STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF HEALTHCARE SYSTEMS

In re: Dianne Gutierrez Petition No. 2002-1218-020-036

CONSENT ORDER

WHEREAS, Dianne Gutierrez of Patterson, New York (hereinafter "respondent") has been issued license number 041746 to practice hairdressing and cosmetology 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. In 2002, she employed an unlicensed hairdresser at Plaza Salon.
2. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §20-252.

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, 19a-14 and 20-252 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-252 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives her right to a hearing on the merits of this matter.
2. Respondent's license number 041746 to practice hairdressing and cosmetology in the State of Connecticut is hereby reprimanded.

3. Respondent shall pay a civil penalty of five hundred dollars ($500.00) 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, and shall be payable at the time respondent submits the executed Consent Order to the Department.
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. 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.
6. 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 her compliance with this Consent Order or with §20-252 of the General Statutes of Connecticut, as amended, is at issue.
7. 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 she may have under the laws of the State of Connecticut or of the United States.
8. 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.
9. Respondent permits a representative of the Legal Office of the Bureau of Healthcare Systems 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.
10. Respondent has the right to consult with an attorney prior to signing this document.

I, Dianne Gutierrez, 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.

Dianne Gutierrez

Dianne Gutierrez

Subscribed and sworn to before me this 30th day of June 2003.

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

My Commission Exp. Aug. 31, 2006

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 1st day of July 2003, it is hereby accepted.

Stanley K. Peck, Director, Legal Office
Bureau of Healthcare Systems

The above Consent Order having been presented to the duly appointed agent of the _____ on the 25th day of August 2003, it is hereby ordered and accepted.

Connecticut Examining Board for Barbers,
Hairdressers and Cosmeticians

J. Nagamy