

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATIONS
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Frank Biello, N.H.A.

Petition No. 850923-36-007

CONSENT ORDER

WHEREAS, Frank Biello of Middletown, Connecticut has been issued license number 004446 to practice as a nursing home administrator by the Department of Health Services pursuant to Chapter 368v of the General Statutes of Connecticut, as amended; and

WHEREAS, Frank Biello hereby admits and acknowledges that:

1. Between approximately 1980 and approximately 1985, while he was the administrator of Ridgewood Central, Inc., a skilled nursing facility in Middletown, Connecticut, patient personal funds were co-mingled with other monies used to operate this nursing home facility.
2. By the above-referenced conduct, he has violated regulations promulgated by the Department of Income Maintenance and §19a-517 of the Connecticut General Statutes.

NOW THEREFORE, pursuant to §19a-17 and §19a-517 of the Connecticut General Statutes, Frank Biello hereby stipulates and agrees to the following:

1. That he waives the right to a hearing on the merits of this matter.
2. That his Connecticut nursing home administrator's license number 004446 is hereby suspended for seven years.

3. That the seven year suspension is stayed immediately and he is placed on probation subject to the following terms and conditions:
 - a. He shall cause to have reconstructed, through monthly payments of \$1,000 drawn from facility funds, the patient personal accounts.
 - b. The amount to be repaid is approximately \$13,828.80. Said figure is subject to change, dependent on ongoing reconstruction of past patient accounts.
 - c. Said payments shall be deposited in the appropriate trust account or otherwise applied as directed by the Department of Income Maintenance.
 - d. He shall provide proof of said reconstruction to the Department of Health Services.
 - e. He shall provide to the Department of Health Services, quarterly reports on the status of the aforementioned reconstruction of patient personal accounts until said reconstruction is completed to the satisfaction of the Department of Income Maintenance.
 - f. He shall ensure that Department of Income Maintenance shall send written notification to the Department of Health Services when the condition in 3.d. above is satisfied.
4. That he shall from this point in time, and at all times in the future, cease and desist from co-mingling patient personal accounts with any other facility funds.
5. That he shall notify the Department of Health Services if he changes employment during the pendency of this Consent Order.

6. That if he should leave Ridgewood Central, Inc., the aforementioned reconstruction shall continue under the new administrator(s) to the satisfaction of the Department of Income Maintenance.
7. That if the terms and conditions of probation as specified in 3. above are met in full prior to the conclusion of the seven year period, the period of probation shall conclude at said time.
8. That all reports to be provided to the Department of Health Services shall be sent to:

Celia Bumstead, Paralegal
Department of Health Services
Division of Medical Quality Assurance
150 Washington Street
Hartford, Connecticut 06106
9. That this Consent Order is effective the first day of the month immediately following the date said Consent Order is ordered and accepted by the Connecticut Department of Health Services.
10. That he understands that this Consent Order is a matter of public record.
11. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Department of Health Services arising out of a subsequent series of facts (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §19a-517 of the General Statutes of Connecticut is at issue.
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, that said order is not subject to

appeal under the provisions of Chapter 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive him of any rights that he may have under the laws of the State of Connecticut or of the United States.

- 13. That he has consulted with an attorney prior to signing this document.

I, Frank Biello, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

Frank C. Biello
Frank Biello

Subscribed and sworn to before me this 14th day of October 1986.

Louis B. Todaro
~~Notary Public or person authorized by law to administer an oath or affirmation~~ *Commissioner of the Superior Court*

Ridgewood Central, Inc., having read the above Consent Order, agrees to the terms set forth therein paragraphs 3.a. through 3.f. and 6., and accepts the document on the 14th day of OCTOBER, 1986.

10-14-86
Date

BY: *Marcel Leveille* VICE PRES.
For Ridgewood Central, Inc.

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the 20th day of October 1986, it is hereby ordered and accepted.



Stanley K. Peck, Director
Division of Medical Quality Assurance

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