

CERTIFIED MAIL - RETURN RECEIPT REQUESTED NO. _____

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF HEALTH SYSTEM REGULATION
DIVISION OF MEDICAL QUALITY ASSURANCE

In Re: Mark Blumenfeld, M.D.

Petition No. 930720-01-130

CONSENT ORDER

WHEREAS, Mark Blumenfeld of Hartford, CT (hereinafter "respondent") has been issued license number 017586 to practice as a physician by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the Connecticut General Statutes, as amended;

WHEREAS, respondent's license has been subject to an Interim Consent Order, approved and accepted by the Connecticut Medical Examining Board (hereinafter "the Board") on September 19, 1995, and extended from time to time thereafter (true and complete copies of the Order and extensions are attached hereto marked Attachment "A");

WHEREAS, the Department alleges that:

1. While undertaking two surgical procedures, respondent in one instance provided pre-operative and in another instance post-operative care which deviated from the minimal standard of care in this State.

2. The above described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes Section 20-13c(4); and,

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest the above allegations of wrongdoing but, while denying guilt or wrongdoing, agrees that for purposes of this or any future proceedings before the Board the above allegations in this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §19a-9, §19a-14, and §20-13c(4) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-13c(4) of the Connecticut General Statutes, as amended, and taking into consideration respondent's compliance with the Interim Consent Order, the parties hereby stipulate and agree to the following:

1. Respondent's license number 071586 is hereby reprimanded.
2. Respondent shall at all times refrain from performing more procedures than he can safely and competently perform within acceptable standards.
3. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
4. Respondent shall understand that this Consent Order is a matter of public record.
5. That this Consent Order is effective on the day it is accepted and ordered by the Board.
6. That the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Board in which his

6. That 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 §20-13c(4) of the General Statutes of Connecticut, as amended, is at issue.
7. That this Consent Order is not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that 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. That 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. That respondent permits a representative of the Legal Office of the Office of Special Services of the Department 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 an executed Consent Order is approved or accepted.
10. That respondent has the right to consult with an attorney prior to signing this document.

*

*

I, Mark Blumenfeld, 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.

Mark Blumenfeld
Mark Blumenfeld, M.D.

Subscribed and sworn to before me this 10th day of May 1996.

Charles A. Hartman
Notary Public or person authorized
by law to administer an oath or
affirmation

My Commission expires: 7/31/97

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 13th day of May 1996, it is hereby accepted.

Stanley K. Peck

Stanley K. Peck, Director
Division of Medical Quality Assurance

The above Consent Order having been presented to the duly appointed agent of the CMER [Signature] on the 21st day of May 1996, it is hereby ordered and accepted.

BY: Richard M. Ratzan MD
Richard M. Ratzan, M.D., Chairman
Connecticut Medical Examining Board