

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

In re: Joseph Bartoszek, Jr., P.A.

Petition No. 2010-5621

**CONSENT ORDER**

WHEREAS, Joseph Bartoszek, Jr. of Warren, Massachusetts (hereinafter "respondent") has been issued license number 001170 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, respondent admits that:

1. On or about July 7, 2010, respondent prescribed the controlled substance hydrocodone/APAP to his wife's coworker without examining the individual or maintaining appropriate medical records.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-12f.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Department, 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.

WHEREAS, respondent has obtained continuing education in prescribing practices;

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 license number 001170 to practice as a physician assistant in the State of Connecticut is hereby reprimanded.
3. Respondent shall not prescribe any medication for himself, his family or his friends.
4. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
5. Respondent shall pay all costs necessary to comply with this Consent Order.

6. This Consent Order is effective on the date this Consent Order is accepted and ordered by the Board.
7. Respondent understands this Consent Order shall be deemed as a public document and evidence of the above admitted violations in any proceeding before the Board in which his compliance with this Consent Order or with Chapter 370 of the General Statutes of Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.
8. 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.
9. 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.
10. 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.
11. Respondent has the right to consult with an attorney prior to signing this document.
12. 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.
13. 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, Joseph Bartoszek, Jr., 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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Joseph Bartoszek, Jr., P.A.

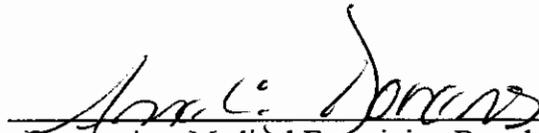
Subscribed and sworn to before me this 15<sup>th</sup> day of DECEMBER 2010.

  
\_\_\_\_\_  
Notary Public or person authorized Julie F. Coleman  
by law to administer an oath or affirmation  
My commission expires: 3-31-14

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 23<sup>rd</sup> day of December 2010, 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 15 day of February, 2011, it is hereby ordered and accepted.

  
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Connecticut Medical Examining Board