

AGENDA

CONNECTICUT EXAMINING BOARD FOR BARBERS, HAIRDRESSERS AND COSMETICIANS

Monday, December 5, 2022 at 9:30 AM
Department of Public Health
410 Capitol Avenue, Hartford, CT

CALL TO ORDER

- I. **Minutes**
Review and approval of the minutes from August 29, 2022.

- II. **Office of Legal Compliance**
Shayne Shayer – Petition No. 2019-1325
Presentation of Consent Order

- New Business**
Schedule 2023 meeting dates

ADJOURN

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 224 516 877 699

Passcode: i8fJFA

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[+1 860-840-2075](#) United States, Hartford

Phone Conference ID: 218 452 965#

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

A meeting of the **Connecticut Board for Barbers, Hairdressers and Cosmeticians** on Monday August 29, 2022

BOARD MEMBERS PRESENT: Peter Aiello, M.B.
Mark Anderson, (Public Member)
Francine Austin, H/C
Donald P. Carrozzella, H/C
Raymond J. Mastrangelo, M.B

BOARD MEMBERS PRESENT: Francine Austin, H/C
Joe Mazzocoli, M.B

ALSO PRESENT: Jeffrey Kardys, Board Liaison

The meeting was called to order at 9:00 a.m. All participants were present via Microsoft Teams.

I. MINUTES

The minutes from the June 27, 2022 meeting were reviewed and approved on a motion by Mr. Mastrangelo, seconded by Mr. Anderson.

II. Office of Legal Compliance

- Stephen McCarthy – Petition No. 2022-14

Aden Baume, Staff Attorney, Department of Public Health presented a Motion to Withdraw Statement of Charges in this matter based on Mr. McCarthy's surrender of his license.

Mr. Carrozzella made a motion, seconded by Mr. Mastrangelo, to approve the motion to withdraw the Statement of Charges. The motion to approve passed unanimously.

III. ADJOURNMENT

The meeting was adjourned at 9:06 a.m.

Respectively submitted,
Donald P. Carrozzella
Connecticut Examining Board for Barbers, Hairdressers and Cosmeticians

CONSENT ORDER COVER SHEET

In re: Shayne Shayer

Petition No. 2019-1325

1. Shayne Shayer, of Thompson, Connecticut (hereinafter "respondent") was issued license number 055219 to practice as a Hairdresser and Cosmetician in 2006. Respondent graduated from Brio Academy in 2006.
2. Respondent has no disciplinary history.
3. Respondent admits that:
 - a. On or about March 4, 2022, the respondent was adjudicated guilty of a felony, Possession of Child Pornography, in violation of 18 U.S.C §§ 2252A(a)(5)(B) and 2252A(b)(2)
 - b. The above-described facts constitute grounds for disciplinary action pursuant to the Connecticut General Statutes §19a-17, including but not limited to, §19a-17(a)(9)(A)(ii)
4. The respondent, as a result of pleading guilty was ordered on supervised release for a term of 10 years subject to conditions of supervised release, including but not limited to:
 - a. The respondent will not have contact with anyone he knows or reasonable should know to be under the age of 18 without the permission of the Probation Office;
 - b. The respondent will participate in a program of mental health evaluation, counseling, and treatment; and
 - c. Respondent will participate on a program of mental health treatment with an emphasis on sexual offender treatment.
5. This Consent Order provides for probation for a period to run consecutively with the Court Ordered Probation under the following terms and conditions:
 - a. Respondent shall provide respondent's Probation Office monitor with a copy of the Consent Order within fifteen days of its effective date, or within fifteen days of commencement of engagement with a new probation officer. Respondent agrees to provide reports from such probation officer quarterly for the duration of the probation period stating whether respondent is in compliance with the terms of the Court Ordered Probation. A report indicating that respondent is not in compliance with the terms of the Court Ordered Probation shall be deemed to be a violation of this Consent Order.
 - b. The probation placed on license number 055219 shall terminate at the termination of the Court Ordered Probation.
6. The Department and respondent respectfully request that the Board accept the proposed Consent Order.

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

In re: Shayne Shayer

Petition No. 2019-1325

CONSENT ORDER

WHEREAS, Shayne Shayer of Thompson, Connecticut (hereinafter "respondent") has been issued license number 055219 to practice as a Hairdresser and Cosmetician 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. On or about March 4, 2022, the respondent was adjudicated guilty of a felony, Possession of Child Pornography, in violation of 18 U.S.C §§ 2252A(a)(5)(B) and 2252A(b)(2)
2. The above-described facts constitute grounds for disciplinary action pursuant to the Connecticut General Statutes §19a-17, including but not limited to, §19a-17(a)(9)(A)(ii)

WHEREAS, respondent, as a result of pleading guilty to and being adjudicated guilty of possession of Child Pornography, in part, was ordered on supervised release for a term of 10 years subject to conditions of supervised release, (hereinafter "Court Ordered Probation.") including but not limited to:

1. The respondent will not have contact with anyone he knows or reasonable should know to be under the age of 18 without the permission of the Probation Office;

2. The respondent will participate in a program of mental health evaluation, counseling, and treatment; and
3. Respondent will participate on a program of mental health treatment with an emphasis on sexual offender treatment.

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 Examining Board for Barbers, Hairdressers and Cosmeticians (hereinafter "the Board"), this Consent Order shall have the same effect as if proven and ordered after a full hearing held pursuant to §§19a-10, 19a-14 and 19a-17 of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §§19a-14, and 19a-17 of the General Statutes of Connecticut, respondent hereby stipulates and agrees to the following:

1. Respondent waives respondent's right to a hearing on the merits of this matter.
2. Respondent's license number 055219 shall be placed on probation for a period to run consecutively with the Court Ordered Probation under the following terms and conditions:
 - a. Respondent shall provide respondent's Probation Office monitor (hereinafter "probation officer") with a copy of this Consent Order within fifteen (15) days of its effective date, or within fifteen (15) days of commencement of engagement with a new probation officer. Respondent agrees to provide reports from such probation officer quarterly for the duration of the probation period stating whether respondent is in compliance with the terms of the Court Ordered Probation. A report indicating that respondent is not in compliance with the terms of the Court Ordered Probation shall be deemed to be a violation of this Consent Order.

- b. The probation placed on license number 055219 shall terminate at the termination of the Court Ordered Probation.
3. All correspondence and reports are to be addressed to:

Practitioner Compliance and Monitoring Unit
Department of Public Health
410 Capitol Avenue, MS #12HSR
P.O. Box 340308
Hartford, CT 06134-0308
 4. 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.
 5. Respondent shall comply with all state and federal statutes and regulations applicable to respondent's licensure.
 6. Respondent shall pay all costs necessary to comply with this Consent Order.
 7. 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 7a above to demonstrate to the satisfaction of the Department that respondent has complied with the terms of this Consent Order or, in the alternative, that respondent 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, respondent shall be entitled to a hearing before the Board which shall make a final determination of the disciplinary action to be taken.

- e. Evidence presented to the Board by either the Department or respondent in any such hearing shall be limited to the alleged violation(s) of the term(s) of this Consent Order.
8. If, during the period of probation, respondent practices as a Hairdresser and Cosmetician outside Connecticut, respondent shall provide written notice to the Department concerning such practice. During such time period, 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 the terms of probation while practicing outside Connecticut if pre-approved by the Department. In the event respondent intends to return to the practice of Hairdresser and Cosmetician in Connecticut, respondent shall provide the Department with thirty (30) days prior written notice and agrees to comply with all terms and conditions contained in paragraph 2 above.
9. 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 respondent's license before the Board.
10. 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.
11. 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 Board.
12. Respondent understands and agrees that this Consent Order shall be deemed a public document and the above admitted violations shall be deemed true in any proceeding

before the Board in which respondent's compliance with this Consent Order or with §19a-17 of the General Statutes of Connecticut, as amended, is at issue.

13. In the event respondent violates a term of this Consent Order, respondent agrees immediately to refrain from practicing as a Hairdresser and Cosmetician, upon request by the Department, with notice to the Board, for a period not to exceed 45 days. During that time period, respondent further agrees to cooperate with the Department in its investigation of the violation, and to submit to and complete a medical, psychiatric or psychological evaluation, if requested to do so by the Department; and, that the results of the evaluation shall be submitted directly to the Department. Respondent further agrees that failure to cooperate with the Department in its investigation during said 45 day period shall constitute grounds for the Department to seek a summary suspension of respondent's license. In any such summary action, respondent stipulates that failure to cooperate with the Department's investigation shall be considered by the Board and shall, as a matter of law, constitute a clear and immediate danger as required pursuant to Connecticut General Statutes, sections 4-182(c) and 19a-17(c). The Department and respondent understand that the Board has complete and final discretion as to whether a summary suspension is ordered.
14. 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.
15. 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 agrees 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 and respondent waives any

right to seek reconsideration or modification of this Consent Order pursuant to §4-181a of the General Statutes of Connecticut without the express consent and agreement of the Department. Respondent assumes all responsibility for assessing such actions prior to the execution of this document. Further, this Consent Order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive respondent of any rights that respondent may have under the laws of the State of Connecticut or of the United States.

16. 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.
17. Respondent permits a representative of the Department 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 as to whether this executed Consent Order is approved or accepted. Respondent hereby waives any claim of error that could be raised that is related to or arises during the course of the Board's discussions regarding whether to approve or reject this Consent Order and/or a Board member's participation during this process, through the Board member's review or comments, including but not limited to bias or reliance on evidence outside the administrative record if this matter proceeds to a hearing on a statement of charges resulting in a proposed decision by the Board and/or a panel of the Board and a final decision by the Board.
18. Respondent understands and agrees that respondent is responsible for satisfying all of the terms of this Consent Order during vacations and other periods in which respondent is away from respondent's residence.
19. Respondent has the right to consult with an attorney prior to signing this document.

20. 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 State's Attorney's Office where the allegation occurred or Bureau Chief of the applicable unit in the Chief State's Attorney's Office. 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.
21. 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.


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I, Shayne Shayer, 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.


Shayne Shayer

Subscribed and sworn to before me this 3rd day of October 2022.

MICHELLE E. RENO
Notary Public, State of Connecticut
My Commission Expires Aug. 31, 2026


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

The above Consent Order having been presented to the duly appointed agent of the Commissioner of the Department of Public Health on the 5th day of October 2022, it is hereby accepted.



Christian D. Andresen, MPH, CPH, Section Chief
Practitioner Licensing and Investigations Section
Healthcare Quality and Safety Branch

The above Consent Order having been presented to the duly appointed agent of the Examining Board for Barbers, Hairdressers and Cosmeticians on the _____ day of _____ 2022, it is hereby ordered and accepted.

Examining Board for Barbers, Hairdressers and Cosmeticians