20-048580

STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In re: Michael Smith Petition No.: 2006-0608-020-017

REINSTATEMENT CONSENT ORDER

WHEREAS, Michael Smith (hereinafter "respondent") of Bridgeport, Connecticut has been issued license number 048580 to practice hairdressing by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 387 of the General Statutes of Connecticut, as amended; and

WHEREAS, respondent's license expired on November 30, 1997, and respondent has now applied to have said license reinstated by the Department pursuant to Chapter 368a of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent hereby admits as follows:

1. On September 27, 1997 the Department issued respondent license number 048580 to practice hairdressing under the General Statutes of Connecticut, Chapter 387. Said license lapsed due to non-renewal on November 30, 1997.
2. From November 30, 1997 until 2006, respondent engaged in the practice of hairdressing without a valid Connecticut license.
3. The conduct described above constitutes grounds for the denial of respondent's application for reinstatement pursuant to §19a-14(a)(6) of the General Statutes of Connecticut.

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

1. He waives his right to a hearing on the merits of this matter.
2. Respondent's license to practice hairdressing shall be reinstated when he satisfies the requirements for reinstatement of his license, as set forth in §§ 19a-14-1 through 19a-14-5, inclusive, of the Regulations of Connecticut State Agencies, and this Reinstatement Consent Order is executed by all parties.
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. Said civil penalty shall be payable at the time respondent submits this executed Reinstatement Consent Order to the Department.
4. Immediately upon issuance, respondent's license shall be reprimanded.
5. The execution of this document has no bearing on any criminal liability without the written consent of the Director of the Medicaid Fraud Control Unit or the Bureau Chief of the Division of Criminal Justice's Statewide Prosecution Bureau.
6. Respondent shall comply with all federal and state statutes and regulations applicable to his license.
7. Respondent shall notify the Department of any change(s) in his employment within fifteen (15) days of such change.
8. Respondent shall notify the Department of any change in his home and/or business address within fifteen (15) days of such change.
9. Legal notice shall be sufficient if sent to respondent's last known address of record reported to the Practitioner Licensing and Investigations Section of the Healthcare Systems Branch of the Department.

10. Respondent understands this Reinstatement Consent Order may be considered as evidence of the above-admitted violations in any proceeding before the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians in which (1) his compliance with this Reinstatement Consent Order is at issue, or (2) his compliance with §20-252 of the General Statutes of Connecticut, as amended, is at issue.

11. This Reinstatement Consent Order and the terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, this Reinstatement Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the Connecticut General Statutes provided that this stipulation shall not deprive respondent of any other rights that he may have under the laws of the State of Connecticut or of the United States.

12. This Reinstatement 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. This Reinstatement Consent Order is effective when accepted and approved by a duly appointed agent of the Department.

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

15. This Reinstatement Consent Order is a matter of public record.

I, Michael Smith, have read the above Reinstatement Consent Order, and I agree to the terms and allegations set forth therein. I further declare the execution of this Reinstatement Consent Order to be my free act and deed.

Michael Smith

Subscribed and sworn to before me this 20th day of November 2006.

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

My Commission Expires Jan 31, 2007

The above Reinstatement Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 1st day of December ____ 2006, it hereby ordered and accepted.

Jennifer L. Filippone, Section Chief
Practitioner Licensing and Investigations
Healthcare Systems Branch