

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

In re: Kenneth Blau, M.D.

Petition No. 990428-001-086

**CONSENT ORDER**

WHEREAS, Kenneth Blau, M.D. of Danbury, Connecticut (hereinafter "respondent") has been issued license number 024414 to practice medicine by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, the Department alleges that:

1. Patient, J.Q. was a patient of the respondent's from September 9, 1993 until October 30, 1995.
2. On November 11, 1994, respondent inaccurately communicated the results of an AFP test to his pregnant patient, J.Q., as normal.
3. The result of the AFP test was abnormal and indicated an increased risk of a child with Down's Syndrome.
4. This result was not communicated to the patient.
5. On March 19, 1995, J.Q. delivered a female child with Down's Syndrome.
6. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c, including, but not limited to:
  - a. §20-13c(4).

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 Connecticut Medical Examining Board (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to 19a-10, 19a-14 and 20-13c of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-13c 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 three thousand dollars (\$3,000.00) 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 shall comply with all state and federal statutes and regulations applicable to his licensure.
4. 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.
5. 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 Board.
6. 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 Board in which his compliance with this Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue.

- 7. 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.
- 8. 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.
- 9. 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 Board. Respondent understands that the Board has complete and final discretion as to whether this executed Consent Order is approved or accepted.
- 10. Respondent has the right to consult with an attorney prior to signing this document.

I, Kenneth Blau, M.D., 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.

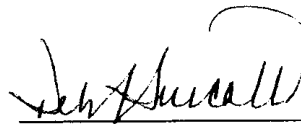
*Kenneth Blau, MD*  
 \_\_\_\_\_  
 Kenneth Blau, M.D.

Subscribed and sworn to before me this 14<sup>th</sup> day of June 2001.

*Kathleen M. Braatz*  
 \_\_\_\_\_  
 Notary Public or person authorized  
 by law to administer an oath or affirmation

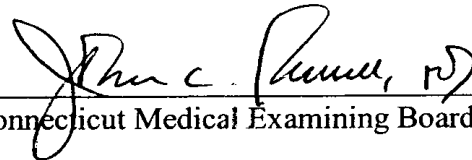
KATHLEEN M. BRAATZ  
 NOTARY PUBLIC  
 MY COMMISSION EXPIRES MAY 31, 2006

The above Consent Order having been presented to the duly appointed agent of the  
Commissioner of the Department of Public Health on the 18<sup>th</sup> day of  
June 2001, it is hereby accepted.



Debra J. Turcotte, Director  
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical  
Examining Board  
on the 17<sup>th</sup> day of July 2001, it is hereby ordered and accepted.



Connecticut Medical Examining Board

mccarthy/blau