

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES

*Rec'd*  
*10-26-90*  
*JB*

In Re: Carole Matulis  
License No. 018004  
2423 Berlin Turnpike  
Newington, CT 06111

Petition No. 880407-20-010

MEMORANDUM OF DECISION

*DA*  
*2/22/94*  
*JB*

PROCEDURAL BACKGROUND:

The Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians ("Board") was presented with a Statement of Charges by the Department of Health Services, dated September 6, 1988, brought against Carole Matulis, Hairdresser/Cosmetician ("Respondent"). (Dept. Ex. 2, Tr. 11/14/88 pp. 4-5). The Statement of Charges alleged, in Count One a violation of Connecticut General Statutes §20-263 in that Respondent failed to ensure that her Hairdressing School was maintained in a sanitary fashion (Dept. Ex. 2.)

A Notice of Hearing, dated September 12, 1988, was issued to Carole Matulis, Hairdresser/Cosmetician. Attached to the Notice was a copy of the Department's Statement of Charges. A hearing was scheduled for November 14, 1988. (Dept. Ex. 2). The Respondent was represented by counsel during the hearing, and

was given the opportunity to present evidence and cross-examine witnesses. Prior to the initiation of the instant charges, Respondent was given the opportunity to show compliance with all lawful requirements pursuant to Connecticut General Statutes §4-182(c). (Dept. Ex. 1).

Each member of the Board involved in this decision attests that he/she reviewed the record of this proceeding and/or was present at the hearing and that this decision is based entirely on the record, and their professional knowledge.

This Memorandum of Decision sets forth the Board's findings of fact, conclusions of law, and order.

#### FINDINGS OF FACT

After consideration of the entire record the findings of fact are the following:

1. Respondent Carole Matulis, Hairdresser/Cosmetician, is the holder of Connecticut Hairdresser and Cosmetician License Number 018004, and she held that license at all times referenced in the complaint.
2. The Respondent was provided the opportunity to attend an informal "compliance" conference pursuant to Connecticut General Statutes §4-182(c) in order to show compliance with the terms of his license. (Department Ex. 1).

3. During the above referenced time, Respondent permitted the use of a "bucket", to be placed beneath the shampoo sinks as a solution to the problem of getting water on the shorter customers. After each use, the bucket was to be emptied of any water. However, on at least one occasion, there was an accumulation of water in this bucket (Tr. 11/14/88 p. 51, 55-57, 68-69, 121, 134.)
4. Moreover, used towels were not always properly disposed of, and implements were left exposed. (Tr. 11/14/88 pp. 49, 66-67, 70-71, 120-121).
5. Furthermore, adequate full containers of barbercide solution were not always available for use by the various students. (Tr. 11/14/88 pp. 49-50, 63-64).

DISCUSSION AND CONCLUSIONS OF LAW:

1. The hearing was held in accordance with Chapters 54 and 388 of the Connecticut General Statutes and Section 19-2a-1 through 19-2a-30 of the Public Health Code. The Board heard testimony and received evidence from both parties.
2. The Board concludes that the evidence is sufficient to establish the violation alleged. The events in paragraphs

3, 4 and 5 may lead to unsanitary conditions thereby constituting "incompetent or negligent conduct in the course of professional activities" within the meaning of Connecticut General Statutes §20-263.

ORDER:

Pursuant to its authority under Connecticut General Statutes §§20-263 and 19a-17 the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians hereby orders that Carole Matulis, Hairdresser/Cosmetician, be reprimanded for the violations found above.

11-23-90  
DATE

Ralph Cobuzzi  
by: Ralph Cobuzzi, Chairman  
CT Examining Board for Barbers,  
Hairdressers & Cosmeticians