STATE OF VERMONT
SECRETARY OF STATE
OFFICE OF PROFESSIONAL REGULATION
TATTOO ARTISTS AND BODY PIERCERS

IN RE: **MILTON CHRISTIAN** **License No. 021.0081459-APPN** **License Tracking No. 021.0081078**	))))	**Docket No.: 2011-674**

STIPULATION AND CONSENT ORDER

Stipulation

NOW COME the State of Vermont, by and through State Prosecuting Attorney Gabriel M. Gilman, and the Respondent, Milton Christian who stipulate and agree as follows:

Board Authority

1. The administrative officer has jurisdiction to investigate and adjudicate allegations of unprofessional conduct pursuant to 3 V.S.A. §§ 127, 129, 129a, 26 V.S.A. §§ 4101 to 4109, and the Rules of the Office of Professional Regulation.

Stipulated Facts

2. Milton Christian ("Respondent") is a licensed tattooist-apprentice in the State of Vermont holding license number 021.0081459-APPN. This license was originally issued on or about September 22, 2011 and is currently set to expire September 22, 2013. Respondent currently has an application pending for a tattooist operator license under license tracking number 021.0081078.

3. Respondent began practicing tattooing at Sara's Tattoo Parlor ("the Shop") soon after he moved to Vermont in September of 2010. Respondent did not become licensed to practice tattooing in the State of Vermont until September 22, 2011 when he became licensed as a Tattooist-Apprentice.

4. Respondent has been forthright about his unlicensed practice during the described period. Respondent believed mistakenly that he could rely on a Missouri license to work as a "guest" tattooist in the Shop.

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Violations

5. The acts, omissions and/or circumstances described above, constitute unprofessional conduct in violation of:

   a. 26 V.S.A. § 4102(a) (No person shall practice tattooing or body piercing unless that person is registered in accordance with the provisions of this chapter);

   b. 3 V.S.A. § 127(b) (A person practicing a regulated profession without authority may, upon the complaint of the attorney general or a state's attorney or an attorney assigned by the office of professional regulation, be enjoined there from by the superior court where the violation occurred or the Washington County superior court and may be assessed a civil penalty of not more than $1,000.00. The attorney general or an attorney assigned by the office of professional regulation may elect to bring an action seeking only a civil penalty of not more than $1,000.00 for practicing a regulated profession without authority before the board having regulatory authority over the profession. Hearings shall be conducted in the same manner as disciplinary hearings. A civil penalty imposed by a board or administrative law officer under this subsection shall be deposited in the professional regulatory fee fund established in section 124 of this title for the purpose of providing education and training for board members and advisor appointees. The director shall detail in the annual report receipts and expenses from these civil penalties); and

Understandings

1. The Respondent understands that the Administrative Law Officer (the "A.L.O.") must review and accept the terms of the Order set forth below and that if the A.L.O. rejects all or any portion of the Order, then this entire document shall be null and void.

2. Respondent waives any notification period and requests that this be heard at the next available meeting of the A.L.O. Respondent specifically waives any claims that any disclosures made to the A.L.O. during the A.L.O.'s review of this agreement have prejudiced his rights to a fair and impartial hearing in future hearings if this agreement is not accepted by the A.L.O.

3. Respondent has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.

4. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order.

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5. Respondent voluntarily enters into this agreement after the opportunity to consult with legal counsel and has not been coerced by anyone into signing this Stipulation and Consent Order.

6. Respondent voluntarily waives his right to a contested hearing before the A.L.O. and waives any right to appeal from this Stipulation and Consent Order.

7. Respondent agrees that the A.L.O. may enter the Order set forth below.

ORDER

Based upon the stipulation above, it is **ORDERED AND ADJUDGED** as follows:

A. Respondent's license to practice as a tattoo artist is hereby **REPRIMANDED.**

B. Respondent is ordered to pay an **ADMINISTRATIVE PENALTY OF FIVE HUNDRED DOLLARS ($500).** Said penalty shall be paid within one hundred and twenty days (120) from the date of entry of this order.

C. Notwithstanding any provision above, the Respondent must continue to meet all Board of Barbers and Cosmetologists requirements for maintaining a license, license renewal and license reinstatement.

D. This Stipulation and Consent Order is a matter of public record and may be reported to other licensing authorities as provided in 3 V.S.A. § 129(a).

E. This Stipulation and Consent Order will remain part of Respondent's licensing file and may be used for purposes of determining sanctions in any future disciplinary matter.

AGREED TO:

Dated: 10/11/12

STATE OF VERMONT
SECRETARY OF STATE

By: Bd Advisor For
Gabriel M. Gilman
State Prosecuting Attorney

MILTON CHRISTIAN
RESPONDENT

Dated: 10-11-12

By:
Milton Christian

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APPROVED AND SO ORDERED:

ADMINISTRATIVE LAW OFFICER

Dated: October 12, 2012

By: _____

Date of Entry: 10/12/12

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