

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

In re: David Pfau, EMT

Petition No. 990825-070-006

CONSENT ORDER

WHEREAS, David Pfau of Arlington, Virginia (hereinafter "respondent") was issued certificate number 941054 to practice as an emergency medical technician (hereinafter, "EMT") by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 368d of the General Statutes of Connecticut, as amended. Respondent's EMT certificate expired on July 1, 2000 and lapsed due to non-renewal.

WHEREAS, the Department alleges that:

1. At all relevant times, respondent was the holder of EMT certificate number 941054.
2. During August 1999, respondent was employed as an EMT at Camp Hemlocks, a camp for disabled children in Hebron, Connecticut.
3. In approximately August 1999, respondent administered medications to campers. Such administration of medication is outside the scope of practice of an EMT.

4. On or about August 4, 1999, respondent performed fingerstick tests to determine blood glucose levels on a diabetic camper. Respondent was not working under the supervision of a medical control unit and did not have a doctor's order to do so.

5. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, including but not limited to §19a-180(b), and/or Regulations of Connecticut State Agencies including, but not limited to:
 - (a) §19a-179-9(f);
 - (b) §19a-179-9(g);
 - (c) §19a-179-9(h); and/or
 - (d) §19a-179-15(a).

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 Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §19a-180 of the General Statutes of Connecticut and Regulations of Connecticut State Agencies §19a-179-15(a).

NOW THEREFORE, pursuant to §§19a-14a, 19a-180 and 19a-17 of the General Statutes of Connecticut, and Regulations of Connecticut State Agencies §19a-179-15(a), 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 certificate number 941054 to practice as an EMT in the State of Connecticut is hereby reprimanded.

3. Respondent agrees to cease and desist any practice that requires licensure in the State of Connecticut without first obtaining an appropriate license.
4. Respondent agrees to cease and desist in the practice of administering medications to patients without first obtaining an appropriate license to do so.
5. Respondent agrees to cease and desist in the practice of performing fingerstick blood tests without obtaining an appropriate license to do so, or unless recertified as an EMT and working under the supervision of a medical control unit with a doctor's order.
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 8a 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 by the limited fifteen (15) day date certain contained 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. 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.
10. 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.
11. 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 Department in which his compliance with this Consent

Order or with §19a-180 of the General Statutes of Connecticut, as amended, and/or Regulations of Connecticut State Agencies §19a-179-9 is at issue.

12. 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.

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 Bureau of Regulatory Services 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 has the right to consult with an attorney prior to signing this document.

I, David Pfau, 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.

David Pfau
David Pfau, EMT

Subscribed and sworn to before me this 30 day of October 2000.

LOIS CLARK, NOTARY PUBLIC
DISTRICT OF COLUMBIA
My Commission Expires:
August 14, 2003

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

The above Consent Order having been presented to the duly appointed agent of the

Commissioner of the Department of Public Health on the 7th day of
November 2000, it is hereby accepted.

Kathleen Zarrella
Kathleen Zarrella, Director
Division of Health Systems Regulation