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Newark, New Jersey 07101

By: Tobey Palan  
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Complaint # <sup>43100</sup> ~~211169~~

**FILED**  
STATE BOARD OF RESPIRATORY CARE

MAR - 8 2006

*Dorcias K. O'Neal*  
**DORCAS K. O'NEAL**  
**EXECUTIVE DIRECTOR**

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF RESPIRATORY CARE

IN THE MATTER OF THE )  
SUSPENSION OF: )  
 )  
 **MICHAEL SETTANI** )  
 **LICENSE NO.** )  
 **43ZA00401400** )  
 )  
 TO PRACTICE )  
 RESPIRATORY CARE IN THE )  
 STATE OF NEW JERSEY )  
 )

Administrative Action  
**CONSENT ORDER**

This matter was opened to the New Jersey State Board of Respiratory Care (Board) upon receipt of information from the Professional Assistance Program of New Jersey (PAPNJ) advising the Board that Mr. Settani violated paragraph # 8 of his April 29, 2004 Consent Order, wherein he is required to notify a responsible official at his place of employment, at each and every facility at which he plans to practice respiratory care, that he has entered into the April 29, 2004 Consent Order (See Attached Order). Mr. Settani appeared before the Board for an investigative inquiry on September 6, 2005 to discuss his violation of the April 29, 2004 Consent Order. Mr. Settani testified that he did not comply with

paragraph # 8 of the Consent Order when he began working at Columbus Hospital in Newark, New Jersey in February 2005 due to his fear of being fired. He testified that he has since complied with paragraph # 8 of the Consent Order and the PAPNJ advised the Board in writing on May 25, 2005 that Mr. Settani is fully compliant with the April 29, 2004 Consent Order with the exception of paragraph # 8. Mr. Settani represented to the Board that he is willing to comply with all of the conditions set forth in the April 29, 2004 Consent Order and this Consent Order.

The parties being desirous of resolving this matter, and the Board finding that the within Consent Order is adequately protective of the public interest;

IT IS ON THIS 7 DAY OF March, 2006,

HEREBY ORDERED THAT:

1. Mr. Settani is hereby **REPRIMANDED** for violating paragraph #8 of the April 29, 2004 Consent Order, for failing to notify a responsible official at his place of employment when he began working at Columbus Hospital in February 2005; and

2. Mr. Settani shall **CEASE AND DESIST** from violating paragraph # 8 of the April 29, 2004 Consent Order, and shall comply in all respects with that Order; and

3. Mr. Settani is hereby assessed a penalty in the amount of \$250.00 in violation of N.J.S.A. 45:1-25. The penalty shall be paid within thirty (30) days from filing date of this Consent

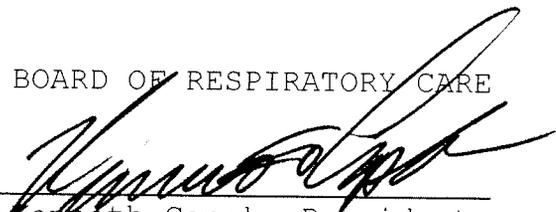
Order. Payment of the penalty shall be submitted by certified check or money order made payable to the State of New Jersey and shall be sent to Dorcas O'Neal, Executive Director, New Jersey State Board of Respiratory Care, P. O. Box 45031, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07101.

4. Provided that Mr. Settani hereafter fully complies with every condition set forth in the April 29, 2004 Consent Order, the requirements of paragraph # 8 of that Order will terminate on September 6, 2006. If the Board receives any reliable information that Mr. Settani is in violation of any condition of the April 29, 2004 Consent Order, the terms of paragraph #8 will continue to remain in effect until further Order of the Board.

5. Failure to remit any payment as required by this Consent Order will result in the filing of a Certificate of Debt.

STATE BOARD OF RESPIRATORY CARE

By:

  
Kenneth Capek, President

I have read and understand the within Order and agree to be bound by the terms therein. Consent is hereby given for the Board to enter this Order.

  
Michael Settani