STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In re: Harry Rivera Petition No. 2010-5590

PRELICENSURE CONSENT ORDER

WHEREAS, Harry Rivera of Bristol, Connecticut (hereinafter "respondent") has applied for licensure to practice as a hairdresser 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. The Department has at no time issued respondent a license to practice the occupation of hairdresser under the General Statutes of Connecticut, Chapter 386.
2. During the course of August 2008 through October 2010, respondent worked as a barber in Connecticut without holding a license as required pursuant to Connecticut's General Statutes.
3. The conduct described above constitutes grounds for the denial of respondent's application for licensure pursuant to §19a-14 of the General Statutes of Connecticut.

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

1. Respondent waives the right to a hearing on the merits of his application for licensure.
2. After satisfying the requirements for licensure as a barber as set forth in Chapter 386 of the General Statutes of Connecticut, respondent's license to practice as a hairdresser will be issued.
3. Respondent's license to practice as a hairdresser in the State of Connecticut shall, immediately upon issuance, be reprimanded.

4. 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 Prelicensure Consent Order to the Department.

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. The purpose of this Prelicensure 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.

6. This Prelicensure 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 Prelicensure Consent Order, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

7. Respondent shall comply with all state and federal statutes and regulations applicable to his license.

8. Respondent shall notify the Department of any change(s) in his employment within fifteen (15) days of such change.

9. Respondent shall notify the Department of any change(s) in his home and/or business address within fifteen (15) days of such change.

10. Legal notice shall be sufficient if sent to respondent's last known address of record reported to Practitioner Licensing and Investigations of the Healthcare Systems Branch of the Department.

11. Respondent understands that this Prelicensure 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 Prelicensure Consent Order is at issue, or (2) his compliance with Title 20 of the Connecticut General Statutes, as amended, is at issue.

12. This Prelicensure 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 Prelicensure Consent Order is not subject to appeal or review under the provisions of Chapters 54 and 368a of the General Statutes of Connecticut, 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.

13. This Prelicensure 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.

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

15. Respondent understands this Prelicensure Consent Order is a matter of public record.

16. Respondent understands he has the right to consult with an attorney prior to signing this Prelicensure Consent Order.

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

Harry Rivera

Harry Rivera

Subscribed and sworn to before me this 15th day of December 2010.

Kathleen M Grieco

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

Exp. 4-30-12.

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 15th day of December _____ 2010, it is hereby ordered and accepted.

Wendy H. Furniss

Wendy Furniss, RNC, MS.

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