



# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH PUBLIC HEALTH HEARING OFFICE

February 27, 2007

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Interdepartmental Mail

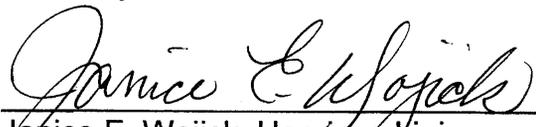
**RE: Matthew Janowski, EMT**

**Petition No. 2005-0531-071-002**

Dear Attorney Connors and Attorney Peck:

Enclosed please find a copy of the Modification of Consent Order in the above-referenced case.

Sincerely,

  
\_\_\_\_\_  
Janice E. Wojick, Hearings Liaison  
Public Health Hearing Office, MS #13PHO  
Tel. 860-509-7648 FAX 860-509-7553

c: J. Robert Galvin, M.D., M.P.H., Commissioner  
Catherine Kennelly, Chief Administrative Officer  
Richard J. Lynch, Assistant Attorney General  
Leonard H. Guercia, Jr., Branch Chief, Operations Branch  
Jennifer Filippone, Section Chief, Practitioner Licensing and Investigations  
Diane Wilan, Staff Attorney, Legal Office

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**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
OPERATIONS BRANCH**

In Re: Matthew Janowski, EMT-I

Petition No. 2005-0531-071-002

**MODIFICATION OF CONSENT ORDER**

WHEREAS, Matthew Janowski of Tariffville (hereinafter "respondent") entered into a Consent Order on November 29, 2006, which became effective on December 1, 2006, (a true and complete copy of which is attached hereto marked as Attachment "A"); and, WHEREAS, respondent and the Department wish to modify the aforementioned Consent Order;

NOW THEREFORE, paragraph two on page two of the Consent Order is revised to contain the correct EMT-I license number as follows:

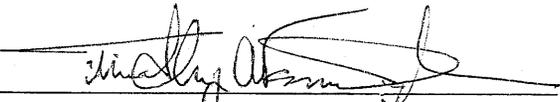
1. Respondent's license number 000445 to practice as an EMT-I in the State of Connecticut is hereby reprimanded.

All other remaining terms and conditions of the Consent Order remain in effect. This Modification of Consent Order is effective upon the order and acceptance of the Commissioner of Public Health.

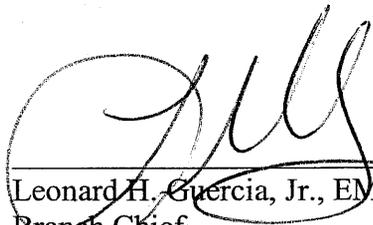
I, Matthew Janowski, have read the foregoing Modification of Consent Order, and I agree to the terms and conditions therein. I further declare the execution of this document to be my free act and deed.

  
Matthew Janowski, EMT-I

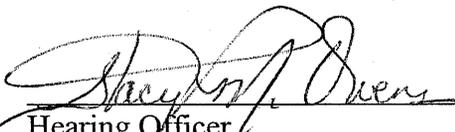
Subscribed and sworn to before me this 19 day of JANUARY 2007.

  
Notary Public of person authorized  
by law to administer an oath of  
affirmation  
THOMAS C. VAN WYCK  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 9/30/2011

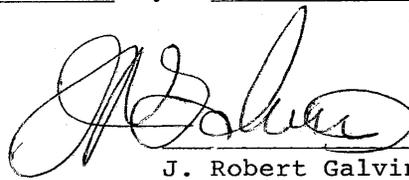
The above Modification of Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 7 day of Feb 2007, it is hereby accepted.

  
Leonard H. Guercia, Jr., EMT-P  
Branch Chief  
Operations Branch

The above Modification of Consent Order having been presented to the designee of the Commissioner of the Department of Public Health on the 13<sup>th</sup> day of February 2007, it is hereby ordered and accepted.

  
Hearing Officer

The above Modification of Consent Order having been presented to the Commissioner of the Department of Public Health on the 27<sup>th</sup> day of FEBRUARY, 2007, it is hereby ordered and accepted.

  
J. Robert Galvin, M.D., M.P.H., Commissioner  
Department of Public Health  
State of Connecticut

**STATE OF CONNECTICUT  
DEPARTMENT OF PUBLIC HEALTH  
OPERATIONS BRANCH**

In re: Matthew Janowski, EMT-I

Petition No. 2005-0531-071-002

**CONSENT ORDER**

WHEREAS, Matthew Janowski of Tarriffville, Connecticut (hereinafter "respondent") has been issued license number 002338 to practice as an emergency medical technician (hereinafter "EMT") and license number 000445 to practice as an emergency medical technician - intermediate ("EMT-I") 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. At all relevant times, respondent was the holder of EMT-I license number 000445, which was issued on August 5, 2003 and expired on April 1, 2005. Respondent <sup>is</sup> ~~was~~ the holder of EMT license number 002338 <sup>is</sup> ~~which was issued on April 16, 2002, expired on January 1, 2004, and was reinstated on July 12, 2005,~~
2. On February 1, 2005, while working as a Hyperbaric Technician, respondent practiced outside the scope of his certification as an EMT-I by administering intravenous medication (dextrose) and liquid food to a patient receiving hyperbaric treatment.
3. Respondent ~~negligently and/or~~ <sup>is</sup> incompetently connected the feeding tube to the IV line, causing an adverse event. The patient subsequently expired.

4. The above-described facts constitute grounds for disciplinary action pursuant to the Regulations of Connecticut State Agencies §19a-179-9, including, but not limited to §§19a-179-9(f) and/or 19a-179-9(g).

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 of Public Health (hereinafter "the Department"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §19a-179-9 of the Regulations of Connecticut State Agencies and §§19a-180 and 19a-14 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-180, 19a-17 and 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 002338 to practice as an EMT-I in the State of Connecticut is hereby reprimanded.
3. Respondent shall cease and desist in any practice that requires licensure in the State of Connecticut without first obtaining an appropriate license.
4. Respondent shall comply with all state and federal statutes and regulations applicable to his certification.
5. Respondent shall pay all costs necessary to comply with this Consent Order.
6. 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.
7. 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.

8. 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 §20-102 of the General Statutes of Connecticut or §19a-179-9 of the Regulations of Connecticut State Agencies, as amended, is at issue. Further, respondent understands that unless the only discipline imposed by this Consent Order is a civil penalty, this action will be reported to the National Practitioner Data Bank.
9. 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.
10. 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.
11. 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.
12. Respondent has the right to consult with an attorney prior to signing this document.
13. 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.

I, Matthew Janowski, 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.

Matthew Janowski  
Matthew Janowski, EMT-I

Subscribed and sworn to before me this 16<sup>th</sup> day of Nov. 2006.

Justin Connors, Esq.  
Notary Public or person authorized by law to administer an oath or affirmation Justin Connors, Esq.

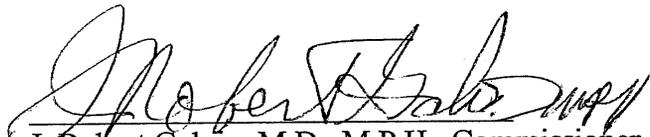
The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 20 day of November 2006, it is hereby accepted.

Leonard H. Guercia, Jr.  
Leonard H. Guercia, Jr., EMT-P  
Branch Chief  
Operations Branch

The above Consent Order having been presented to the designee of the Commissioner of the Department of Public Health on the 28 day of November 2006, it is hereby ordered and accepted.

  
Hearing Officer

The above Consent Order having been presented to the Commissioner of the Department of Public Health on the 29<sup>th</sup> day of NOVEMBER 2006, it is hereby ordered and accepted.

  
J. Robert Galvin, M.D., M.P.H., Commissioner  
Department of Public Health  
State of Connecticut