

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH**

In re: Deena E. Landau-Graber, L.P.C.

Petition No. 2008-0715-046-002

CONSENT ORDER

WHEREAS, Deena E. Landau-Graber of Stamford, Connecticut (hereinafter "respondent") has been issued license number 000527 to practice professional counseling by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 383 of the General Statutes of Connecticut, as amended.

WHEREAS, the Department alleges:

1. From approximately April 24, 2007 through approximately July 2007, patient #1, a minor child, came under the care of respondent. During this time period, respondent met with patient #1 and/or members of her family multiple times.
2. During the above referenced time, respondent failed to maintain appropriate and/or sufficient records for any of her treatment sessions with patient #1. Respondent also failed to maintain appropriate records regarding the assessment, treatment plan, and/or termination notes concerning patient #1.
3. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-195ee, including, but not limited to §20-195ee(1) and/or 20-195ee(5).

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 and agrees that for purposes of this or any future proceedings before the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-14, 19a-17, 20-195ee of the General Statutes of Connecticut; and

WHEREAS, respondent has taken a course in documentation standards, approved and accepted by the Department.

NOW THEREFORE, pursuant to §§19a-14, 19a-17, 20-195ee of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license shall be placed on probation for a period of six months under the following terms and conditions
 - a. Respondent shall obtain at her own expense, the services of a practice supervisor, pre-approved by the Department (hereinafter "practice supervisor "), to conduct a random review of all respondent's patient records every three months.
 - (1) Respondent shall provide a copy of this Consent Order to her practice supervisor. Respondent's supervisor 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.
 - (2) Respondent shall fully cooperate with the supervisor in providing such monitoring.
 - (3) Respondent shall be responsible for providing two written supervisor reports directly to the Department; the first report to be three months into the probationary period and the second report to be prior to the conclusion of the probationary period. Such supervisor's reports shall include documentation as to the number and a general description of the patient records reviewed and statement that respondent is practicing with reasonable skill and safety.
3. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. Respondent shall pay all costs necessary to comply with the costs of the practice supervision.

6. Any alleged violation of any provision of this Consent Order may result in the following procedures at the discretion of the Department:
 - a. The Department shall notify respondent in writing by first-class mail that the term(s) of this Consent Order have been violated, provided that no prior written consent for deviation from said term(s) has been granted.
 - b. Said notification shall include the acts or omission(s) which violate the term(s) of this Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 7a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Department which shall make a final determination of the disciplinary action to be taken, subject to the provisions of the Uniform Administrative Procedures Act and any rights of appeal thereunder.
 - e. Evidence presented to the Department by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
7. In the event respondent is not employed as a professional counselor for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order. In the event respondent resumes the practice of professional counseling, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of professional counseling without written pre-approval from the Department.
8. If, during the period of probation, respondent practices professional counseling outside Connecticut, she shall provide written notice to the Department concerning such employment.

During such time period, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of professional counseling in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 2 above.

9. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of her license before the Department.
10. 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.
11. 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 Department.
12. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall not be contested in any subsequent proceeding before the Department in which her compliance with this Consent Order or with §§20-195ee of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.
14. Any extension of time or grace period for reporting granted by the Department shall not be a waiver or preclude the Department from taking action at a later time. The Department shall not be required to grant future extensions of time or grace periods.
15. 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. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. 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 she may have under the laws of the State of Connecticut or of the United States.

16. 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.
17. 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 Department. Respondent understands that the Department has complete and final discretion as to whether this executed Consent Order is approved or accepted.
18. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
19. Respondent has consulted with an attorney prior to signing this document.
20. 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. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
21. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

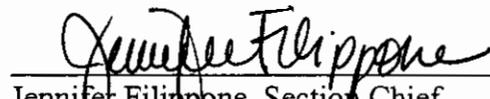
I, Deena E. Landau-Graber, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Deena E. Landau-Graber

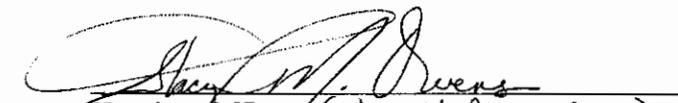
Subscribed and sworn to before me this 2nd day of August 2010.


Notary Public or Commissioner Superior Court

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 2nd day of August 2010, it is hereby accepted.


Jennifer Filippone, Section Chief,
Practitioner Licensing and Investigations Healthcare Systems
Branch

The above Consent Order having been presented to the designee of the Commissioner of the Department of Public Health on the 2nd day of August 2010, it is hereby ordered and accepted.


Hearing Officer (Stacy M. Owens, Esq.)



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

May 5, 2011

Deena E. Landau-Graber, L.P.C
196 North Street
Stamford, CT 06901

Re: Consent Order
Petition No. 2008-0715-046-002
License No. 000527

Dear Ms. Landau-Graber:

Please accept this letter as notice that you have satisfied the terms of your license probation effective May 4, 2011.

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 Orders.

Please be certain to retain this letter as documented proof that you have completed your probation.

Thank you for your cooperation during this process.

Best of luck in the future,

Olive Tronchin, HPA
Practitioner Licensing and Investigations Section

✓ c: Jennifer Phillipone



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