E-2009-198587 ("California Stipulated Settlement") with the Physician Assistant Committee of the Medical Board of California, Department of Consumer Affairs ("California Department"). Said California Stipulated Settlement was as a result of respondent's California criminal convictions for driving an automobile while impair by alcohol.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §§19a-17(f) and 20-12f.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 20-12f of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-12f of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's Connecticut license shall be placed on probation for a period of time coterminous with the period of probation with respect to respondent's California license pursuant to the California Stipulated Settlement. Respondent shall provide the California Department with a copy of this Consent Order within ten (10) days of its effective date. Respondent shall execute any and all necessary releases and/or requests for his probation monitor pursuant to the California Stipulated Settlement to submit quarterly reports to the Department at the address set forth in paragraph 5 of this Consent Order documenting respondent's compliance with the terms of the California Stipulated Settlement. Respondent shall provide immediate notice to the Department in the event of any determination that respondent violated any terms of the California Stipulated Settlement and/or in the event any further disciplinary action is taken against respondent's California license. Any violation of the California Stipulated Settlement shall be deemed to be a violation of this Consent Order.
3. Respondent shall provide written notice to the Department within fourteen days of Respondent's successful completion of the terms of the California Stipulated Settlement.
4. Respondent shall provide his supervising physician at any place where respondent practices, is employed or with which he is affiliated as a physician assistant in the State of Connecticut throughout the probationary period, with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of such practice at a new location. Respondent agrees to provide reports from such supervising physician quarterly for the duration of probation stating that respondent is practicing with reasonable skill and safety and in an alcohol and substance-free state.
5. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant  
Department of Public Health  
410 Capitol Avenue, MS #12HSR  
P.O. Box 340308  
Hartford, CT 06134-0308

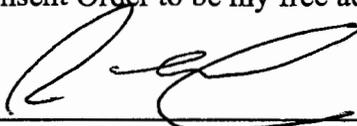
6. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
7. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
8. Respondent shall pay all costs necessary to comply with this Consent Order.
9. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
  - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
  - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
  - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 9a above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he has cured the violation in question.
  - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.

- e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
10. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
  11. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.
  12. This Consent Order is effective on the first day of the month immediately following the date this Consent Order is accepted and ordered by the Board.
  13. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Consent Order or with §20-12f of the General Statutes of Connecticut, as amended, is at issue.  
  
Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.
  14. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
  15. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further,

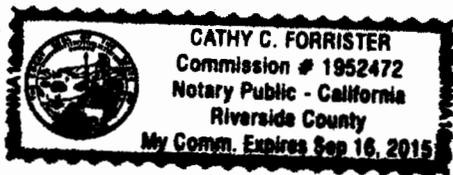
this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

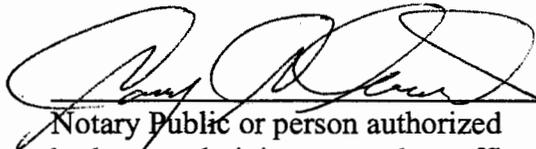
16. This Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the Department at any time prior to its being executed by the last signatory.
17. Respondent permits a representative of the Legal Office of the Healthcare Systems Branch to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
18. Respondent has the right to consult with an attorney prior to signing this document.
19. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
20. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Robert Lucas, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

  
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Robert Lucas, P.A.

Subscribed and sworn to before me this 18 day of November 2011.

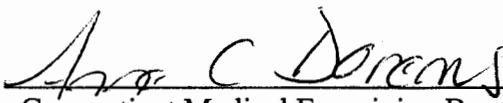


  
\_\_\_\_\_  
Notary Public or person authorized  
by law to administer an oath or affirmation

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15<sup>th</sup> day of December 2011, it is hereby accepted.

  
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Jennifer Filippone, Section Chief  
Practitioner Licensing and Investigations  
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical Examining Board on the 20 day of December 2011, it is hereby ordered and accepted.

  
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Connecticut Medical Examining Board