

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In re: Christopher Palumbo, Embalmer

Petition No. 2005-1214-030-021

CONSENT ORDER

WHEREAS, Christopher Palumbo of Madison (hereinafter "respondent") has been issued license number 002629 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. At all relevant times, respondent was the manager of National Cremation Services of Gales Ferry, CT (hereinafter, "NCS").
2. At all relevant times, respondent was the manager of the River View Crematory in Old Saybrook, CT.
3. Respondent was away on vacation from approximately late November 2005 until early December 2005, and failed to appoint a licensed embalmer or funeral director to be responsible for the management of NCS and/or River View Crematory in his absence.
 - a. On or about November 30, 2005, the human remains of D.C. were removed and transported from Rhode Island and delivered to Connecticut under the direction of respondent without the permits required by Rhode Island and Connecticut General Statutes.
 - b. Respondent stored the unembalmed human remains of the deceased D.C. from

November 30, 2005, until December 10, 2005, without the permit and certificate required by Rhode Island and Connecticut General Statutes.

- c. Respondent stored the unembalmed human remains of D.C., without refrigeration, contrary to the contractual obligations and company policy, as stated on the General Price List of NCS dated July 7, 2004.
 - d. The human remains of D.C. were cremated under respondent's direction without the required Connecticut Cremation Permit.
 - e. Respondent directed the River View Crematory to accept, store and cremate the human remains of D.C. without a Connecticut Cremation Permit authorizing such cremation, and contrary to the requirements of Connecticut General Statutes.
 - f. Respondent charged and collected for refrigeration services not provided.
 - g. Respondent failed to prepare the human remains of D.C. as required by the Connecticut Public Health Code.
4. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, including, but not limited to:
- h. §20-227(2);
 - i. §20-227(4);
 - j. §20-227(5);
 - k. §20-230b;
 - l. §7-65;
 - m. §7-69;
 - n. §19a-323; and/or

the Regulations of Connecticut State Agencies, §19a-36-A40(a).

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 002629 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 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. 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.
7. 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.
8. 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.

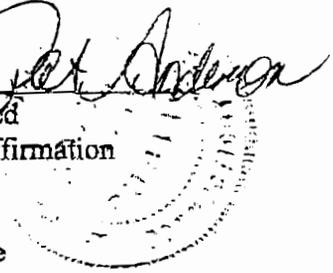
9. This Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided 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.
10. 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.
11. 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.
12. Respondent has the right to consult with an attorney prior to signing this document.
13. 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, Christopher Palumbo, 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.

Christopher Palumbo
Christopher Palumbo, Embalmer

Subscribed and sworn to before me this 9th day of JAN. 2007.

PAT ANDERSON
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 01, 2008
Pat Anderson
Notary Public or person authorized
by law to administer an oath or affirmation



The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 10th day of January 2007, it is hereby accepted.

Jennifer Filippone
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 11 day of January 2007, it is hereby ordered and accepted.

*subject to production of proof
of refund to family for cost of
refrigeration*

Celia Piny
Board of Examiners of Embalmers and Funeral Directors