STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES

In re: Thomas J. Vescovi Petition No. 990804-020-011

CONSENT ORDER

WHEREAS, Thomas J. Vescovi of Bethany, Connecticut (hereinafter "respondent") has been issued license number 009890 to practice as a hairdresser and cosmetician by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 387 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent admits that:

1. He is, and has been at all times relevant to this Consent Order, the co-owner and manager of *Andre Phillips Salon* in Orange, Connecticut.
2. During 1998 and 1999, *Andre Phillips Salon* allowed at least three minor females to perform hair coloring, hair cutting, and permanent waves on customers.
3. The minor females referred to in paragraph 2 were employed at *Andre Phillips Salon* as a part of a Cooperative Worksite Experience Program with Platt Regional Vocational Technical School, but were not licensed as hairdressers/cosmeticians.
4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-263, taken in conjunction with §20-257.

WHEREAS, respondent, in consideration of this Consent Order, has chosen not to contest this matter and agrees that for purposes of this or any future proceedings before the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians (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 and 20-263 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-17 and 20-263 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's license number 009890 to practice as a hairdresser and cosmetician in the State of Connecticut is hereby reprimanded.
3. Respondent shall pay a civil penalty of five hundred dollars ($500) 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.
4. Respondent agrees to cease and desist aiding or abetting the unlicensed practice of hairdressing and cosmetology.
5. Respondent shall comply with all state and federal statutes and regulations applicable to his licensure.
6. Any alleged violation of any provision of this 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 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 Consent Order.
    c. Respondent shall be allowed fifteen (15) days from the date of the mailing of notification required in paragraph 6a above to demonstrate to the satisfaction of the

Department that he has complied with the terms of this 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 by the limited fifteen (15) day date certain contained 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 Consent Order.

7. In the event respondent violates any term of this Consent Order, said violation may also constitute grounds for the Department to seek a summary suspension of his license before the Board.

8. 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.

9. 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.

10. Respondent understands this Consent Order may be considered as a public document and evidence of the above admitted violations in any proceeding before the Board in which his compliance with this Consent Order or with §20-263 of the General Statutes of Connecticut, as amended, is at issue.

11. 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.

12. 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.

13. 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.

14. 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.

15. Respondent has the right to consult with an attorney prior to signing this document.

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I, Thomas J. Vescovi, 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.

Thomas J. Vescovi

Subscribed and sworn to before me this _____ day of _____ 2000.

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

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the _____ day of _____ 2000, it is hereby accepted.

Kathleen Zarrella, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the _____ on the 12 day of June 2000, it is hereby ordered and accepted.

Kathleen F. Klenick
Connecticut Examining Board for Barbers,
Hairdressers and Cosmetologists

S: milt/vescovi/legal/co. 2/00