

STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
HEALTHCARE SYSTEMS BRANCH

In re: Scott Grimo, A.T.

Petition No. 2008-0314-054-001

CONSENT ORDER

WHEREAS, Scott Grimo of Milford, Connecticut (hereinafter "respondent") has been issued license number 000002 to practice as an athletic trainer by the Department of Public Health (hereinafter "the Department") pursuant to Connecticut General Statutes, Chapter 375a, as amended.

WHEREAS, the Department alleges:

1. From approximately 2006 through 2008 respondent practiced as an athletic trainer at Shelton High School in Shelton, Connecticut and worked with female high school students who were below eighteen years of age.
2. During the above-referenced time period, respondent engaged in inappropriate interactions with a student.
3. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-65m

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 the Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes §§19a-10, 19a-14, 19a-17 and 20-65m.

WHEREAS, respondent's license to practice as an athletic trainer was suspended pursuant to an Interim Consent Order ordered September 25, 2008 (Attachment A).

WHEREAS, respondent completed a sexual behaviors evaluation at Sterling Center of Shelton Connecticut (hereinafter "Sterling") as well as successfully graduated from Sterling's Boundaries and Sensitivity group in good standing;

NOW THEREFORE, pursuant to Connecticut General Statutes §19a-17 and 20-65m, 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 shall be placed on probation for two (2) years under the following terms and conditions:
  - a. Respondent shall participate in regularly scheduled therapy at his own expense with a licensed or certified therapist pre-approved by the Department (hereinafter "therapist").
    - (1) Respondent shall provide a copy of this Consent Order, his entire file from Sterling, including all records, notes and reports, to his therapist.

- (2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of the documents referenced in the paragraph above within fifteen (15) days from the effective date of this Consent Order.
  - (3) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in frequency of therapy sessions, and/or respondent's transfer to another therapist.
  - (4) The therapist shall submit reports quarterly which shall address, but not necessarily be limited to, respondent's ability to practice as an athletic trainer safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.
  - (5) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public or if respondent discontinues therapy and/or terminates his or her services.
- b. Within six months from the effective date of this Consent Order, respondent shall attend and successfully complete a course in boundaries, pre-approved by the Department. Within fourteen (14) days of coursework completion, respondent shall provide the Department with proof, to the Department's satisfaction, of the successful completion of such course(s).
  - c. During probation, respondent shall only practice as an athletic trainer in a setting that physically includes other athletic trainers or physical therapists.
  - d. Respondent shall have a fellow employee present as a chaperone (hereinafter "chaperone") present during any interaction, evaluation, examination and/or treatment of any female patient eighteen years of age or younger.
    - (1) Respondent shall maintain a record of the identity of the chaperone present at each such patient visit. The chaperone shall personally sign such record.
    - (2) Respondent shall permit the Department to conduct random, unannounced reviews of any and all records above to ensure compliance with this provision.
3. Respondent shall provide his employer at each place where respondent practices as an athletic trainer throughout probation with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new facility. Respondent agrees to provide reports from such employer quarterly stating that he is practicing with reasonable skill and safety and that a chaperone is present in accordance with the terms of this Consent Order.
  4. 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

5. All reports required by the terms of this Consent Order shall be due according to a schedule established by the Department of Public Health.
6. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. 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 8(a) above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Consent Order or, in the alternative, that he 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, he shall be entitled to a hearing before the Department which shall make a final determination of the disciplinary action to be taken.
  - 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.
9. In the event respondent is not practicing as an athletic trainer 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 athletic training, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to the practice of athletic training without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice. Respondent understands that any return to the practice of athletic training without pre-approval from the Department shall constitute a violation of this Consent Order and may subject the respondent to further disciplinary action.
10. If respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Department.
11. 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.
12. 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.
13. Respondent agrees that this Consent Order is a public document, and that the Department's allegations contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which his

compliance with this Consent Order or with Connecticut General Statutes §20-65m, as amended, is at issue.

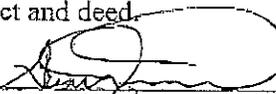
Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.

14. If respondent violates any term of this Consent Order, he agrees immediately to refrain from practicing as an athletic trainer, upon request and notice from the Department, for a period not to exceed 45 days. During that time, respondent further agrees to cooperate with the Department in its investigation of the violation, and submit to a medical, psychiatric or psychological evaluation, if requested by the Department. The results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation shall constitute grounds for a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes §§ 4-182(c) and 19a-17(c). Respondent understands that the Department has complete and final discretion whether a summary suspension is ordered.
15. 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.
16. 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 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 execution of this document. Further, this Order is not subject to appeal or review under the provisions of Connecticut General Statutes, Chapters 54 or 368a n provided this stipulation shall not deprive respondent of any rights he may have under the laws of the State of Connecticut or of the United States.
17. 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.
18. 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.
19. Respondent understands and agrees that he is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which he is away from his residence.
20. Respondent has consulted with an attorney prior to signing this document.
21. 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.

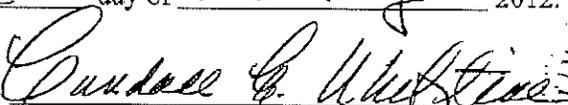
Page 5 of 6

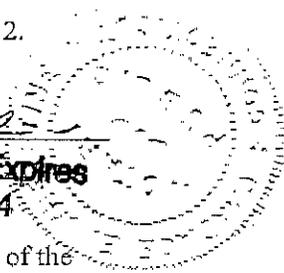
22. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Scott Grimo, 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.

  
\_\_\_\_\_  
Scott Grimo

Subscribed and sworn to before me this 23rd day of February 2012.

  
\_\_\_\_\_  
Notary Public **My Commission Expires April 30, 2014**



The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 24th day of February 2012, it is hereby accepted.

*Wendy H. Furniss,  
Branch Chief*

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

The above Consent Order having been presented to the duly appointed designee of the Commissioner of the Department of Public Health on the 24th day of February 2012, it is hereby accepted and ordered.

  
\_\_\_\_\_  
Hearing Officer

**CERTIFICATION**

I hereby certify that, pursuant to Connecticut General Statutes Section 4-180(c), a copy of the foregoing Consent Order was sent this 27<sup>th</sup> day of February, 2012, by certified mail, return receipt requested to:

John Gulash, Esq.  
350 Fairfield Avenue  
Bridgeport CT 06601

*and by E-Mail to:*

Matthew Antonetti, Principal Attorney  
Legal Office - MS#12LEG  
Department of Public Health  
410 Capitol Avenue  
P. O. Box 340308  
Hartford CT 06134-0308

  
Janice E. Wojick, Hearings Liaison  
Public Health Hearing Section