

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

In re: Matthew R. Metsack

Petition No. 2003-1202-000-084

PRELICENSURE CONSENT ORDER

WHEREAS, Matthew R. Metsack of Old Saybrook (hereinafter "respondent") has applied for licensure to practice as a massage therapist by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 384a of the General Statutes of Connecticut, as amended; and, WHEREAS, respondent agrees that:

1. The Department has at no time issued respondent a license to practice the occupation of massage therapy under the General Statutes of Connecticut, Chapter 384a.
2. Respondent was certified in Connecticut as a certified nurse aide. In October of 2000, a negative finding was issued against him for abuse on Connecticut Nurse's Aide Registry.
3. The conduct described above constitutes grounds for the denial of respondent's application for licensure pursuant to §19a-14 of the General Statutes of Connecticut.

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

1. Respondent waives the right to a hearing on the merits of his application for licensure.
2. After satisfying the requirements for licensure as a massage therapist as set forth in Chapter 384a of the General Statutes of Connecticut, respondent's license to practice as a massage therapist will be issued.

3. Respondent's license to practice as a massage therapist in the State of Connecticut shall, immediately upon issuance, be placed on probation for one year under the following terms and conditions:
 - a. Respondent shall provide to his employer, and/or place(s) where respondent practices as a massage therapist throughout the probationary period, a copy of this Pre-Licensure Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment. Respondent agrees to provide reports from such employer quarterly for the one year of probation; stating that respondent is practicing with reasonable skill and safety.
 - b. During the period of probation, respondent shall only practice massage therapy in an office and practice setting that includes other message therapists.
4. 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.
5. Respondent shall comply with all state and federal statutes and regulations applicable to his license.
6. Respondent shall notify the Department of any change(s) in his employment within fifteen (15) days of such change.
7. Respondent shall notify the Department of any change(s) in his home and/or business address within fifteen (15) days of such change.
8. Any deviation from the term(s) of this Prelicensure Consent Order without prior written approval of the Department shall constitute a violation. A violation of any term(s) of this Prelicensure Consent Order shall result in the right of the Department in its discretion to immediately deem respondent's message therapy license rescinded. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude

the Department's right to take action at a later time. The Department shall not be required to grant future extensions of time or grace periods. Notice of the rescission of the license shall be sent by the Department to respondent's address of record. Respondent waives any right to a hearing on the issue of violation of the terms of this Prelicensure Consent Order.

9. That correspondence and reports required by the terms of this Prelicensure Consent Order are to be addressed to:

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

10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems of the Department.
11. Respondent understands that this Prelicensure Consent Order may be considered as evidence of the above-admitted violations in any proceeding before a Connecticut Department of Public Health Hearing Officer in which (1) his compliance with this Prelicensure Consent Order is at issue, or (2) his compliance with §20-206c of the Connecticut General Statutes, as amended, is at issue.
12. This Prelicensure Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Prelicensure Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.

13. This Prelicensure 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.
14. This Prelicensure Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
15. Respondent understands this Prelicensure Consent Order is a matter of public record.
16. Respondent understands he has the right to consult with an attorney prior to signing this Prelicensure Consent Order.

I, Matthew R. Metsack have read the above Prelicensure Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Prelicensure Consent Order to be my free act and deed.

Matthew R. Metsack
Matthew R. Metsack

Subscribed and sworn to before me this 4th day of February 2004.

Johnstone P. Gmur
Notary Public or person authorized
by law to administer an oath or
affirmation

MY COMMISSION EXPIRES
AUGUST 31, 2007

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 19 day of February 2004, it is hereby ordered and accepted.

Joan D. Leavitt
~~Marianne Horn, Director~~ JOAN D. LEAVITT PHSM
Division of Health Systems Regulation
Bureau of Healthcare Systems

s/skp/casesplcometsack/

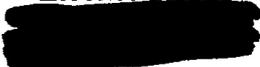


STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

March 15, 2005

Matthew R. Matsack
20 Old Colony Road
Old Saybrook, CT 06475

Re: Prelicensure Consent Order
Petition No. 2003-1202-000-084
License No. 003610


Dear Mr. Matsack:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective March 15, 2005.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Prelicensure Consent Order.

Please be certain to retain this letter as documented proof that you have completed your license probation.

Thank you for your cooperation during this process.

Respectfully,

A handwritten signature in cursive script, appearing to read "Olive Tronchin".

Olive Tronchin
Division of Health Systems Regulation

/cc: J. Fillippone



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 12HSR
P.O. Box 340308 Hartford, CT 06134
An Equal Opportunity Employer