

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
BUREAU OF REGULATORY SERVICES**

In re: Asuncion ~~Castillo~~

Petition No. 990208-020-001

CONSENT ORDER

WHEREAS, Asuncion Castillo of Danbury, Connecticut (hereinafter "respondent") has been issued license number 20-042830 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. She manages the New Image salon in Danbury, and has done so during all times relevant to this Consent Order.
2. On and before November 20, 1998 she allowed Laura Bautista, who had no Connecticut hairdresser and cosmetician license, to work at New Image salon as a hairdresser and cosmetician.
3. On and before November 20, 1998 she allowed Elizabeth Casimiro, who had no Connecticut hairdresser and cosmetician license, to work at New Image salon as a hairdresser and cosmetician.
4. The above described facts constitute grounds for disciplinary action pursuant to the General Statutes of Connecticut, §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 Board of Examiners 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 20-263 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, 19a-17 and 20-263 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 shall be placed on probation for a period of six months under the following terms and conditions:
 - a. Respondent shall pay a civil penalty of five hundred dollars (\$500) by certified or cashier's checks payable to "Treasurer, State of Connecticut." The checks shall reference the Petition Number on the face of the checks, and shall be payable in two installments: two hundred and fifty dollars (\$250) at the time respondent submits the executed Consent Order to the Department, and two hundred and fifty dollars (\$250) by six months from the effective date of this Consent Order.
3. She agrees to cease and desist employing unlicensed people to work as hairdressers and cosmeticians or in any other practice that requires licensure in the State of Connecticut.
4. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
5. 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 5a above to demonstrate to the satisfaction of the Department that she has complied with the terms of this Consent Order or, in the alternative, that she 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, she 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.
6. In the event respondent violates any term of this Consent Order, respondent agrees immediately to refrain from practicing as a hairdressers and cosmetician, upon request by the Department, 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

her failure to cooperate with the Department's investigation shall constitute an admission that her conduct constitutes a clear and immediate danger as required pursuant to the General Statutes of Connecticut, sections 4-182(c) and 19a-17(c).

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 her 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 her compliance with this Consent Order or with §20-263 of the General Statutes of Connecticut, as amended, is at issue.
11. 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.
12. 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.

13. 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.
14. Respondent has the right to consult with an attorney prior to signing this document.

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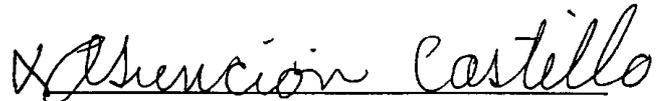
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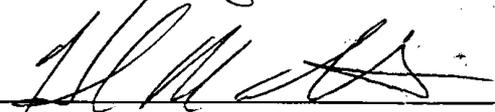
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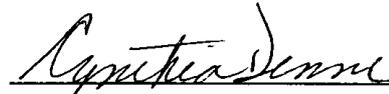
I, Asuncion Castillo, have read the above Consent Order, and I stipulate and agree to the terms as set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Asuncion Castillo

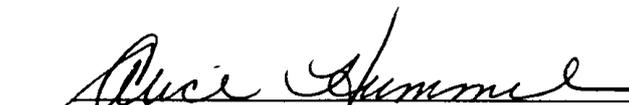
Subscribed and sworn to before me this 2nd day of July 1999.


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 15th day of July 1999, it


Cynthia Denne, Director
Division of Health Systems Regulation

The above Consent Order having been presented to the duly appointed agent of the Board of Examiners for Barbers, Hairdressers and Cosmeticians on the 20th day of September 1999, it is hereby ordered and accepted.


Board of Examiners for Barbers,
Hairdressers and Cosmeticians

S: milt/castillo/legal/co. 6/99