

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
FACILITY LICENSING AND INVESTIGATIONS SECTION

In Re: Accu Reference Medical Laboratory

CONSENT ORDER

WHEREAS, pursuant to Conn. Gen. Stat. § 19a-30, Accu Reference Medical Laboratory ("Accu Reference") has been issued a license by the Connecticut Department of Public Health ("Department") to operate a clinical laboratory in Connecticut. The licensed clinical laboratory is located 580 Burnside Avenue, East Hartford, Connecticut 06108 (CL-0696); and,

WHEREAS, the Facility Licensing and Investigations Section ("FLIS") of the Department commenced an investigation regarding Accu Reference; and,

WHEREAS, as part of its investigation, the Department has determined that blood collection facilities in Connecticut have been in operation as part of Accu Reference's clinical laboratory license prior to their receiving a written certificate of approval to do so by the Department in violation of the Regulations of Connecticut State Agencies §§ 19a-36-D20 through 19a-36-D38; and,

NOW THEREFORE, the Department acting herein and through Barbara Cass, FLIS Section Chief, and the Licensees, acting herein and through Konstantin Bas, hereby stipulate and agree as follows:

1. Accu Reference admits that the following blood collection facilities (listed below) have operated for the period of time identified without a certificate of approval

issued by the Department as required by the statutes and regulations governing clinical laboratory licenses and certificates of approval:

Main Street
Manchester, Connecticut

Dates of Operation without certificate of approval:
December 9, 2013 – October 10, 2014

Oakland Road
South Windsor, CT

Dates of Operation without certificate of approval:
November 27, 2013 – October 10, 2014

15 Palomba Drive
Enfield, CT

Dates of Operation without certificate of approval:
March 31, 2014 – October 3, 2014.

61 South Main Street
West Hartford, CT

Dates of Operation without certificate of approval:
May 21, 2014 – October 7, 2014

2. Accu Reference admits that it operated the four blood collection facilities listed above without a certificate of approval and before the facilities were in regulatory compliance and that it closed said blood collection facilities as a result of an Interim Cease and Desist Consent Order issued by the Department; and,
3. Accu Reference admits that the Department has requested a plan of correction; and,
4. In January of 2015, the Department received a plan of correction from Accu Reference which, upon the effective date of this Consent Order, is hereby accepted by the Department; and,
5. In January of 2015, Accu Reference withdrew all of its pending applications for blood collection facilities in Connecticut; and,

6. As of the effective date of this Consent Order, Accu Reference has no pending applications for clinical laboratory licensure and no pending applications for certificates of approval for blood collection facilities.
7. The Licensee shall pay a civil penalty to the Department at the time of signing this Consent Order in the amount of twenty-five thousand dollars (\$25,000.00), by money order or bank check payable to "Treasurer, State of Connecticut". The civil penalty and any reports required by this Consent Order shall be directed to:

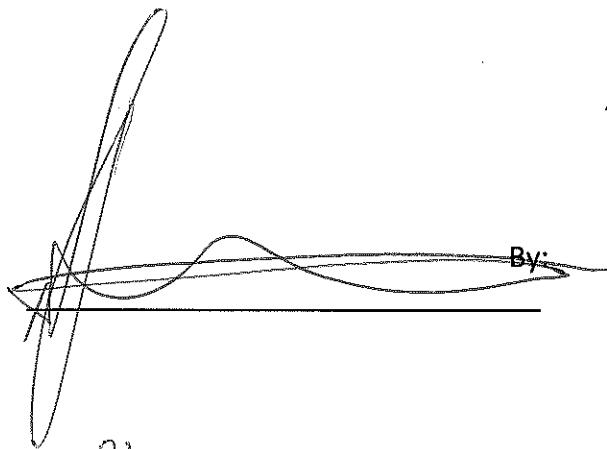
Lori Griffin
Public Health Services Manager
Facility Licensing and Investigations Section
Department of Public Health
410 Capitol Avenue, P.O. Box 340308, MS #12 HSR
Hartford, CT 06134-0308

8. All parties agree that this Consent Order is an Order of the Department with all of the rights and obligations pertaining thereto and attendant thereon. Nothing herein shall be construed as limiting the Department's available legal remedies against the Licensee for violations of the Consent Order or of any other statutory or regulatory requirements, which may be sought in lieu of or in addition to the methods of relief listed above, including all options for the issuance of a statement of charges, the imposition of civil penalties calculated and assessed in accordance with Conn. Gen. Stat. § 19a-30, or any other administrative and judicial relief provided by law.
9. The execution of this Consent Order has no bearing on any criminal liability without the written consent of the Director of the MFCU or the Bureau Chief of the Department of Criminal Justice's Statewide Prosecution Bureau.
10. Accu Reference agrees that this Consent Order does not limit any other agency or entity in any manner including but not limited to any actions taken in response to the factual basis of this Consent Order.
11. Accu Reference agrees that this Consent Order and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or

in any forum including any right to review under the Uniform Administrative Procedure Act, Chapter 368a of the Statutes, Regulations that exists at the time the agreement is executed or may become available in the future, provided that this stipulation shall not deprive Accu Reference of any other rights that it may have under the laws of the State of Connecticut or of the United States.

12. Accu Reference agrees that the admissions contained herein are admissible in any subsequent proceeding before the Department in which Accu Reference's compliance with this Consent Order or state and federal statutes and regulations related to the operation of clinical laboratories and/or blood collection facilities are at issue.
13. Accu Reference agrees that it must comply with its plan of correction approved by the Department pursuant to this Consent Order. Accu Reference agrees that failure to comply with its plan of correction constitutes a violation of this Consent Order and may also constitute a violation of the statutes and regulations related to clinical laboratories and blood collection facilities. Accu Reference agrees that the provisions of this Consent Order are in addition to its plan of correction.
14. Accu Reference has consulted with its attorney prior to the execution of this Consent Order.
15. This Consent Order is a public document and it will be reported in accordance with state and federal law and regulation and consistent with Department policy. The Consent Order may be posted on the Department's website.
16. This Consent Order is effective on the date it is signed by the Commissioner of Public Health or her designee.

WITNESS WHEREOF, the parties hereto have caused this Consent Order to be executed by their respective officers and officials. Konstantin Bas represents that he is authorized to sign this Consent Order on behalf of Accu Reference.



Accu Reference
By:
Konstantin Bas

On this 21 day of January, 2015, before me, personally appeared Konstantin Bas, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as President.

GABRIELLA GARCIA
NOTARY PUBLIC OF NEW JERSEY
ID # 2448194
My Commission Expires 7/23/2019

My Commission Expires: _____
(If Notary Public)



Notary Public
[]
Commissioner of the Superior Court []

CONNECTICUT DEPARTMENT OF PUBLIC HEALTH

Signed on this 28th day of January,
2015.

By:

Barbara Cass

Barbara Cass, R.N.
Section Chief
Facility Licensing and Investigations Section