STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE QUALITY AND SAFETY BRANCH

In Re: Jovetta Wilson, H.C. Petition No. 2011-131

CONSENT ORDER

WHEREAS, Jovetta Wilson of Waterford, Connecticut (hereinafter "respondent") has been issued license number 055647 to practice hairdresser by the Department of Public Health (hereinafter "the Department") pursuant to Connecticut General Statutes, Chapter 384a of as amended.

WHEREAS, respondent admits:

1. On or about December 6, 2006, respondent answered "No" to the Department's licensure application's inquiry regarding prior felony convictions although she was convicted of a felony in 1995.
2. On or about February 12, 2011 respondent was employed as a hairdresser when she assaulted a customer.
3. The above-described facts constitute grounds for disciplinary action pursuant to Connecticut General Statutes §20-263(1) and/or 20-263(5).

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 Department, this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to Connecticut General Statutes §§19a-10, 19a-14 and 20-263.

NOW THEREFORE, pursuant to Connecticut General Statutes §§19a-10, 19a-14 and 20-263, 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 to practice as a hairdresser in the State of Connecticut is hereby reprimanded.
3. Respondent's license shall be placed on probation for a period of three years under the following terms and conditions:
    a. Respondent shall provide her employer at each place where she practices as a hairdresser with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of employment at a new hair salon. Respondent agrees to provide reports from such employer quarterly stating that she is practicing with reasonable skill and safety.
    b. Respondent shall provide her criminal probation officer with a copy of this Consent Order within fifteen (15) days of its effective date and shall provide written reports from her

criminal probation officer quarterly stating that she is complying with the terms of her probation.

c. Respondent shall participate in regularly scheduled therapy at her expense with a licensed or certified therapist.

(1) Respondent shall provide a copy of this Consent Order to her therapist.

(2) Respondent's therapist shall furnish written confirmation to the Department of his or her engagement in that capacity and receipt of a copy of this Consent Order within fifteen (15) days of the effective date of this Consent Order.

(3) If the therapist determines that therapy is no longer necessary, that a reduction in frequency of therapy sessions is warranted, or that respondent should be transferred to another therapist, the therapist shall advise the Department, and the Department shall pre-approve said termination of therapy, reduction in frequency of therapy sessions, and/or respondent's transfer to another therapist.

(4) The therapist shall submit quarterly reports which shall address, but not necessarily be limited to, respondent's ability to practice safely and competently. Said reports shall continue until the therapist determines that therapy is no longer necessary or the period of probation has terminated.

(5) The therapist shall immediately notify the Department in writing if the therapist believes respondent's continued practice poses a danger to the public, or if respondent discontinues therapy and/or terminates his or her services.

d. During the period of probation, respondent shall report to the Department any arrest within fifteen (15) days of such event.

e. Within the first six months of the probationary period respondent shall attend and successfully complete coursework in professional ethics pre-approved by the Department. Within seven days of completion of each course, respondent shall provide the Department with proof, to the Department's satisfaction, of successful completion of each course.

f. During probation, respondent shall only practice as a hairdresser in a salon setting that physically includes other hairdressers on-site while she is practicing at said salon.

4. All correspondence and reports are to be addressed to:

Ms. Olive Tronchin
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308

5. All reports required by the terms of this Consent Order shall be due according to a schedule to be established by the Department of Public Health.
6. Respondent shall comply with all state and federal statutes and regulations applicable to her licensure.
7. Respondent shall pay all costs necessary to comply with this Consent Order.
8. 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 9a 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 within the fifteen (15) days specified in the notification of violation to the satisfaction of the Department, she shall be entitled to a hearing before the Department which shall make a final determination of the disciplinary action to be taken.
   e. Evidence presented to the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
9. In the event respondent is not employed as a hairdresser for periods of thirty (30) consecutive days or longer, respondent shall notify the Department in writing. Such periods of times shall not be counted in reducing the probationary period covered by this Consent Order and such terms shall be held in abeyance. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order. If respondent resumes the practice of hairdressing, she shall provide the Department with thirty days prior written notice. Respondent shall not return to practicing as a hairdresser without written pre-approval from the Department. Respondent agrees that the Department, in its complete discretion, may require additional documentation from respondent and/or require respondent to satisfy other conditions or terms as a condition precedent to respondent's return to practice. If requested by the Department, respondent further agrees to attend and successfully complete coursework, remediation, and/or retraining pre-approved by the Department. Upon completion, respondent shall provide the

Department with proof, to the Department's satisfaction, of successful completion. Respondent understands that any return to the practice of hairdressing without the Department's pre-approval, shall constitute a violation of this Consent Order and may subject the her to further disciplinary action.

10. If, during probation, respondent practices hairdressing outside Connecticut, she shall provide written notice to the Department concerning such employment. During such time, respondent shall not be responsible for complying with the terms of probation of this Consent Order, and such time period shall not be counted in reducing the probationary period covered by this Consent Order. Respondent may comply with terms of probation while practicing outside Connecticut if pre-approved by the Department. If respondent intends to return to practicing as a hairdresser in Connecticut, she shall provide the Department with thirty (30) days prior written notice and agrees to comply terms and conditions contained in paragraph 3 above.
11. 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.
12. 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 Quality and Safety Branch of the Department.
13. 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 Department.
14. Respondent agrees that this Consent Order is a public document, and the Department's allegations as contained in this Consent Order shall be deemed true in any subsequent proceeding before the Department in which her compliance with this Consent Order or with Connecticut General Statutes §20-263, as amended, is at issue. Further, respondent understands that any discipline imposed by this Consent Order shall be reported to the National Practitioner Data Bank.
15. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a hairdresser, upon request by the Department, with notice to the Department, for a period not to exceed 45 days. Respondent further agrees that failure to cooperate with the Department in its investigation shall constitute grounds for the Department to seek a summary suspension of her license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall constitute a clear and immediate danger as required pursuant to Connecticut General Statutes §§4-182(c) and 19a-17(c). The Department and respondent understand that the Department has complete and final discretion whether a summary suspension is ordered.

16. 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.
17. 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. Respondent understands that this Consent Order shall not be subject to modification as a result of any claim that the terms contained herein may result in action by third parties, including, but not limited to, healthcare facilities and/or credentialing or licensure boards. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Order is not subject to appeal or review under the provisions of Connecticut General Statutes, Chapters 54 or 368a of 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.
18. 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.
19. Respondent permits a representative of the Office of Licensure Regulation and Compliance of the Healthcare Quality and Safety Branch 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 whether this Consent Order is approved or accepted.
20. Respondent understands and agrees that she is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which she is away from her residence.
21. Respondent has the right to consult with an attorney prior to signing this do.
22. 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. The purpose of this Consent Order is to resolve the pending administrative license disciplinary petition only, and is not intended to affect any civil or criminal liability or defense.
23. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements regarding the subject matter of this consent order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Jovetta Wilson, 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.

Jovetta Wilson

Subscribed and sworn to before me on December 20, 2012.

Notary Public
My commission expires 10-31-17

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 20th day of December 2012, it is hereby accepted.

Jennifer Filippone, Section Chief
Practitioner Licensing and Investigations
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians on the 28th day of JANUARY 2013, it is hereby ordered and accepted.

Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians