

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Cathy Klein

Petition No. 99III-030-039

PRELICENSURE CONSENT ORDER

WHEREAS, Cathy Klein of Columbia, Connecticut (hereinafter "respondent") has applied for licensure 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 agrees that:

1. The Department has at no time issued respondent a license to practice the occupation of embalming under the General Statutes of Connecticut, Chapter 385.
2. That from 1985 to 1993, respondent abused or excessively used drugs.
3. Effective March 30, 1994, respondent's license number 020340 to practice as a licensed practical nurse was revoked by the Connecticut State Board of Examiners for Nursing.
4. 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 her application for licensure.
2. After satisfying the requirements for licensure as an embalmer as set forth in Chapter 385 of the General Statutes of Connecticut, respondent's license to practice as an embalmer will be issued.

3. Respondent's license to practice as an embalmer in the State of Connecticut shall, immediately upon issuance, be placed on probation for two years under the following terms and conditions:
 - a) Respondent shall participate in regularly scheduled therapy at her own expense with a licensed psychiatrist or psychologist/social worker/marriage and family therapist pre-approved by the Department (hereinafter "therapist").
 - i) Respondent shall provide a copy of this Consent Order to her therapist.
 - ii) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - iii) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in frequency of therapy sessions, and/or respondent's transfer to another therapist.
 - iv) The therapist shall submit reports quarterly for the duration of probation, which shall address, but not necessarily be limited to, respondent's ability to practice embalming in an alcohol and substance free state safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.

- v) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public, or if respondent discontinues therapy and/or terminates his or her services.

- b) Respondent shall refrain from the ingestion of alcohol in any form and the ingestion, inhalation, injection or other use of any controlled substance and/or legend drug unless prescribed or recommended for a legitimate therapeutic purpose by a licensed health care professional authorized to prescribe medications. In the event a medical condition arises requiring treatment utilizing controlled substances, legend drugs, or alcohol in any form, respondent shall notify the Department and, upon request, provide such written documentation of the treatment as is deemed necessary by the Department.

- i) During the first year of the probationary period, respondent shall submit to monthly random observed urine screens for alcohol, controlled substances, and legend drugs; during the remaining probationary period, she shall submit to such screens on a quarterly basis. Respondent shall submit to such screens on a more frequent basis if requested to do so by the therapist or the Department. Said screens shall be administered by a facility approved by the Department. All such random screens shall be legally defensible in that the specimen donor and chain of custody shall be identified throughout the screening process. All laboratory reports shall state that the chain of custody procedure has been followed.

- ii) Respondent shall cause to have the facility provide monthly reports to the Department on the urine screens for alcohol, controlled substances and legend drugs. All such screens shall be negative for alcohol, controlled substances, and legend drugs, except for medications prescribed by respondent's physician. If respondent has a positive urine screen, the facility shall immediately notify the Department. All positive random drug and alcohol screens shall be confirmed by gas chromatograph/mass spectrometer testing.
- iii) Respondent understands and agrees that if she fails to submit a urine sample when requested by her monitor, such missed screen shall be deemed a positive screen.
- iv) Respondent shall notify each of his health care professionals of all medications prescribed for her by any and all other health care professionals.
- v) Respondent is hereby advised that the ingestion of poppy seeds and mouthwash has from time to time, been raised as a defense to a positive screen result for morphine, opiates and/or alcohol. For that reason, respondent agrees to refrain from ingesting poppy seeds in any food substances, and mouthwash during the term of this Consent Order. In the event respondent has a positive screen for morphine, opiates and/or alcohol, respondent agrees that the ingestion of poppy seeds and/or mouthwash shall not constitute a defense to such a screen.

- c) Respondent shall provide her employer, at which she is employed at each place where respondent practices as an embalmer 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 employment at a new facility. Respondent agrees to provide reports from such employer quarterly for the duration of probation, stating that respondent is practicing with reasonable skill and safety and in an alcohol and substance-free state.
4. Respondent shall comply with all state and federal statutes and regulations applicable to her license.
5. Respondent shall notify the Department of any change(s) in her employment within fifteen (15) days of such change.
6. Respondent shall notify the Department of any change(s) in her home and/or business address within fifteen (15) days of such change.
7. 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 embalming 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 rescision 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.

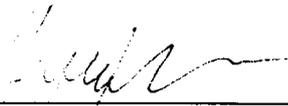
8. That correspondence and reports required by the terms of this Prelicensure Consent Order are to be addressed to:

Richard Goldman, Special Investigator
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
Box 340308
Hartford, Connecticut 06134-0308

9. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
10. Respondent understands that this Prelicensure Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Connecticut Board of Examiners of Embalmers and Funeral Directors in which (1) her compliance with this Prelicensure Consent Order is at issue, or (2) her compliance with §20-227 of the Connecticut General Statutes, as amended, is at issue.
11. 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 she may have under the laws of the State of Connecticut or of the United States.
12. 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.

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

I, Cathy Klein 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.



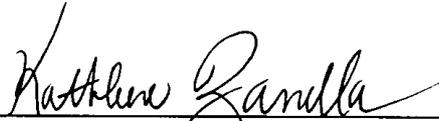
Cathy Klein

Subscribed and sworn to before me this 39th day of October 1999.



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

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 4th day of November _____ 1999, it is hereby ordered and accepted.



Kathleen Zarrella, Director
Division of Health Systems Regulation

jk /



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

May 3, 2002

Cathy Klein, Emb.
6 River Valley Road
Columbia, CT 06237-1113

re: Prelicensure Consent Order
Petition No. 99III-030-039
License No. 002517

Completion of Probation

Dear Ms. Klein:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective 03/28/2002.

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

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

Thank you for your demonstrated cooperation during the license probation process.

Sincerely,

A handwritten signature in cursive script that reads "Richard Goldman".

Richard Goldman
Paralegal Specialist II
Division of Health Systems Regulation

c: J. Filippone, PHSM



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