

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH
CONNECTICUT MEDICAL EXAMINING BOARD**

In re: Peter Benet, M.D.

Petition No. 2011-839

Petition No. 2009-20091063

REINSTATEMENT CONSENT ORDER

WHEREAS, Peter Benet, M.D., of South Windsor, Connecticut (hereinafter "respondent") has been issued license number 021984 to practice as a physician and surgeon by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 370 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent's license number 021984 expired on January 31, 2011 and, as respondent failed to renew it, became void on May 2, 2011 pursuant to the provisions of Section 19a-88(f) of Connecticut's General Statutes;

WHEREAS, the Department filed a Statement of Charges with the Connecticut Medical Examining Board (hereinafter "Board") in Petition No. 2009-20091063 on or about July 5, 2011;

WHEREAS, respondent's license expired on January 31, 2011 and respondent has now applied to have said license reinstated by the Department pursuant to Chapter 368a of the General Statutes of Connecticut, as amended; and

WHEREAS, the Department alleges that:

1. Respondent provided psychiatric care to patient P.F. from on or about March 21, 2009 into the summer of 2009. Respondent's care for P.F. failed to meet the standard of care in one or more of the following ways:

- a. He began a course of Lithium without obtaining necessary laboratory studies;

- b. He failed to return calls from P.F. and/or his wife; and/or
 - c. He failed to monitor P.F.'s response to and/or compliance with treatment; and
2. Respondent continued to practice medicine after May 2, 2011 until at least July 13, 2011.

The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-13c(4) and constitute grounds for denial of respondent's application for reinstatement pursuant to §19a-14(a)(6) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-17 and 20-13c of the General Statutes of Connecticut, as amended, respondent hereby stipulates and agrees as follows:

1. He waives his right to a hearing on the merits of this matter.
2. Respondent's license to practice as a physician and surgeon shall be reinstated when he satisfies the requirements for reinstatement of his license, as set forth in §§ 19a-14-1 through 19a-14-5, inclusive, of the Regulations of Connecticut State Agencies, and this Reinstatement Consent Order is executed by all parties.
3. Respondent shall pay a civil penalty of ten thousand dollars (\$10,000.00) 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. Said civil penalty shall be payable at the time respondent submits this executed Reinstatement Consent Order to the Department.
4. Immediately upon issuance, respondent's license shall be reprimanded and placed on probation for two (2) years under the following terms and conditions:
 - a. Respondent shall obtain at his own expense, the services of a duly licensed physician who is board certified in psychiatry, pre-approved by the Department (hereinafter "supervisor"), to conduct a random review of twenty percent (20%) or twenty (20) of respondent's records for patients to whom he prescribes medication, whichever is the larger number. Said records shall include all records of correspondence and telephonic communication with

patients and other providers and billing records. In the event respondent has twenty (20) or fewer patients, the supervisor shall review all of respondent's patient records.

- (1) Respondent shall provide a copy of this Consent Order to his practice supervisor. Respondent's supervisor shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.
 - (2) Respondent's supervisor shall conduct such review and meet with him not less than once every month for the first six months of probation and thereafter quarterly for the remainder of the probationary period.
 - (3) 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.
 - (4) Respondent shall be responsible for providing written supervisor reports directly to the Department not later than fifteen days following each such supervisor meeting and review. Such supervisor's reports shall include documentation of dates and duration of meetings with respondent, number and a general description of the patient records and patient medication orders and prescriptions reviewed, additional monitoring techniques utilized, and statement that respondent is practicing with reasonable skill and safety.
5. All correspondence and reports are to be addressed to:
- Bonnie Pinkerton, Nurse Consultant
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
6. All reports required by the terms of this Reinstatement 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 Reinstatement Consent Order.
9. Any alleged violation of any provision of this Reinstatement 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 Reinstatement 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 Reinstatement Consent Order.
 - c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 9.a. above to demonstrate to the satisfaction of the Department that he has complied with the terms of this Reinstatement 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 within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, he shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.
 - e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Reinstatement Consent Order.
10. In the event respondent violates any term of this Reinstatement Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.
11. In the event respondent is not employed as a physician for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period

covered by this Reinstatement Consent Order and such terms shall be held in abeyance. During such time period, respondent shall not be responsible for complying with the terms of probation of this Reinstatement Consent Order. In the event respondent resumes practice as a physician, respondent shall provide the Department with thirty (30) days prior written notice. Respondent shall not return to practice as a physician without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice.


12. If, during the period of probation, respondent practices as a physician outside Connecticut, he shall provide written notice to the Department concerning such employment. During such time period, respondent shall not be responsible for complying with the terms of probation of this Reinstatement Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Reinstatement Consent Order. Respondent may comply with the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to practice as a physician in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 4 above.
13. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.
14. This Reinstatement Consent Order is effective on the first day of the month immediately following the date this Reinstatement Consent Order is accepted and ordered by the Board.
15. This Reinstatement Consent Order is a public document, and respondent agrees the Department's allegations as contained in this Reinstatement Consent Order shall be deemed true in any subsequent proceeding before the Board in which his compliance with this Reinstatement Consent Order or with §20-13c of the General Statutes of Connecticut, as amended, is at issue. Further, respondent understands that any discipline imposed by this Reinstatement Consent Order shall be reported

- to the National Practitioner Data Bank and that all disciplinary actions will appear on his physician profile pursuant to Connecticut General Statutes 20-13j.
16. In the event respondent violates a term of this Reinstatement Consent Order, respondent agrees immediately to refrain from practicing as a physician and surgeon, upon request by the Department, with notice to the Board, 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 license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
17. This Reinstatement Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Respondent understands that this Reinstatement Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Reinstatement Consent 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.
18. This Reinstatement 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.
19. 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.

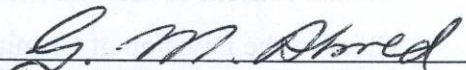
The Department shall not be required to grant future extensions of time or grace periods.

20. Respondent permits a representative of the Legal Office of the Healthcare Systems Branch to present this Reinstatement Consent Order and the factual basis for this Reinstatement Consent Order to the Board. Respondent understands that the Board has complete and final discretion as to whether this executed Reinstatement Consent Order is approved or accepted.
21. Respondent has consulted with an attorney prior to signing this document.
22. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau. The purpose of this Reinstatement Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
23. This Reinstatement Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Peter Benet, M.D., have read the above Reinstatement Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Reinstatement Consent Order to be my free act and deed.


Peter Benet, M.D.

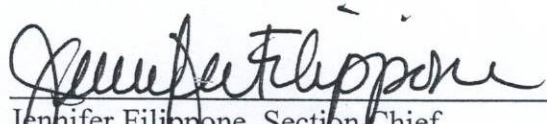
Subscribed and sworn to before me this 11th day of AUGUST 2011.


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

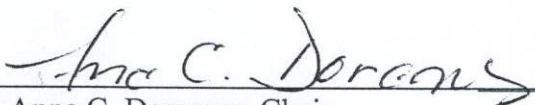
GOLAM M. AHMED
NOTARY PUBLIC

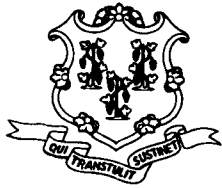
MY COMMISSION EXPIRES NOV. 30, 2011

The above Reinstatement Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 11th day of August 2011, it is hereby accepted.


Jennifer Filippone, Section Chief
Practitioner Licensing and Investigations
Healthcare Systems Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Medical Examining Board on the 16 day of August 2011, it is hereby ordered and accepted.


Anne C. Doremus, Chair
Connecticut Medical Examining Board



STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

September 26, 2013

Peter Benet, MD
479 Buckland Road
South Windsor, CT 06074

Re: Consent Order
Petition Nos: 2011-839 and 2009-20091063
License No. 021984

Dear Dr. Benet:

Please accept this letter as notice that you have satisfied the terms of your license probation, effective September 1, 2013.

Notice will be sent to the Department's Licensure and Registration section to remove all restrictions from your license related to the above-referenced Consent Order.

Please be certain to retain a copy of this letter as documented proof that you have completed your license probation.

Very truly yours,

Bonnie Pinkerton

Bonnie Pinkerton, RN, Nurse Consultant
Practitioner Licensing and Investigations Section

cc: J. Filippone
J. Kardys



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