

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

In re: Mark D. Fisher

Petition No. 2004-0928-000-055

REINSTATEMENT CONSENT ORDER

WHEREAS, Mark D. Fisher of Stamford, CT (hereinafter "respondent") has been issued license number 000359 to practice as an asbestos consultant project monitor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent's license expired on January 31, 2004, and respondent has now applied to have said license reinstated by the Department pursuant to Chapter 368a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent hereby admits as follows:

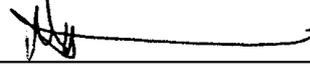
1. On or about August 6, 2004 respondent provided services and practiced as an asbestos consultant project monitor at an asbestos abatement project located at New Canaan High School; 11 Farm Road; New Canaan, Connecticut lacking a current Department issued license to practice the occupation of asbestos consultant project monitor.
2. On or about August 16, 2004 respondent provided services and practiced as an asbestos consultant project monitor at an asbestos abatement project located at the Kolbe Education Center; 401 Kossuth Street; Bridgeport, Connecticut lacking a current Department issued license to practice the occupation of asbestos consultant project monitor.
3. The conduct described above constitutes grounds for the denial of respondent's application for reinstatement of licensure pursuant to §19a-14(a)(6) of the General Statutes of Connecticut and Section 20-440-6(a) of the Regulations of Connecticut State Agencies.

NOW THEREFORE, pursuant to §19a-17 of the General Statutes of Connecticut, as amended, 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 to practice as an asbestos consultant project monitor shall be reinstated when he satisfies the requirements for reinstatement of his license, as set forth in Sections 19a-14-1 through 19a-14-5 of the Regulations of Connecticut State Agencies, and this Reinstatement Consent Order is executed by all parties. In addition, respondent shall be required to satisfy the requirements for licensure as an asbestos abatement consultant project monitor, as set forth in Chapter 400a of the General Statutes of Connecticut and regulations adopted pursuant to said chapter, before respondent's license shall be reinstated.
3. Respondent shall pay a civil penalty of four hundred dollars (\$400.00) 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. Said civil penalty shall be payable at the time respondent submits this executed Reinstatement Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to his license.
5. Legal notice shall be sufficient if sent to respondent's last known address of record as reported to the Environmental Practitioner Licensure Unit of the Division of Environmental Health.
6. Respondent understands that this Reinstatement Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Connecticut Department of Public Health in which (1) his compliance with this Reinstatement Consent Order is at issue, or (2) his compliance with Chapters 400a or 3681 of the Connecticut General Statutes, as amended, is at issue.

7. This Reinstatement 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 Reinstatement 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 he may have under the laws of the State of Connecticut or of the United States.
8. This Reinstatement 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.
9. This Reinstatement Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
10. Respondent understands this Reinstatement Consent Order is a matter of public record.
11. Respondent understands he has the right to consult with an attorney prior to signing this Reinstatement Consent Order.
12. 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, Mark D. Fisher have read the above Reinstatement Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Reinstatement Consent Order to be my free act and deed.



Mark D. Fisher

Subscribed and sworn to before me this 23rd day of February 2005.



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

My Commission expires: 2/28/2008

The above Reinstatement Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15th day of March 2005, it is hereby ordered and accepted.



Ellen Blaschinski, Director
Division of Environmental Health
Bureau of Regulatory Services

Mark D. Fisher Reinstatement Consent Order 02.02.05