

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

In re: Roger P. Jacques d.b.a Action Asbestos

Petition No. 2009-2009344

CONSENT ORDER

WHEREAS, Roger P. Jacques d.b.a. Action Asbestos of Uncasville, CT (hereinafter "respondent") has been issued license number 000096 to practice as an asbestos contractor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 400a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. On or about September 16, 2009, respondent performed an asbestos abatement project in connection with the renovation of the basement of a residence located at 1010 Ocean Avenue, New London, CT (hereinafter "the property"). Said project involved the removal of asbestos containing pipe insulation.
2. On or about September 16, 2009, in connection with the asbestos abatement project at the property respondent failed to provide warm water to the shower, in violation of §19a-332a-6(a) of the Regulations of Connecticut State Agencies (hereinafter "the Regulations").
3. The above described facts constitute grounds for disciplinary action pursuant to, without limitation, Chapter 400a and §19a-332a(b) of the General Statutes of Connecticut, taken in conjunction with §§19a-332a-1, 19a-332a-2, 19a-332a-6(a) and/or 20-440-6(b) of the Regulations.

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 Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10 and 19a-14 of the General Statutes of Connecticut.

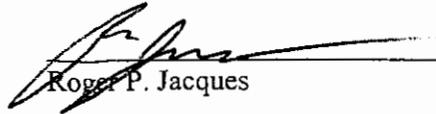
NOW THEREFORE, pursuant to §§19a-14 and 19a-17 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives his right to a hearing on the merits of this matter.
2. Respondent's license number 000096 to practice as an asbestos contractor in the State of Connecticut is hereby reprimanded.

3. Respondent shall pay a civil penalty of one thousand dollars (\$1,000.00) 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. This Consent Order is effective on the date this Consent Order is accepted by the Department.
7. Respondent understands this Consent Order shall be deemed as a public document and evidence of the above admitted violations in any proceeding before the Department in which his compliance with this Consent Order or with Chapters 400a or 368f of the
8. 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.
9. 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.
10. 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.
11. Respondent has the right to consult with an attorney prior to signing this document.
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. 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.
13. 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.

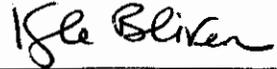
I, Roger P. Jacques d.b.a. Action Asbestos, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.

STATE OF CONNECTICUT
COUNTY OF NEW LONDON



Roger P. Jacques

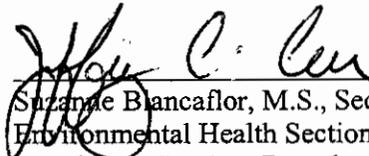
Subscribed and sworn to before me this ^{or affirmed} 21ST day of JANUARY 2010 by ROGER P. JACQUES

 KYLE BLIVEN

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

MY COMMISSION EXPIRES 2/28/13

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 27th day of JANUARY 2010, it is hereby accepted.



Suzanne Blancaflor, M.S., Section Chief for
Environmental Health Section
Regulatory Services Branch

s:llf/Jacques