

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

In re: Christian Schmeck, E.M.S.I.

Petition No. 2000-0914-073-004

**CONSENT ORDER**

WHEREAS, Christian Schmeck of Windsor, Connecticut (hereinafter "respondent") has been issued certificate number 000607 to practice emergency medical services instructor by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 368d of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges and respondent admits that:

1. Respondent failed to complete and submit required documentation to the Office of Emergency Medical Services for an MRT – Refresher Course that he was teaching, with the result that the course that he taught was unapproved for certification of its students. Subsequently respondent submitted false documentation for the students in the unapproved course that he taught to indicate that they had completed an approved course that he taught subsequent to the unapproved course.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, chapter 368d and/or Regulations of Connecticut State Agencies §19a-179-17.

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-10 and 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 shall pay a civil penalty of two hundred fifty dollars (\$250.00 ) 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 certificate shall be suspended for a period of three months. All originals of respondent's certificate shall be provided to the Department within ten days of the effective date of this Order.
4. Following said suspension, respondent's certificate shall be placed on probation for a period of one year under the following terms and conditions:
  - a. Respondent shall obtain at his own expense, the services of an emergency medical services instructor, pre-approved by the Department (hereinafter "supervisor"), to conduct a quarterly review of respondent's records.
    - (1) Respondent's supervisor shall meet with him not less than once every three months for the duration of his probationary period.
    - (2) The supervisor shall have the right to monitor respondent's practice by any other reasonable means which he or she deems appropriate. Respondent shall fully cooperate with the supervisor in providing such monitoring.
    - (3) Respondent shall be responsible for providing written supervisor reports directly to the Department quarterly for the duration of the probationary period. Such supervisor's reports shall include documentation of dates and

duration of meetings with respondent, number and a general description of the respondent's records, additional monitoring techniques utilized, and a statement that respondent is practicing with reasonable skill and safety and in compliance with all applicable laws.

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. 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.
7. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
8. Respondent shall pay all costs necessary to comply with this Consent Order.
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) 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 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 a hearing officer of the Department who shall make a final determination of the disciplinary action to be taken.
  - e. Evidence presented to the hearing officer 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 services instructor, 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 his 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 a hearing officer of the Department.
  12. 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.
  13. 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 Commissioner of Public Health.

14. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before a hearing officer of the Department in which his compliance with this Consent Order or with §19a-175 et seq. of the General Statutes of Connecticut, as amended, is at issue.  
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 he 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 a hearing officer of the Department. Respondent understands that the Commissioner has complete and final discretion as to whether this executed Consent Order is approved or accepted.
19. 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.
20. Respondent has the right to consult with an attorney prior to signing this document.

I, Christian Schmeck, 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.

  
Christian Schmeck

Subscribed and sworn to before me this 27 day of June 2001.

**THELMA P. LONDON**  
**NOTARY PUBLIC**  
MY COMMISSION EXPIRES APR. 30, 2006

  
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 18th day of July 2001, it is hereby accepted.

  
Debra Turcotte, Director  
Division of Health Systems Regulation



# STATE OF CONNECTICUT

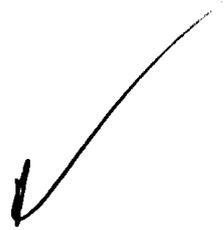
DEPARTMENT OF PUBLIC HEALTH

CERTIFIED MAIL — RETURN RECEIPT REQUESTED 7099 3400 0018 3790 1911

November 1, 2001

Christian Schmeck, EMS-I  
246 Bloomfield Ave.  
Windsor, CT 06095-2708

re: Consent Order  
Petition No. 2000-0914-073-004  
Certificate No. 000607  

Dear Mr. Schmeck:

Please accept this letter as notice that your three-month certificate suspension has concluded, effective 11/01/2001. Notice of such will be sent to the Department's Licensure and Registration section.

Please find attached all three originals of your EMS-I certificate. As you are aware, your EMS-I certificate is now on probation for one year.

Should you have any questions concerning your certificate probation, my phone number is (860) 509-7644.

Sincerely,

A handwritten signature in black ink that reads "Richard Goldman".

Richard Goldman  
Paralegal Specialist II  
Division of Health Systems Regulation

c: J. Filippone, PHSM  
B. Pinkerton, RNC



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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