

30-002341

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In re: Jonathan White, Embalmer

Petition No. 2005-1214-030-020

CONSENT ORDER

WHEREAS, Jonathan White of East Lyme (hereinafter "respondent") has been issued license number 002341 to practice as an Embalmer by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 385 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. On or about November 30, 2005, the body of the deceased DC was transported from a funeral home in Rhode Island, received by respondent in New London and then transported by respondent to the River View Crematory in Old Saybrook, CT without the required Rhode Island Burial and Transit Permit.
2. On or about November 30, 2005, respondent signed the body of D.C. into the River View Crematory without the required Rhode Island Burial and Transit Permit and/or without the Connecticut Cremation Permit.
3. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, including, but not limited to:
 - a. §20-227(2);
 - b. §20-227(4); and/or
 - c. §7-65.

WHEREAS, respondent has completed continuing education in state laws and regulations pertaining to funeral directing; and

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 Board of Examiners of Embalmers and Funeral Directors (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 20-227 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-227 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 002341 to practice as an embalmer in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two thousand dollars (\$2000.00) by certified or cashier's check payable to "Treasurer, State of Connecticut." The check shall reference the Petition Number on the face of the check, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall at all times be current in meeting the statutory requirements for continuing education credits, and shall maintain evidence of such coursework at the funeral home facility at which he is employed.
5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
6. Respondent shall pay all costs necessary to comply with this Consent Order.
7. 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.

8. 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.
9. Respondent understands this Consent Order may be considered 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 §20-227 of the General Statutes of Connecticut, as amended, is at issue.
10. 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 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.
11. 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.
12. 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.
13. Respondent has the right to consult with an attorney prior to signing this document.
14. 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.

I, Jonathan White, 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.

[Signature]
Jonathan White, Embalmer

Subscribed and sworn to before me this 25th day of JAN 2008.

[Signature]
Notary Public or person authorized My Commission Expires
by law to administer an oath or affirmation 3/31/2010

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 31st day of January 2008, it is hereby accepted.

[Signature]
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 Board of Examiners of Embalmers and Funeral Directors on the 26 day of February 2008, it is hereby ordered and accepted.

[Signature]
Board of Examiners of Embalmers and Funeral Directors