

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

In re: L.R. Lewis Funeral Home

Petition No. 2002-0123-056-002

CONSENT ORDER

WHEREAS, L.R. Lewis Funeral Home of Hartford, CT (hereinafter "respondent") has been issued inspection certificate number 000247 to conduct business as a funeral home by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 385 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. During a routine inspection of the L.R. Lewis Funeral Home in January 18, 2002, a Department inspector discovered a human corpse in a storage room. The deceased had died in June 2001 and the corpse had been maintained at the facility since June 2001. The remains were delivered to CT Valley Crematory on January 18, 2002.
2. The inspection also revealed unsanitary conditions and a lack of hot water at the funeral home.
3. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-227.

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, agrees that for purposes of this or any future proceedings before the Connecticut Board of Examiners of

Embalmers and Funeral Directors (hereinafter "the Board"), 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 and 20-227 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-227 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives its right to a hearing on the merits of this matter.
2. Respondent shall pay a civil penalty of One Thousand dollars (\$1000.00) 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.
3. Respondent's inspection certificate number 000247 to conduct business as a funeral home in the State of Connecticut is hereby reprimanded.
4. Respondent's inspection certificate shall be placed on probation for a period of two years under the following terms and conditions:
 - a. Respondent shall satisfactorily pass all subsequent inspections by the Department.
5. All correspondence and reports are to be addressed to:

Bonnie Pinkerton, Nurse Consultant
Department of Public Health
Division of Health Systems Regulation
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

6. Respondent shall comply with all state and federal statutes and regulations applicable to its licensure.
7. Respondent shall pay all costs necessary to comply with this Consent Order.

8. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Licensure and Registration Section of the Division of Health Systems Regulation of the Department.
9. 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 Board.
10. 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 10.a. above to demonstrate to the satisfaction of the Department that it has complied with the terms of this Consent Order or, in the alternative, that it has cured the violation in question.
 - d. If respondent does not demonstrate compliance or cure the violation by the limited fifteen (15) day date certain contained in the notification of violation to the satisfaction of the Department, it shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board 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.
11. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a funeral home, upon request by the Department,

with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's certificate. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall constitute an admission that its conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).

12. 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 its certificate before the Board.
13. In the event respondent is not open as a funeral home for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of time shall not be counted in reducing the probationary period covered by this Consent Order.
14. Respondent agrees that this Consent Order shall be deemed a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which its compliance with this Consent Order or with §20-227 of the General Statutes of Connecticut, as amended, is at issue.
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. Further, this Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of

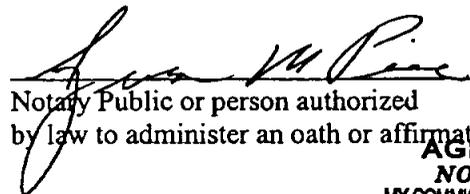
Connecticut, provided that this stipulation shall not deprive respondent of any rights that it may have under the laws of the State of Connecticut or of the United States.

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 Bureau of Regulatory Services to present this Consent Order and the factual basis for this Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
19. 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.
20. Respondent has the right to consult with an attorney prior to signing this document.

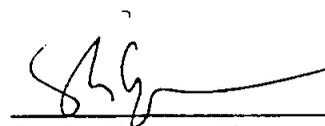
I, Lillard R. Lewis Sr., President of the L.R. Lewis Funeral Home, have read the above Consent Order, and I affirm that I am fully authorized and empowered to bind said funeral home. I hereby stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Lillard R. Lewis

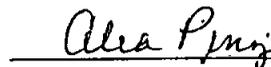
Subscribed and sworn to before me this 31st day of October 2003.


Notary Public or person authorized
by law to administer an oath or affirmation
AGNES M. PIER
NOTARY PUBLIC
MY COMMISSION EXPIRES APR. 30, 2007

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 31st day of October 2003 it is hereby accepted.


Stanley K. Peck, Director, Legal Office
Bureau of Regulatory Services

The above Consent Order having been presented to the duly appointed agent of the Board on the 6 day of November 2003, it is hereby ordered and accepted.


Connecticut Board of Examiners of Embalmers
and Funeral Directors



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

December 29, 2005

L.R. Lewis Funeral Home
c/o Lillard R. Lewis, Sr. Embalmer
362 Rood Avenue
Windsor, CT 06095

Re: Consent Order
Petition No. 2002-0123-056-002
License No. 000247

Dear Mr. Lewis:

Please accept this letter as notice that the terms and conditions of the above referenced Consent Order have been satisfied, effective December 1, 2005.

Notice of such will be sent to the Department's Licensure and Registration section.

Please be certain to retain a copy of this letter.

Respectfully,

A handwritten signature in black ink, appearing to read "Olive Tronchin".

Olive Tronchin, HPA
Office of Practitioner Licensing and Investigation

cc: Jennifer Filippone



Phone: (860) 509-7400
Telephone Device for the Deaf (860) 509-7191
410 Capitol Avenue - MS # 12HSR
P.O. Box 340308 Hartford, CT 06134
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