



ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

May 18, 2018 at 9:00 a.m.
1740 W Adams, Suite 4400
Phoenix AZ 85007

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to members of the Arizona State Board of Cosmetology that the Board will hold a meeting open to the public on the date and at the time indicated above. The Board may vote to go into Executive Session for the purpose of obtaining legal advice on any of the agenda item pursuant to A.R.S. § 38.431.03 (A)(3).

Board Members

Gary Begley, School Owner, Chairperson
Karla Clodfelter, Cosmetologist, Vice Chairperson
Melissa C Porter, Public Member
Charlie C Phan, Nail Technician
Thomas Rough, Cosmetologist
Brandy B. Wells, Public Member
Vacant, Instructor

1. Call to Order

2. Pledge of Allegiance

3. Roll Call of Board Members

Gary Begley
Karla Clodfelter
Charlie Phan
Thomas Rough
Brandy Wells

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of April 18, 2018.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

2. Discussion, Consideration and Possible Action on Approval of Executive Session Minutes of April 13, 2018.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

3. Board Member Declaration of Conflict of Interest.

None.

4. Report, Discussion and Possible Action on Rules Committee Meeting Held on March 21, 2018:

Discussion, Consideration and Possible Action on Comprehensive Review and Update of Board Rules A.A.C. R4-10-101 through A.A.C. R4-10-405, for Proposed Rulemaking.

- Executive Order 2018-02; Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Services-Oriented Agencies.

Executive Director Donna Aune stated that the agency is in the process of drafting the letter to the Governor's Office for requesting the exemption.

5. Discussion, Consideration and Possible Action on Executive Order 2018-02.

- Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Services-Oriented Agencies

Executive Director Donna Aune stated that the agency is in the process of finalizing the final report in response to the Executive Order and intend to submit it by the first week of June.

6. Report, Discussion and Possible Action on Proposed Legislation for 2018.

Any Additional Pending 2018 Legislation Relating to the Arizona State Board of Cosmetology

Final Report on the 53rd Legislature, 2nd Regular Session adjourned Sine Die at 12:26 am May 4, 2018.

- SB 1399 Board of Barbers; Cosmetology; Apprenticeships

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- HB 2011 Cosmetology; Licensing Exceptions
- HB 2378 Cosmetic Laser Procedures; Direct Supervisions
- HB 2379 Hairstylist; Nail Technicians; Cosmetology Board

Karla Clodfelter stated that Senator Smith carried SB1399 Board of Barbers; Cosmetology; Apprenticeships and it was not well thought out so for now this will proceed with only the Barbers at this point. Karla Clodfelter stated that HB2011 Cosmetology; Licensing Exceptions "Blow Dry Bars" did not pass. Karla Clodfelter also stated that HB2378 and HB2379 did not move forward and the Military, Veterans and Regulatory Affairs Committee did not want to hear anything about Cosmetology, so we will pause for now and move on to the next session.

The Board may vote to go into executive session to obtain legal advice pursuant to A.R.S. § 38-431.03 (A) (3)

7. Welcome and Board Member Dialogue with Visiting Cosmetology Students & Instructors/Faculty.

Representatives are present from Aveda Institute, Penrose Academy, The Studio Academy of Beauty, Swina and students.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.

- Financial
- Personnel, Board Membership and Appointments
 - ❖ "Introduction to New Board Inspector Margarita Amparo"
 - ❖ "Introduction to New Board Inspector Velma Mack"
- Licensing
- Information Technology

Executive Director Donna Aune introduced the agency's two new inspectors, Velma Mack and Margarita Amparo and stated that the agency has also hired an Investigator who will start June 18th. The agency is very excited to have them on board.

Executive Director Donna Aune stated that the agency has chosen a scanning company, ICM Document Solutions and will begin the process of scanning before July 1st.

2. Report and Discussion on 90/10 Executive Directors' Meeting held on April 30, 2018.

Executive Director Donna Aune stated that at the 90/10 Executive Directors' Meeting held on April 30, 2018, a discussion was held that media was reporting on imposters in regulatory Boards.

3. Summary of Current Events that Affect the Arizona State Board of Cosmetology.

Executive Director Donna Aune stated that Gary Begley, Karla Clodfelter and herself will meet with the Nursing Board and the Department of Health Services to finalize the Advisory Opinion on May 30, 2018.

This is the time for the Chair or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3 pursuant to A.R.S. §38-431.03 (A) (2).

STEP 1: COMPLAINT REVIEW

A. Recommend Application Denials

92909 Xochilt Trejo (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)
MOTION by Karla Clodfelter to deny and grant licensure upon Consent Agreement signature. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

92930 Jessi Rose Allison (*Deny or grant licensure upon consent agreement signature; providing a fraudulent license*)
9:32 **MOTION by Karla Clodfelter to go into Executive Session for Legal Advice. MOTION SECONDED by Gary Begley. MOTION CARRIED.**

9:50 Back in open session.

MOTION by Brandy Wells for case no. 92930 to offer a Consent Agreement of \$750.00 civil penalty and Board costs and 6-month probation. MOTION DIED.

MOTION by Karla Clodfelter for case no. 92930 to offer a Consent Agreement of \$1,000.00 civil penalty and Board costs, 6-months' probation. Case to be referred to Attorney General Criminal Division. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below Step 1 B. MOTION SECONDED by Brandy Wells. MOTION CARRIED.

92292/92293 Top Nails #'s. SNT17924 & SAES18823 (*Found no evidence to support allegations*)
Tammie Luu, Owner/Manager

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92337	My Dung Dang #31200477, Licensee	<i>(Found no evidence of establishment residency)</i>
92581	Shawna R. Wilson #51100460, Licensee	<i>(Found no evidence of establishment residency)</i>
92669	Great Clips # SCOS25851 Kula Inc., Owner Michael DiCarlo, President/C.E.O./Director Heidi Raygoza #19700377, Manager "Nina" Niculina Purcell #11201941, Licensee	<i>(Settled between both parties)</i>
92753	Studio 602 Beauty Salon #SCOS26778 X'Zavier Davis, C.E.O.	<i>(Found no evidence to support allegations)</i>
92775	Jennifer Bailey #59400414, Licensee	<i>(Found no evidence of establishment residency)</i>
92794	ST San Tan Valley Nails & Spa, # SNT18136 ST San Tan Nails & Spa LLC, Owner Nguyen Ly, Manager/Member	<i>(Found no evidence to support allegations)</i>

C. Recommend Letter of Concern

**MOTION by Karla Clodfelter to accept staff recommendations for all those listed below
Step 1 C. MOTION SECONDED by Thomas Rough. MOTION CARRIED.**

92756	Gainey Nails & Spa # SNT18713 Gainey Nails & Spa LLC, Owner Dat-Pho #50000386, Manager/Member Amy Hua #50500109, Manager/Member	<i>(Display of personal licenses)</i>
92786/92787	Voulez Vous Nails #'s, SNT18828 & SAES20334 Voulez Vous Nails KJ LLC, Owner Kevin Hainguyen #10100524, Member/Manager Thuy Mai Nguyen #51100473, Member/Manager	<i>(Delinquent personal license)</i>
92844	Boss Salon #SCOS26767 Boss Salon LLC, Owner Eric Tuvale, Member Roxane T Montiel #10401841, Manager	<i>(Delinquent Establishment License)</i>
92845	The Creative Toy Box #SCOS27741 LfeStyle LLC, Owner Toyann M Taylor, #10020835, Member Anita C Van Leeuwen #18700382	<i>(Delinquent personal license)</i>
92849	Linda Valenzuela Salon #SCOS26484 Mia Cosmetics LLC, Owner Linda Valenzuela #19812574, Member	<i>(Delinquent Establishment License)</i>
92857	Anna Nails & Spa #SNT18252 Amy duong #50601385, Owner	<i>(Delinquent personal license)</i>
92858	AZ Royal Nails & Spa # SAES20146 AZ Royal Nails & Spa LLC, Owner Xuan Kim Tran #10901207, Manager/Member	<i>(Delinquent personal license)</i>
92869	Texture A Salon #SCOS25186 Nianne Nolin-Bonnenfant #18600374, Owner Jaime Sanchez, #19201233, Owner Judith Miller #19300607, Owner	<i>(Delinquent Establishment License)</i>
92870	Tease Hair and Lash Studio #SCOS27851 Lux Beauty Bar LLC, Owner Bradley Peshl, Manager/Member Anthony Vigil, #10902344, Licensee	<i>(Delinquent personal license)</i>
92871/92872	Kolour Nails LLC #'s SNT18671 & SAES20021 Kolour Nails LLC, Owner Lam Dang, #51200614, Manager/Member Khanh Nguyen #51500363, Manager/Member	<i>(Delinquent Establishment License)</i>

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|-------------|---|---|
| 92892 | Danny's Barber & Beauty #SCOS12055
Daniel A Murato, Owner
Norma Murato, Owner
Rosemary Camarena, #17112040, Licensee | <i>(No first aid/blood spill kit)</i> |
| 92897/92898 | TT Nail and Spa #'s SNT18328 & SAES19463
TT Nail and Spa LLC, Owner
Thien Nguyen #51500671, Manager/Member | <i>(Delinquent Establishment License)</i> |

D. Recommend Informal Interview or Negotiation Terms

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

1. 92258 Janelle Verville #30600251, Manager/Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
2. 92654 Carolina Zamora #11100261, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, 4-hour color class and \$120.00 restitution, see motion above.
3. 92657 Courtney Whynott #10100691, Licensee
Issue a Letter of Concern for advertising cosmetology services out of residence, see motion above.
4. 92668 Kimberlynn Williams #10200204, Licensee
Combine with case no. 92680; Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination and \$60.00 restitution, see motion above.
5. 92680 Kimberlynn Williams #10200204, Licensee
Combine with above case no. 92668, see motion above.
6. 92684 KOR Beauty Academy # CSL158
KOR Beauty Academy Inc., Owner
Tammy M Fuller #91100099, President/Director
Nicole Estrada #91300025, Instructor-in-Charge
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
7. 92731 Misha Nicole Biggs #31100518, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
8. 92757 Racciah Pittman #11600858, Owner
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
9. 92768/92769 Luxe Nail Bar #'s SNT18622 & SAES19940
Luxe Nail Bar LLC, Owner
Anh Nguyen #50200058, Member
Trinh T Tran #50331490, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and to remove ARS § 32-572 (A)(4), see motion above.

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10. 92790 Andy's Nails #SNT18902
Steven Nguyen, Owner
Oanh Nguyen #59700408, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
11. 92797/92798 Rio Nails and Spa #s SNT17794 & SAES18942
Rio Nails and Spa LLC, Owner
Tam Nguyen #51400112, Manager/Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and for Manager/Member Tam Nguyen to attend the Infection Protection/Law Review Class given by the Board, see motion above.
12. 92801 Habit Salon # SCOS23241
Habit Salon LLC, Owner
Richard Rasmussen, Manager/Member
Christine M Rasmussen #19501082, Manager/Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
13. 92812 Great Clips #SCOS8026
William Jackson, Owner
Briana Flores #10400828, Manager/Licensee
Alejandra Fernandez #10900695, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and \$69.00 restitution, see motion above.
14. 92815 Nail Bar & Lounge #SNT18980
Nail Bar & Lounge 1 LLC, Owner
Uyen Ha Bui #51405365, Manager/Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and \$32.00 restitution, see motion above.
15. 92816 Desert Nails & Spa Inc. by Liliana #SNT17818
Desert Nails & Spa Inc. by Liliana, Owner
Liliana Tran #50100316, President
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and to remove A.A.C. R4-10-112 (T)(3), see motion above.
16. 92817/92828 Nail by Andy #'s SNT17768 & SAES18589
Andy Doan Lu #50400410, Owner
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, 6-months' probation with early termination and for Owner Andy Doan Lu to attend the Infection Protection/Law Review Class given by Board, see motion above.
17. 92818 & 92819 Kimberly Storgaard #19501177
Studio KB Hair and Nail Salon #SCOS19120
Kimberly Storgaard #19501177, Owner
Informal interview without consent, see motion above.
18. 92837/92910 Starwood Nails & Spa #'s SNT18887 & SAES20432
Y Van Le #50000632, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and for Owner Y Van Le to attend the Infection Protection/Law Review Class given by the Board, see motion above.

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19. 92838/92911 Kelly D Nails – Spa #'s SNT17902 & SAES18799
Kiem Tram #50200031, Owner
Thuy Cam Tran #'s 59918862 & 30500773, Licensee
Offer a consent agreement to assess \$21.00 restitution and 6-months' probation with early termination, see motion above.
20. 92841/92842 Miyu Nails #'s SNT17881 & SAES18767
Hoc Bui #50400778, Owner
Issue a Letter of Concern for wet disinfectant not large enough for complete tool immersion, see motion above.
21. 92846 Yordana's Beauty Salon #SCOS6686
Aida Mendoza #19000743, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
22. 92847 Elaine A Costello #17719009, Owner
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
23. 92848 Dawn Simmons #10600680, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
24. 92851/92912 Starwood Nails & Spa #'s SNT18887 & SAES20432
Y Van Le #50000632, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
25. 92854 Anthem Nails & Spa #SNT18678
Anthem Nails & Spa LLC, Owner
Thuy Thi Nguyen #59700378, Manager/Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
26. 92855 Yoli's Sala de Belleza # SCOS12163
Yolanda Arredondo # 19200341, Owner
Veronica Rodriguez #19100938, Licensee
Informal interview without consent, see motion above.
27. 92856 Phoenix Nails & Spa # SAES16721
Ha Luong #50300115, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination and \$10.00 restitution, see motion above.
28. 92859 Twisted Manez Beauty and Barber #SCOS27517
Twisted Manez Beauty and Barber LLC, Owner
Maranda Hall, Manager/Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
29. 92861/92913 Above & Beyond Nails & Spa by HN #'s SNT15708 & SAES15721
Hong T Nguyen #50300267, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs to Owner Hong T Nguyen and 6-months' probation with early termination, see motion above.

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30. 92891 Desert Cuts Barbershop #SCOS27586
Desert Cuts Barbershop LLC, Owner
Efrain Valdez, Owner
Ana J Gomez #19500870, Licensee
Leticia G Ortiz #91000009, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination for licensees Ana J Gomez and Leticia G Ortiz to attend the Infection Protection/Law Review Class giving by the Board, see motion above.
31. 92893 San Martin Beauty Salon #SCOS9892
Ramona Estrada #19501453, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, add A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1) and for Owner Ramona Estrada to attend the Infection Protection/Law Review Class giving by the Board, see motion above.
32. 92894 Jorge's Barber Shop & Beauty #SCOS16959
Jorge Gomez, Owner
Jeanette Vasquez #10600721, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination for licensees Jeanette Vasquez to attend the Infection Protection/Law Review Class giving by the Board, see motion above.
33. 92895 Estetica Unisex La Fayette #SCOS5717
Maribel Magulod #19714836, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, Risk Based, 6-months' probation with early termination, see motion above.
34. 92896 Sweet Salon Hair Design #SCOS22779
Emas Investments LLC, Owner
Michael Sweet, Member
Everett Sweet, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.
35. 92899 Carmen's Estetica Unisex #SCOS2485
Carmen Ontiveros #19000065, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 6-months' probation with early termination, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

1. 92740/92741 Palace Nails & Spa by Paula #'s SNT17478 & SAES18150 **9:45 a.m.**
"Amy" Hue P Lam #'s 59600460 & 30300107, Owner
"Ben" Binh Lam #59600678, Manager
Continued from April's Board Meeting
Amy Lam was sworn in and stated that she is not there all the time and there is a lot of turn over. Amy Lam stated she has scheduled meetings to train her staff on what needs to be done and that she bought a large container for the wet disinfectant. Investigator Amber Bingham

testified that on January 31, 2018, she conducted an inspection and found the wet disinfectant not large enough for complete tool immersion, soiled tools, implements not enclosed, soiled dry storage and licensees did not have personal licenses posted or displayed at stations.

MOTION by Karla Clodfelter for case nos. 92740 & 92741 all alleged violations cited in the inspection summary have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.C.C. R4-10-112 (A)(4)(a)(B)(C)(D)(E)(E)(7) Infection Control/Safety Standards

A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1)/A.A.C. R4-10-111 (C) Required Personal License Display

A.R.S. § 32-572 (A)(6) Violation of Statute or Rule

HISTORY

92694 (SNT) & 92695 (SAES) – 2/16/18 - Consent Agreement/\$750. Civil Penalties & Costs - Health and Safety

Owner "Amy" Hue Lam, License No's 59600460 & 30300107

92762 Re: 92694 & 92695 – 2/16/18 – Consent Agreement to Attend Board Class/Completed 4/23/18

MOTION by Karla Clodfelter for case nos. 92740 & 92741 to impose the following discipline: to offer a Consent Agreement of \$250.00 civil penalty and Board costs and 6-month probation with early termination. The inspection findings are: on or about January 31, 2018, Board Investigator found a wet disinfectant not large enough for complete tool immersion, soiled tools, implements not enclosed, soiled dry storage and licensees not posting or displaying personal licenses at stations which are violations of statute A.R.S. § 32-541 (B)/A.C.C. R4-10-112 (A)(4)(a)(B)(C)(D)(E)(E)(7) and A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1)/A.A.C. R4-10-111 (C). MOTION SECONDED by Charlie Phan. MOTION CARRIED. Brandy Wells voted NAY.

B. With Negotiation Options

1. 92738 & Faith G Thompson #31500828, Co-Member/Manager **10:00 a.m.**
Continued from April's Board Meeting
92739 Amy Plain #31700307, Co-Member/Manager
Continued from April's Board Meeting

Faith Thompson and Amy Plain were sworn in and Amy Plain stated that she had called the office spoke with staff about applying for a salon application and was confused about the actuals of organization with the actual salon license. Amy Plain stated she came into the office and applied for the establishment license and was told by staff she could not work until she received the establishment license. Amy Plain stated there was miscommunication regarding their opening date. Amy Plain stated that she and Faith Thompson came into office and spoke with compliance staff regarding the salon application process and the recent inspection and the salon application was processed and the salon license was issued. Investigator Lisa Chavez testified that on January 30, 2018 she conducted an inspection and found licenses/co-members operating an unlicensed establishment. Investigator Lisa Chavez stated after further review it was found that on January 17, 2018, Board office received a salon application for P. S. Forever LLC. with licensees as Co-Members.

MOTION by Karla Clodfelter for case nos. 92738 & 92739 to issue a Letter of Concern to both licensees Faith Thompson and Amy Plain for operating an unlicensed establishment. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

2. 92548 Kathryn Pitrat #11200061, Owner **10:00 a.m.**
CONTINUANCE GRANTED

MOTION by Karla Clodfelter to combine with case no. 92352 under Step 3.

Hearings H. Review, Discussion and Possible Action Including on Consolidating Pending Cases. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

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3. 92579 Raegenea Marie Case #10401737 10:00 a.m.
No Show; to formal hearing
4. 92626/92908 & A Nail Spa #'s SNT16840 & SAES17234 10:00 a.m.
92885 Ha Thi Thu Ngo #50500939, Owner
No Show; to formal hearing
5. 92629 STV Nails & Spa #SNT18188 10:00 a.m.
STV Nails & Spa LLC, Owner
Duc Hong Thai, Manager/Member
NEGOTIATED \$750/6-MONTH PROBATION
6. 92670 & Yoli's Sala de Belleza #SCOS12163 10:00 a.m.
NEGOTIATED \$1,000.00
92889 Yolanda Arredondo #19200341, Owner
NEGOTIATED TO ATTEND BOARD CLASS
7. 92723 & VIP Nail Salon & Spa #SCOS25770 10:00 a.m.
NEGOTIATED \$250
92886 Thao Nguyen #'s 50900149 & 31000409, Owner
NEGOTIATED TO ATTEND BOARD CLASS
8. 92727 Anthem Nails & Spa #SNT18678 10:00 a.m.
Anthem Nails & Spa LLC, Owner
Thuy Thi Nguyen #59700378, Manager/Member
NEGOTIATED \$250/PAID
9. 92752 Studio K10 #SAES19973 10:00 a.m.
Studio K10 LLC, Owner
Kristen Clay #31600254, Manager/Member
Investigative Supervisor Irma Telles asked the Board if they would consider rescinding the previous motion of \$250.00 and issue a Letter of Concern. Investigative Supervisor Irma Telles stated that this is a home salon and the entrance to the salon was through the living quarters.
MOTION by Karla Clodfelter for case no. 92752 to rescind prior motion of \$250.00 and issue a Letter of Concern for salon entrance was through living quarters which is a violation. MOTION SECONDED by Thomas Rough. MOTION CARRIED.
10. 92795 & Delightful Nails & Spa #'s SNT18558 10:00 a.m.
Delightful Valley LLC, Owner
NEGOTIATED \$250/PAID
92887 Vu X Nguyen #50700816, Manager/Member
NEGOTIATED TO ATTEND BOARD CLASS – SCHEDULED 8.13.2018
11. 92804/92805 Herbal Nails & Spa #'s SNT18550 & SAES19825 10:00 a.m.
Herbal Nails & Spa 4 LLC, Owner
Jason Ly, Manager/Member
Thien Nguyen, Manager/Member
No Show; to formal hearing
12. 92810 Bibi's Beauty Lounge #SCOS23949 10:00 a.m.
Bianca Quinonez #11000086, Owner
NEGOTIATED \$150/PAID
13. 92825/92826 & Xlent Nails #'s SNT18917 & SAES20478 10:00 a.m.
NEGOTIATED \$500/PAID

92907

Chuong Vo #51300635, Owner

NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED 9.24.2018

STEP 3: HEARINGS

**ALL ITEMS BELOW INCLUDE BOARD AUTHORITY FOR DISCUSSION,
CONSIDERATION AND POSSIBLE ACTION:**

The Board may go into "Executive Sessions" for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items under Step 3 pursuant to A.R.S. § 38.431.03 (A)(3).

The Board may vote to go into "Executive Session" to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State of Federal Law on all agenda items under Step 3 pursuant to A.R.S. §38-431.03 (A)(2).

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

92354/92355

Gemma Watkins #50331135

9:30 a.m.

Assistant Attorney General, Mona Baskin, appeared representing the State. Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

MOTION by Karla Clodfelter to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Fact and the alleged violations in the Complaint and Notice of Hearing as Conclusions of Law. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

MOTION by Karla Clodfelter for case nos. 92354/92355 to issue an Order of discipline to revoke Gemma Watkins' personal license no. 50331135, impose all costs incurred by the agency for this case in an amount to be determined later by the agency. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

C. Office of Administrative Hearings Recommended Decisions for Review Pursuant to A.R.S. § 41-1092.08

None

D. Request for Rehearing or Review A.A.C. R4-10-115

None

E. Request for Reinstatement

None

The Board may go into "Executive Sessions" for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items under Step 3 pursuant to A.R.S. § 38.431.03 (A)(3).

F. Discussion, Consideration and Possible Action on Revision of Proposed Consent Agreement Terms and/or Letter of Concern Cases.

92799 & Drips Nails Bar #SNT18921
 Myanh LLC, Owner

92888 Van Anh Thi Nguyen #51500277, Manager/Member

Investigative Supervisor Irma Telles asked the Board if they would consider rescinding previous motion of \$1,750.00 and reducing to \$1,500.00 for three unlicensed individual per Board's parameters.

MOTION by Karla Clodfelter for case nos. 92799 & 92888 to rescind previous motion of \$1,750.00 and reducing to \$1,500.00 civil penalty and Board cost. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

G. Review, Discussion and Reconsideration of Denial of Application and Possible Action on Opening an Investigation Pursuant to A.R.S. § 32-573 (A).

None

H. Review, Discussion and Possible Action Including on Consolidating Pending Cases.

92352 Kathryn Pitrat #11200061, Owner

Combined with case no.92548 under Step 2. B. no. 2 of the agenda.

ADJOURNMENT

MOTION by Brandy Wells to adjourn the meeting at 10:47 a.m. MOTION SECONDED by Karla Clodfelter MOTION CARRIED.

In accordance with Title III of the Americans with Disabilities Act, the Cosmetology Board does not discriminate on the basis of disabilities in its programs, services or activities. Individuals who need reasonable accommodation to participate or who need information in an alternative format may contact Mimi Ahmetovic the ADA Coordinator at (480) 825-7002.