

✓ DT 8/24/95
reprimand
1003
1003

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. _____

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

In re: ~~John~~ Riccio, N.H.A.

Petition No. 931020-36-008

CONSENT ORDER

WHEREAS, John Riccio, N.H.A. of Simsbury, Connecticut (hereinafter "respondent") has been issued license number 001275 to act as a nursing home administrator by the Department of Public Health and Addiction Services (hereinafter "the Department") pursuant to Chapter 368v of the Connecticut General Statutes, as amended; and,

WHEREAS, the Department alleges that, on or about June 19, 1993, respondent was the nursing home administrator at West Hartford Manor, West Hartford, Connecticut, and that on or about June 19, 1993: (1) he allowed two physicians to share the duties of Medical Director at West Hartford Manor; (2) he denied the priority readmission to West Hartford Manor of patient Leon Kapata; and, (3) he failed to have a written job description for the nursing supervisor at West Hartford Manor; and,

WHEREAS, respondent admits that the Hospital and Medical Care Division of the Department issued a statement of violations of the Public Health Code including the violations set forth above, to which respondent responded promptly with a Plan of Correction, and respondent has asserted that the practice of allowing two physicians to share the duties of Medical Director was established by the facility before he became the Administrator, and has further asserted that the nurse who denied priority admission to Leon Kapata failed to contact respondent prior to denying priority admission, as required by facility policy; and

WHEREAS, the above described facts constitute grounds for disciplinary action

Page 2 of 4

pursuant to Connecticut General Statutes Section 19a-517(b), including but not limited to:

- a. 19a-517(b)(3); and/or,
- b. 19a-517(b)(4).

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while admitting no guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Department, the above allegations in this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §19a-9, §19a-14, and §19a-517(a) of the General Statutes of Connecticut.

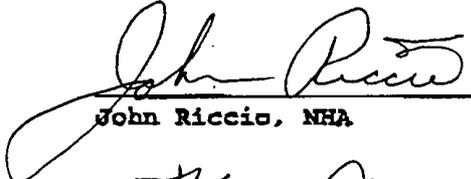
NOW THEREFORE, pursuant to §19a-17 and §19a-517(a) of the Connecticut General Statutes, as amended, respondent hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter.
2. That his license to act as a nursing home administrator is hereby reprimanded.
3. That he shall comply with all state and federal statutes and regulations applicable to his licensure.
4. That he understands this Consent Order is a matter of public record.
5. That the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which (1) his compliance with this Consent Order is at issue, or (2) his compliance with §19a-517(b) of the General Statutes of Connecticut, as amended, is at issue.
6. That this Consent Order and terms set forth herein are not subject to

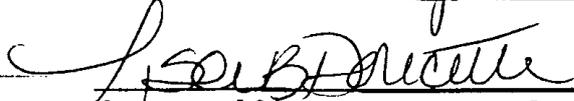
reconsideration, collateral attack or judicial review under any form or in any forum. Further, that this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that he may have under the laws of the State of Connecticut or of the United States.

7. That this Consent Order is a revocable offer of settlement which may be modified by mutual agreement or withdrawn by the the Department at any time prior to its being executed by the last signatory.
8. That he has the right to consult with an attorney prior to signing this document.

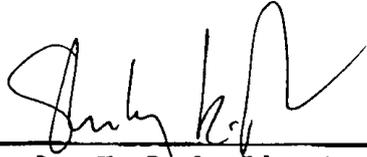
I, John Riccio, N.H.A., have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


John Riccio, NHA

Subscribed and sworn to before me this 15th day of August 1995.


LISA B. DOUCETTE
NOTARY PUBLIC
MY COMMISSION EXPIRES JUN. 30, 1997
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 and Addiction Services on the 23rd day of August 1995, it is hereby accepted.


Stanley K. Peck, Director
Division of Medical Quality Assurance