

Certified No.

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
PETITION NO. 840717-²⁵01-002

IN RE:

Paola Caligiore DiPerna
License No. 3196
9100 Picasso, St. Leonard
Montreal, Quebec HIP-3E5
Canada

MEMORANDUM OF DECISION

On November 18, 1985, the Connecticut Board of Examiners for Barbers, Hairdressers, and Cosmetologists (hereinafter "Board") was presented by the Department of Health Services with a Notice of Hearing dated October 4, 1985 and a Statement of Charges dated October 2, 1985 showing service properly made on Paola Caligiore DiPerna (hereinafter "Respondent").

The Statement of Charges alleged four (4) violations of Conn. Gen. Stat. §20-263 for waving a customer's hair negligently

and incompetently. The hearing date of October 28, 1985 was continued to November 18, 1985.

The Respondent was present and had full opportunity to present evidence and cross examine witnesses.

Each member of the Board involved in this decision attests that he/she has reviewed the record and that this decision is based entirely on that record.

FINDINGS AND DISCUSSION

1. Respondent was at all pertinent times licensed to practice hairdressing.

2. Pursuant to Section 4-182 (c) of the General Statutes, the Respondent was provided a full opportunity prior to the institution of agency action to show compliance with all the terms for retention of her license.

3. On June 15, 1984, Respondent provided the Complainant with a permanent wave. The complainant was Respondent's customer at the time.

4. The permanent wave solution used by respondent in giving the complainant a permanent wave was applied by respondent despite having already determined that the hair was damaged because the color was very dry.

5. The Complainant's hair was caused to be overprocessed, burned and broken at the front hairline of her head, the crown area, and the back neck area by the actions of Respondent in so treating it.

6. The Respondent applied the permanent wave without advising the complainant about the condition of her hair and what the results would be on the texture of her hair.

7. A total of twelve (12) colored photographs of all aspects of the head, hair and face of the Complainant taken shortly after respondent gave her the permanent wave reveal much damage the Complainant's hair.

DISCUSSION AND CONCLUSION

8. The damage to the hair of Complainant was caused by

Respondent's negligence and incompetance in rendering professional services to her, and resulted in considerable embarassment and temporary disfigurement. (Findings; 1,2,3,4,5,6,7).

FIRST COUNT

9. The Respondent is charged with negligently and incompetantly assessing the condition of a Complainant's hair prior to performing a permanent wave in violation of Conn. Gen. Stat. §20-263.

10. The Board concludes after reviewing all the evidence that this charge as alleged has been proven. Respondent therefore has violated §20-263 under Count No. 1.

SECOND COUNT

11. The Respondent is charged with failing to advise the complainant about the condition of her hair, which, under the

The Board concludes, after reviewing all the evidence, that the facts as alleged in this charge have not been sufficiently proven; thus, there is no violation of Conn. Gen. Stat. §20-263 under count number 4.

ORDER

Pursuant to its authority under Conn. Gen. Stat. §19a-17, the Board of Barbers, Hairdressers and Cosmetologists here orders the following:

1) that the licence of Respondent be suspended for a period of one (1) year commencing on the date noted below.

CONNECTICUT BOARD OF BARBERS,
HAIRDRESSERS AND COSMOTOLOGIST

DATE

5-12-76
[Signature]

BY

[Signature]

Chairman