



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

OFFICE OF EMERGENCY MEDICAL SERVICES

CONSENT ORDER

IN THE MATTER OF: James M. Kubeck, Emergency Medical Technician-
Paramedic, Cert. #94-21
Lic# 000583
Office of Emergency Medical Services Investigation
Case #96-002

WHEREAS, James M. Kubeck of 250 East Main St., Meriden, Connecticut 06450 has been trained as an Emergency Medical Technician - Paramedic (EMT-P) in accordance with the training curriculum for Emergency Medical Services personnel which has been approved by the Department of Public Health's Office of Emergency Medical Services; and

WHEREAS, James M. Kubeck has been certified by the Office of Emergency Medical Services (OEMS) to perform as an Emergency Medical Technician - Paramedic, Certification #94-21; and,

WHEREAS, an OEMS investigation determined, and James M. Kubeck, for the purposes of this Consent Order, does not dispute that, on or about January 1, 1996, while on duty with the American Medical Response of Connecticut, Inc., he stole prescribed medications from a patient entrusted to his care, in violation of the standards of practice for Emergency Medical Services; and

WHEREAS, such theft is a violation of Section 19a-179-9 (f) of the Regulations of Connecticut State Agencies; and

WHEREAS, James M. Kubeck, in consideration of this Consent Order, has chosen not to contest this matter;

NOW THEREFORE, pursuant to the Connecticut General Statutes, Section 19a-180, James M. Kubeck hereby stipulates and agrees to the following:

1. James M. Kubeck knowingly and voluntarily waives any right to any administrative hearing or appeal he may have with regard to the foregoing violations.



Phone:

Telephone Device for the Deaf (860) 509-7191

410 Capitol Avenue - MS # _____

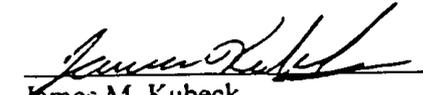
P.O. Box 340308 Hartford, CT 06134

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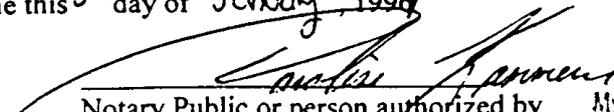
2. For the purposes of this or any future proceeding before the Department of Public Health, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes, Section 19a-180.
3. James M. Kubeck agrees to immediately and voluntarily surrender his Emergency Medical Technician - Paramedic certification for a period of five (5) years.
4. During the five (5) year period of voluntary surrender of his EMT-P certification and upon restoration of any level of EMS personnel certification, James M. Kubeck, shall refrain from the ingestion, inhalation, injection or other use of any controlled substance and/or legend drug unless he is under the direct medical care of a licensed physician. In the event a medical condition arises requiring treatment with controlled substances or legend drugs, James M. Kubeck shall notify the Office of Emergency Medical Services and, upon request, provide such written documentation of the treatment by the treating licensed physician, as is deemed necessary by the Office of Emergency Medical Services.
5. Following the five (5) year period of voluntary surrender of his EMT-P certification and prior to restoration of any level of EMS personnel certification, James M. Kubeck shall submit to an observed urine screen for controlled substances and legend drugs. Said screen shall be administered by a facility approved by the Office of Emergency Medical Services. Following the restoration of any level of EMS personnel certification, James M. Kubeck shall submit to random observed urine screens for controlled substances and legend drugs, if requested by the Office of Emergency Medical Services, for a period of two (2) years. Said screens shall be administered by a facility approved by the Office of Emergency Medical Services.
6. James M. Kubeck understands that this Consent Order shall be retained in his certification file and may be considered as evidence of previous violations of EMS practice standards and regulations in any future proceeding before the Department of Public Health in which his failure to comply with applicable statutes or regulations is alleged.
7. This Consent Order shall be effective the first day of the next month after it is accepted and ordered by the Office of Emergency Medical Services.
8. This Consent Order shall not be subject to reconsideration, collateral attack or judicial review under any form or in any forum. This Consent Order shall not be subject to appeal or review under the provisions of Chapters 54, 368a or 368d of the Connecticut General Statutes, provided that this Consent Order shall not deprive James M. Kubeck of any other rights that he may have under the laws of the State of Connecticut or of the United States.
9. James M. Kubeck understands that this Consent Order shall be a matter of public record.

10. James M. Kubeck understands that he has the right to consult with an attorney prior to signing this Consent Order.

I, James M. Kubeck, have read this Consent Order, and I stipulate and agree to its provisions. I further declare the execution of this Consent Order to be my free act and deed.

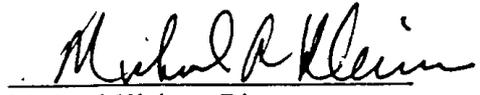

James M. Kubeck

Subscribed and sworn to before me this 3rd day of January, 1998


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

My Commission Exp. June 30, 2000

This Consent Order having been presented to the duly appointed agent of the Commissioner of Public Health on the 14 day of Jan 1998, is hereby ordered and accepted.


Michael Kleiner, Director
Office of Emergency Medical Services