

✓ DT 7/29/95  
reprimand  
civil pen.

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH AND ADDICTION SERVICES  
BUREAU OF HEALTH SYSTEM REGULATION  
DIVISION OF MEDICAL QUALITY ASSURANCE

In re: John R. Colbert, Embalmer  
5 Steele Road  
New Hartford, CT 06057

Petition No. 931223-30-014

CONSENT ORDER

WHEREAS, John R. Colbert, Embalmer, of New Hartford, Connecticut (hereinafter "respondent") has been issued license number 002156 to practice embalming by the Department of Public Health and Addiction Services (hereinafter "the Department") pursuant to Chapter 385 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department makes the allegations set forth in paragraphs 1 through 7 of the Statement of Charges in Petition No 931223-30-014, dated April 11, 1995, attached hereto and made a part hereof (hereinafter "the Statement of Charges").

WHEREAS, respondent does not admit the above-referenced allegations, or that he has violated any statute or regulation, including but not limited to §20-227(7) of the General Statutes of Connecticut, but agrees that this Consent Order shall have the same effect as if ordered after a full hearing pursuant to §§19a-9, 19a-10, and 20-227 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-227 of the General Statutes of Connecticut, John R. Colbert, Embalmer, hereby stipulates and agrees to the following:

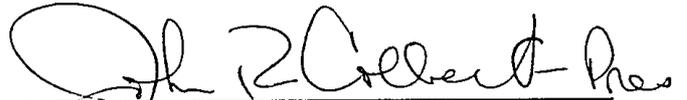
1. That respondent waives his right to a hearing on the merits of this matter.

2. That respondent's license is hereby reprimanded.
3. That respondent shall pay a civil penalty of Two Thousand Five Hundred Dollars ✓  
(\$2,500) on or by the date he executes this Consent Order and submits it to the Department for its approval, in the form of a certified or cashier's check, money order or other guaranteed funds made payable to "Treasurer, State of Connecticut." Respondent understands that upon payment of the civil penalty, no further charges or proceedings shall be instituted by the Department with respect to the allegations set forth in the Statement of Charges.
4. That respondent shall not employ Thomas E. Davis in any capacity either personally or on behalf of John J. Shea Funeral Homes, Inc. until and unless Thomas E. Davis is licensed by the Department as a funeral director and/or embalmer. *in the State of Ct. JRC 7/27/95*
5. That respondent shall not employ or allow any person not licensed by the Department to engage in funeral directing and/or embalming services for or on behalf of himself and/or John J. Shea Funeral Homes, Inc. *SJP 7/27/95*
6. That respondent shall comply with all statutes and regulations pertaining to his profession.
7. That legal notice of any action shall be deemed sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Medical Quality Assurance of the Department.
8. That this Consent Order is effective on the date it is approved and accepted by the Connecticut Board of Examiners for Embalmers and Funeral Directors (hereinafter "the Board").
9. That respondent understands this Consent Order is a matter of public record.
10. That the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which (1)

respondent's compliance with this same order is at issue, or (2) his compliance with §20-227 of the General Statutes of Connecticut, as amended, is at issue.

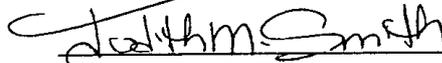
11. That if this Consent Order is not approved and accepted by the Board, the parties stipulate that it shall be null and void, of no force or effect before any Board or court.
12. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this 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 or the United States.
13. That respondent permits a representative of the Department 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 an executed Consent Order is approved or accepted.
14. That this Consent Order is a revokable 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.
15. That respondent has consulted with an attorney prior to signing this document.
16. That respondent understands this Consent Order is a matter of public record.

I, John R. Colbert, Embalmer, have read the above Consent Order, and I agree to the terms set forth therein. I further declare the execution of this Consent Order to be my free act and deed.



John R. Colbert, Embalmer

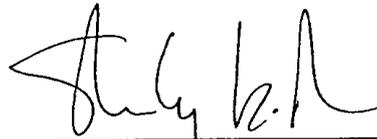
Subscribed and sworn to before me this 5<sup>th</sup> day of June 1995.



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

Commission Expires 8-31-97

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health and Addiction Services on the 13<sup>th</sup> day of June 1995, it is hereby accepted.



Stanley K. Peck, Director  
Division of Medical Quality Assurance

The above Consent Order having been presented to the duly appointed agent of the Connecticut Board of Examiners for Embalmers and Funeral Directors on the 27 day of July, 1995, it is hereby ordered and accepted.

BY: Celia Piny  
Connecticut Board of Examiners  
for Embalmers and Funeral Directors