

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

In re: Jason Cebelenski, E.M.T.

Petition No. 2001-1220-070-004

CONSENT ORDER

WHEREAS, Jason Cebelenski of Middlebury (hereinafter "respondent") has been issued certificate number 99074 to practice as an emergency medical technician by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 368d of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. On or about December 17, 2001, at approximately 11:32 p.m., respondent went on a call as a member of the Naugatuck Ambulance Corps.
2. Upon arrival on scene, respondent and his partner found a seventy-seven year old male in cardiac arrest.
3. Respondent and his partner initiated cardiopulmonary resuscitation.
4. After approximately one minute of cardiopulmonary resuscitation, respondent attempted to defibrillate this patient using a manual defibrillator.
5. The above-described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §19a-180 taken in conjunction with §19a-179-9(g) of the Regulations of Connecticut State Agencies.

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 a Hearing Officer

designated by the Commissioner (hereinafter "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.

NOW THEREFORE, pursuant to §§19a-180 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 certificate number 990784 to practice as an emergency medical technician in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of two hundred dollars (\$200) 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 agrees to cease and desist in the use of manual defibrillators or in any other treatment method unless he is certified by the Office of Emergency Medical Services at a level that allows such use or treatment.
5. Respondent's emergency medical technician certificate shall be placed on probation for a period of one year under the following terms and conditions:

Respondent shall provide his employer at each place where respondent practices as an emergency medical technician throughout the probationary period, 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 monthly for the duration of the probationary period, stating that respondent is practicing with reasonable skill and safety.

6. 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

7. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
8. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
9. 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) that 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 9a 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.
10. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as an emergency medical technician, upon request by the Department, 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 his conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).
11. 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 his certificate before the Department.
12. In the event respondent is not employed (or does not volunteer) as an emergency medical technician for periods of thirty (30) consecutive days or longer, or is employed outside of the State of Connecticut, 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.
13. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Office of Practitioner Licensing and Certification of the Bureau of Healthcare Systems of the Department.

14. 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.
15. Respondent understands this Consent Order may be considered 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 §19a-180 of the General Statutes of Connecticut, as amended, is at issue.
16. 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.
17. 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.
18. 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.
19. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems 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.
20. 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.
21. Respondent has the right to consult with an attorney prior to signing this document.

I, Jason Cebelenski, 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.



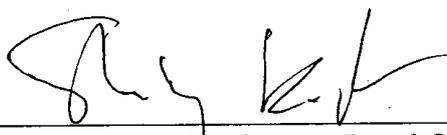
Jason Cebelenski, E.M.T.

Subscribed and sworn to before me this 27 day of May 2003.



Notary Public or person authorized *Comm. of Superior Court*
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 2nd day of July 2003, it is hereby accepted.



Stanley K. Peck, Director, Legal Office
Bureau of Healthcare Systems

The above Consent Order having been presented to the duly appointed agent of the Commissioner on the 3rd day of July, 2003, it is hereby ordered and accepted.

~~S: mlh/cebelenski/legal/co. 2/03~~



Olinda Morales, Hearing Officer

The above Consent Order having been presented to the Deputy Commissioner of the Department of Public Health on the 8th day of July 2003, it is hereby ordered and accepted.



Norma D. Gyle, R.N., PhD
Deputy Commissioner