STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC HEALTH
HEALTHCARE SYSTEMS BRANCH

In re: Dylan O'Malley Petition No. 2006-0719-000-035

PRELICENSURE CONSENT ORDER

WHEREAS, Dylan O'Malley of Putnam, Connecticut (hereinafter "respondent") has applied for licensure to practice barbering by the Department of Public Health (hereinafter "the Department") pursuant to Chapter 386 of the General Statutes of Connecticut, as amended; and,

WHEREAS, respondent agrees that:

1. The Department has at no time issued respondent a license to practice barbering under the General Statutes of Connecticut, Chapter 386.
2. From approximately August 2001 until the present respondent engaged in the practice of barbering without a Connecticut license.
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 barber will be issued.
3. Immediately upon issuance, respondent's license to practice as a barber in the State of Connecticut is hereby reprimanded.

4. Respondent shall pay a civil penalty of eight hundred dollars ($800.00) 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, and shall be payable at the time respondent submits the executed Prelicensure Consent Order to the Department.
5. Respondent shall notify the Department of any change in his home or business address within fifteen (15) days of such change.
6. 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.
7. Respondent shall comply with all state and federal statutes and regulations applicable to his license.
8. 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 §20-238 of the Connecticut General Statutes, as amended, is at issue.
9. 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 she may have under the laws of the State of Connecticut or of the United States.
10. 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.

11. This Prelicensure Consent Order is effective when accepted and approved by a duly appointed agent of the Department.
12. Respondent understands this Prelicensure Consent Order is a public record.
13. Respondent understands he has the right to consult with an attorney prior to signing this Prelicensure Consent Order.
14. This Consent Order embodies the entire agreement of the parties with respect to this case. All previous communications or agreements, whether oral or written, between the parties are superseded unless expressly incorporated herein or made a part hereof.

I, Dylan O'Malley, 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.

Dylan O'Malley

Subscribed and sworn to before me this 16th day of Sept. 2008.

WENDY L. ROBERTS
NOTARY PUBLIC
MY COMMISSION EXPIRES JULY 31, 2012

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

The above Prelicensure Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 25th day of September 2008, it is hereby accepted and ordered.

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