

STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES  
BUREAU OF HEALTH SYSTEM REGULATIONS  
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Richard McMahon  
Hearing Aid Dealer

Petition No. 861110-37-010

CONSENT ORDER

WHEREAS, Richard McMahon of New Haven, Connecticut, has been issued License No. 000053; to practice as a hearing aid dealer by the Department of Health Services pursuant to Chapter 398 of the General Statutes of Connecticut, as amended; and

WHEREAS, Richard McMahon hereinafter referred to as the Respondent, hereby admits and acknowledges that:

1. During the sale of a hearing aid in 1986 to Mary Altieri and during a proposed sale of a hearing aid in 1987 to David Grannan, Richard McMahon, the respondent:
  - a. failed to provide purchase agreements and/or contracts as required, by Section 20-402(a) of the Connecticut General Statutes;
  - b. failed to provide receipts of such sales as required by Section 20-404(a)(9) of the Connecticut General Statutes; and,
  - c. failed to provide statements to each customer as to whether the hearing aid purchased was new, used or reconditioned as required by Section 20-404(a)(9) of the Connecticut General Statutes.

2. By his actions described in (1) above he has violated the provisions of §20-404(a) of the General Statutes of Connecticut by failing to conform to the accepted standards of hearing aid dealers.

NOW THEREFORE, pursuant to §19a-17 and §20-404 of the Connecticut General Statutes, as amended, Richard McMahon hereby stipulates and agrees to the following:

1. That he waives his right to a hearing on the merits of this matter.
2. That he is hereby ~~reprimanded~~ for the above-mentioned violations of §20-404(a).
3. That he is placed on ~~probation~~ for six months, during which time he is entitled to practice as a hearing aid dealer pursuant to the following terms of probation:
  - a. That he shall hereinafter cease and desist all practices which violate the provisions of Chapter 398 of the Connecticut General Statutes.
  - b. That he shall hereinafter provide contracts for all sales of hearing aids. Said contracts shall conform to the provisions of Chapter 398 of the Connecticut General Statutes.
  - c. That he shall hereinafter provide receipts as defined in Section 20-404(a)(9) of the Connecticut General Statutes for all sales of hearing aids.

- d. That he shall hereinafter provide statements as to whether the hearing aids sold are new, used or reconditioned as required by Section 20-404(a) of the Connecticut General Statutes.
4. That violation of any of the terms of probation can result, at the discretion of the Department of Health Services, in the summary suspension of his license.
5. That he understands that notice of this Consent Order is a matter of public record.
6. That this Consent Order is effective the first day of the next month after which the seal of the last signatory is affixed to this document.
7. That he understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Department of Health Services (1) in which his compliance with this same order is at issue, or (2) in which his compliance with §20-404 of the General Statutes of Connecticut, as amended, is at issue.
8. That 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. Further, that said order is not subject to appeal or review under the provisions of Chapter 54 or 368a of the General Statutes of Connecticut, as amended, provided that this stipulation shall not deprive him of any other rights that he may have under the laws of the State of Connecticut or of the United States.
9. That he has the right to consult with an attorney prior to signing this document.

I, Richard McMahon, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to my free act and deed.

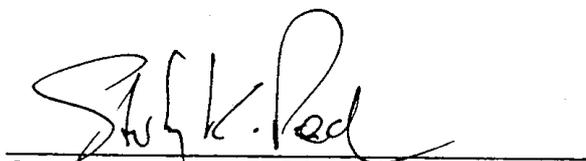
  
Richard McMahon

Subscribed and sworn to before me this 2nd day of Sept. 1988.

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

MY COMMISSION EXPIRES MARCH 31, 1989

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Health Services on the 7<sup>th</sup> day of September 1988, it is hereby ordered and accepted.

  
Stanley K. Peck, Director  
Public Health Hearing Office

ADH:dmw  
co McMahon  
co26

OK file 4-4-90

Rec'd  
4-4-90  
Now  
see memo  
J/S  
[Signature]



STATE OF CONNECTICUT  
DEPARTMENT OF HEALTH SERVICES

4 April 1990

Richard McMahon, H.A.D.  
111 Park Street  
Madison Towers, Suite K  
New Haven, CT 06511

Re: Petition No. 861110-37-010

Dear Mr. McMahon:

I am writing to inform you that the terms of your Consent Order dated September 7, 1988 have been completed.

This letter serves to confirm that you have completed all stipulations of your Consent Order and that the terms of your probation have been completed. Notice will be provided to our licensure and renewal section to remove any restrictions from your license effective 1 April 1989.

Please do not hesitate to contact me at the number listed below if you have any questions regarding this matter.

Very truly yours,

*Lynne A. Hurley*  
Lynne A. Hurley  
Investigator  
Public Health Hearing Office

LAH:cja  
5202Q/12

cc: David J. Pavis, Chief, PHHO  
John Boccaccio, Chief, L & R