



1721 East Broadway • Tempe AZ 85282
Phone 480.784.4539 • Fax 480.784.4962
www.azboc.gov

BOARD MEETING MINUTES

January 15, 2010

TIME: 9:00 a.m.

PLACE: 1721 East Broadway, Tempe Arizona, 85282

ALL AGENDA ITEMS INCLUDE THE OPPORTUNITY FOR BOARD CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION

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

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Stephen Colarusso
Flo Finch
Thom Kasch
Gary Begley Absent
Karla Clodfelter
Kyra Locnikar
Sandra Hecksel

BOARD *, **, * AND ******

A. Board Minutes of December 11, 2009.

MOTION by Thom Kasch to accept minutes as written. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

B. Executive Session Minutes of December 11, 2009.

MOTION by Thom Kasch to accept the executive minutes as written. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

C. Declaration of Conflict of Interest.

None.

D. Consideration, Discussion and Possible Action on Cindy Vong and La Vie LLC, Plaintiffs vs. Arizona State Board of Cosmetology, Defendants, Maricopa County Superior Court Case No. CV2009--037208

The Assistant Attorney General, Bridget Harrington, informed the Board that a response had been filed by the Plaintiffs and now the Board will proceed to file a Reply to the Response to the Motion to Dismiss.

E. Discussion, Consideration and Possible Action on Pre-Revocation Notices.

The Executive Director, Donna Aune, informed the Board that the notices are being sent in a timely manner and are an important tool in the collection of fines.

F. Consideration, Discussion and Possible Action on Discipline Parameters.

The Board discussed discipline parameters such as imposing a twelve month probation for sanitation violations and also for no manager in charge and imposing an eighteen month probation for the violation of unlicensed persons. Another topic was issuing a Letter of Concern for practicing outside the scope of practice.

These issues are going to be tabled and discussed further at the next Board meeting.

G. Consideration, Discussion and Possible Action on Requirement of E-mail Addresses for Licensees

Assistant Attorney General, Bridget Harrington, informed the Board that requiring email addresses from licensees would require a rule change. This issue could be considered for future rule changes. However, the Board could ask licensees to voluntarily disclose their e-mail addresses on an application though this should not be considered the address of record for notifying licensees of legal actions.

H. Cosmetology Students on Field Trip.

- **Questions and answers regarding Board authority and process.**

EXECUTIVE DIRECTOR'S REPORT *, **, *AND ******

A. Report, Consideration and Possible Action on Laser Schools

- **A.R.S. § 32-516, Aestheticians; Cosmetic Laser and IPL Device use; Certification; Fees; Definitions**
- **A.R.S. § 32-3231 - § 32-3234, Cosmetic Laser and Injection Procedures**

The Executive Director, Donna Aune, informed the Board that a meeting with the Arizona Radiation Regulation Agency (ARRA) is scheduled on February 9, 2010 and businesses will be visited for investigative purposes.

B. Summary of Current Events.

STEP 1: COMPLAINT REVIEW * AND ***

A. Recommend Application Denials

79418 Thuy Thi Nguyen #50400968 *(Proof of Social Security number – application renewal)*

MOTION by Thom Kasch to accept staff recommendations and deny the license. MOTION SECONDED by Flora Finch. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Thom Kasch to accept staff recommendations for all Dismissals as listed below. MOTION SECONDED by Flora Finch. MOTION CARRIED.

78613	Ke’s Discount Nail Supply	<i>(No evidence to support allegations)</i>
78905	Belen Coronado	<i>(No evidence to support allegations)</i>
78893	Manisha Patel	<i>(Refer to proper authorities - Threading)</i>
78894	Archana / India Food & Gifts	<i>(Refer to proper authorities - Threading)</i>
79012	440 Hair Salon #C18152	<i>(Found salon in compliance)</i>
	Joel Kinslingury #10501764, Co-Owner/Manager	
	Gregory Yedding #10501805, Co-Owner/Manager	
79018	Smart Style #425 #C14756	<i>(Found salon in compliance)</i>
	Minnesota Regis Corp., Owner	
	Paul Finkelstein, President	
	Derek J Olson #19700731, Manager	
79358	Brow Art 23, Pseudo Unlicensed	<i>(Refer to proper authorities – Threading)</i>

C. Recommend Letter of Concern

MOTION by Flora Finch to accept staff recommendations for all Letters of Concern as listed below. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

78625	C & C Salon #C 16206	<i>(Refer to Barber Board)</i>
	Esmeralda Canidate, #10224858	
78853	Visible Changes #C13474	<i>(Advertising differently than salon name; delinquent personal license two out of 12 with soiled tools)</i>
	V.C. Hair and Nails 2 LLC., Owner	
	Mary Scandin #17921044, Member/Manger	
	Debi Keith #58700566, Member/Manager	
79279	Elysium Salon Spa #C17344	<i>(Delinquent personal license)</i>
	Elysium Salon Spa LLC	
	Renser Carter #19101138, Member/Manager	
79300	Belliza Latina Beauty Salon #C10202	<i>(Delinquent personal license)</i>
	Lilana Betancourt #19800358, Owner/Manager	

BOARD MEETING MINUTES**January 15, 2010**

79302	Candie's & Violeta's Beauty Salon #C18847 Mirella Cabrera #19812082, Owner/Manager	<i>(Unlicensed individual – Barber & advertising differently)</i>
79305	Great Clips @ Greentree Village #C15822 Quick Clips of AZ Inc Erica Padilla #10401992, Manager	<i>(Delinquent personal license & personal license display)</i>
79312	Beautiful Skin by Kim #A15858 Kimberly Rae Allen #30500620, Owner/Manager	<i>(Delinquent establishment license)</i>
79314	Bien Nails & Spas #M16117 Kim D. Duong #50501044, Owner/Manager	<i>(Delinquent establishment license)</i>
79315	Butterfly Studio Salon #C16145 Arjelia Perez #10332029, Owner/Manager	<i>(Delinquent establishment license)</i>
79370	Champagne Images #C12056 Champagne Nails Inc Barbara McKinnon #17011194, President/Manager	<i>(Delinquent establishment license)</i>
79371	Trinity Salon #C19012 Kelli Packwood #19100795, Owner/Manager	<i>(Delinquent personal license)</i>
79372	Cuttin' Up Hair Salon #C17448 Susan Thayer #16809540, Owner/Manager	<i>(Delinquent personal license; one licensee had soiled tools & soiled dry storage)</i>
79376	Family Nail #A15028 David Vo #59715565, Owner/Manager	<i>(Delinquent establishment license)</i>
79385/79386	Justin's Nails #A16506 & #M16284 Justin's Nails LLC Giang H. Ta #50700903, Member/Manager	<i>(Delinquent personal license; establishment & personal license display)</i>
79387	Studio 4 Nails #M15063 Maria Jaquez #59100429, Owner/Manager	<i>(Delinquent establishment license)</i>
79388	Charles Brennen Studio One #C5446 Charles Brennen #18023386, Owner/Manager	<i>(Delinquent establishment & personal license)</i>
79389	Head Count #C14420 Maren Hawkins-Pellant #10332085, Owner/Manager	<i>(Delinquent personal license)</i>
79390	Hair Art by Rita #C16117 Rita Simmons #18400684, Owner/Manager	<i>(Delinquent establishment license)</i>
79399	Great Clips #C3256 Tucson Clips LLC Jaimie Satterfield #10900103, Manager	<i>(Personal license display)</i>
79400	Moonlight Nails #M11728 Julie C. Dinh #59600430, Owner Ngoc Hong Thi Nguyen #59600229, Manager	<i>(Delinquent personal license)</i>
79409	Julie's Nails & Spa #M16116 Jimmy Ha #59900056, Owner	<i>(Personal license display)</i>
79410	Athena #C9293 Athena Ltd Lyndee Nester, Member	<i>(Personal license display)</i>
79411	Salon Sanctuary #C19540 Barbara Tabat, Owner Rebecca Dewitt #59921325, Manager	<i>(Delinquent personal license)</i>
79412	Basics Hair Design #C14362 Karen Robb #18501345, Owner/Manager	<i>(Delinquent establishment license)</i>

D. Recommend Informal Interview or Negotiation Terms

BOARD MEETING MINUTES

January 15, 2010

MOTION by Thom Kasch to accept staff recommendations for all negotiations and terms as listed below. MOTION SECONDED by Flora Finch. MOTION CARRIED.

1. 77593 Christina D Bishop #19300531
Offer a consent agreement to assess \$500 civil penalty and costs, and to pay \$75.00 restitution, see motion above.
2. 78392 National Laser Institute, *Pseudo Unlicensed*
Lewis Silberman, Owner
Continued.
3. 78415 Vonda L. Smith #19401426
Offer a consent agreement to assess \$500 civil penalty and costs, and to pay \$420.00 restitution, see motion above.
4. 78712 Vonda L. Smith #19401426
Dismiss, see motion above.
5. 78797 Charlie'sNailsM9665
Charlie D Vo #59600088, Owner/Manager
Offer a consent agreement to assess \$500 civil penalty and costs to the personal license of Charlie D Vo #59600088, see motion above.
6. 78798 Charlie'sNailsM15189
Charlie D Vo #59600088, Owner
Phuoc Dinh Vo #50401010, Manager
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
7. 78896 Salon Bruce Craig #C17986
Bruce Craig Rosenblatt #10400159, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, and for Bruce Craig Rosenblatt #10400159 to attend the infection protection class and the law review class given by the Board, see motion above.
8. 78901 Tammy Kowalski #30330781
Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.
9. 78906 Cosmos Salon #C18293
Sabrina Masih #10600873, Owner/Manager
Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.
10. 79038 Zajme` Salon #C18006
Karen Leigh Cass #10100631, Owner/Manager
Issue a Letter of Concern, see motion above.
11. 79039 Forever Beautiful Salon C3196
Muriel Tucker #17617273. Co-Owner/Manager
Sheila Washington #17617537, Co-Owner/Manager
"Bonnie" Ida M Bradley #19200037, Licensee

BOARD MEETING MINUTES

January 15, 2010

Offer a consent agreement to assess \$250 civil penalty and costs, to pay \$70.00 restitution, and for Ida M Bradley #19200037 to attend a bleach hair coloring class, see motion above.

12. 79040& 79271 Le's Professional Hair & Nails *Pseudo Unlicensed*
Le Hair Nails #M18806
Ty Thi Le #50900051, Owner
Linh Loi #50331301, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

13. 79221 Diana's Beauty Salon #C6020
Jorge Barraza, Co-Owner
Rafael Medina, Co-Owner

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

14. 79232/79233 Tran Nails #A13505 & #M11455
Oanh Hoang Thi Huynh #30330751 & 50000542, Owner/Manager

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

15. 79246 Shelley's Beauty Zone & Day Spa #C19121
Shelley Cooper #50200085, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

16. 79247 Hope's Hair Hut #C13178
Hope Lance #19800258, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

17. 79248 Roll N Style #C17349
Amy Dunham #19400431, Owner/Manger

Offer a consent agreement to assess \$250 civil penalty and costs, and for Amy Dunham #19400431 to attend the infection protection class and the law review class given by the Board, see motion above.

18. 79249 Cost Cutters #62038 #C14389
Minnesota Regis Corp
Paul Finkelstein, President
Donelle Gagnon #10600361, Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

19. 79250 Ramona Hoey #59900291, Licensee

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

20. 79251 Active Style Hair & Nail Design #C10512
Lydia Smith #18400188, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

21. 79252 Vickie Sanders Image Makers #C11513
V.S. Design Inc
Vicky Sanders, President
Gina Wyatt #18400887, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

- 22. 79274 Beauty Brands #C16088
Beauty Brands Inc
Zonia Alcocer #19401315, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Zonia Alcocer #19401315 to attend the infection protection class and the law review class given by the Board, see motion above.

- 23. 79275/79276 Unix Nails #A16373 - #M16187
Anh Nguyen #10901295, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Anh Nguyen #10901295 to attend the infection protection class and the law review class given by the Board, see motion above.

- 24. 79277 Smart Style #404 #C10944
Minnesota Regis Corp
Paul Finkelstein, President
Lilia Facio #10327161, Manager

Offer a consent agreement to assess \$1,000 civil penalty and costs, and for Lilia Facio #10327161 to attend the infection protection class and the law review class given by the Board, see motion above.

- 25. 79281 Miracles Salon Day Spa #C18673
Miracles Salon/Day Spa LLC
Maria Ybarra #10401355, Member/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

- 26. 79283 Dolce Salon & Spa #C12122
Dolce Salon & Spa LLC
Brandi Nuttall #19916150, Member
Jamie Kite #30500082, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Jamie Kite #30500082 to attend the infection protection class and the law review class given by the Board, see motion above.

- 27. 79285 Amanda Comstock #30700344, Licensee

Offer a consent agreement to assess \$50 civil penalty and costs, see motion above.

- 28. 79286 Toni & Guy Hairdressing #C2137
Phoenix Salon Associates LP
Gerry Watkins #18225407, President
Sabio Vilorio #17820453, Vice President
Leticia Sotelo #10502170, Manager

Offer a consent agreement to assess \$1,500 civil penalty and costs, and for Leticia Sotelo #10502170 to attend the infection protection class and the law review class given by the Board, see motion above.

- 29. 79287 Trade Secret #7802 #C11575
Trade Secret Inc
Courtney Brown #10800702, Manager

Offer a consent agreement to salon to assess \$500 civil penalty and costs; and offer a consent agreement to Courtney Brown #10800702 to assess \$250 civil penalty and costs, see motion above.

- 30. 79288 Regis Salon #441 #C12735
Minnesota Regis Corp
Paul Finkelstein, President

BOARD MEETING MINUTES

January 15, 2010

Offer a consent agreement to assess \$500 civil penalty and costs, see motion above.

31. 79296 Daily Nails #M12223
Vainy N. Phan #50000071, Owner/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Vainy N. Phan #50000071 to attend the infection protection class and the law review class given by the Board, see motion above.

32. 79297/79299 D & K Nails #A16345 & #M16158
Anhmy Thi Luu #30900660 & #50400256, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and for Anhmy Thi Luu #30900660 & #50400256 to attend the infection protection class and the law review class given by the Board, see motion above.

33. 79301 Master Cuts 439 #C14149
Regis Corp
Paul Finkelstein, President
Sarah Rubalcava #10400372, Manager

Offer a consent agreement to assess \$750 civil penalty and costs, and for Sarah Rubalcava #10400372 to attend the infection protection class and the law review class given by the Board, see motion above.

34. 79303 Carrie's Day Salon #C13991
Carrie Beaver #17617467, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

35. 79304 Red 115 Salon #C15881
Red Red Inc
Jennessa St. James #19100379, President/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

36. 79306 Regis Salon 457 #C12384
Minnesota Regis Corp
Paul Finkelstein, President
Amber Eyler #10500583, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Amber Eyler #10500583 to attend the infection protection class and the law review class given by the Board, see motion above.

37. 79307 Cutie Nails #M16378
Jon Nguyen #50331436, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, see motion above.

38. 79308 Ciao Bella Salon #C17931
Ciao Bella Salon LLC
Desirae Gutierrez #30400141, Member/Manager
Risha Campbell #10225036, Member/Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Desirae Gutierrez #30400141 and Risha Campbell #10225036 to attend the infection protection class and the law review class given by the Board, see motion above.

39. 79311 Linda Molly Argumedo #17010941, Licensee

Offer a consent agreement to assess \$1,000 civil penalty and costs, see motion above.

40. 79313 Universal Beauty Salon #C19175
Jose Mata, Co-Owner
Sabino Rivera, Co-Owner
Patricia Mata #10500574, Manager

Issue a Letter of Concern, see motion above.

41. 79316/79317 Pro Nail by CK and TJ #A16360 & #M16173
Thuan Nguyen #50401085, Owner/Manager

Offer a consent agreement to assess \$750 civil penalty and costs, see motion above.

42. 79318 & Dung T. Nguyen #50200631, Licensee
79319 & Nha T. Nguyen #30200100 & #50100372, Licensee
79320 Diem Thi Phan #30900257 & #50900128, Licensee

Offer a consent agreement to assess each licensee listed above \$50 civil penalty and costs, see motion above.

43. 79321 & Tomasz A. Wnek #10801482, Licensee
79322 Antoni Wnek #10900035, Licensee

Offer a consent agreement to Tomasz A. Wnek #10801482 to assess \$500 civil penalty and costs, and to attend the infection protection class and the law review class given by the Board; and offer a consent agreement to Antoni Wnek #10900035 to assess \$50 civil penalty and costs, see motion above. see motion above.

44. 79323 Reecy Salon Central #C17015
Reecy Johnson #19200740, Co-Owner/Manager
Thomas Johnson #18701496, Co-Owner/Manager

Issue a Letter of Concern, see motion above.

45. 79326 League Barbershop & Salon #C19149
Work Hard Play LLC
Kevin Gardner, Member
Hector Rodriquez #10401223, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and for Hector Rodriquez #10401223 to attend the infection protection class and the law review class given by the Board, see motion above.

46. 79327 Magic Hair Salon #C18700
Rosa Perez #10300139, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and for Rosa Perez #10300139 to attend the infection protection class and the law review class given by the Board, see motion above.

47. 79328 Salon & Spa Visage #C16579
Nadia Montova, Co-Owner
Baldramina Renteria, Co-Owner
Vanessa Herrera #10901718, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, and to refer to proper authorities, see motion above.

48. 79329 Salon Blissfull & Royal Poochie #C18598
Ava Fitzloff #19918984, Co-Owner/Manager
Ryan Fitzloff, Co-Owner

BOARD MEETING MINUTES

January 15, 2010

Offer a consent agreement to assess \$250 civil penalty and costs, and for Ava Fitzloff #19918984 to attend the law review class given by the Board, see motion above.

49. 79330 & Yuri Valdez #10901889, Licensee
79331 Neyra Armenta #10801157, Licensee

Offer a consent agreement to assess each license \$50 civil penalty and costs, see motion above.

50. 78708 Prescott Gateway Mall-Threading, (*pseudo unlicensed*)
Send letter written by the Attorney General's office regarding threading practices.

51. 79362 & Amy McDonald #10601894, Licensee
79363 & Dalilah Saenz #10501740, Licensee
79364 & Krisanna Conrad #10700505, Licensee
79365 & Stephanie Romero #30800872, Licensee
79366 & Erica Baumgardner #50400205, Licensee
79367 & Sobeyda Hernandez #50228465, Licensee
79338 & Suzanne Johnsen #10200513, Licensee
79369 Carrie Allen #10500530, Licensee

Offer a consent agreement to assess each licensee \$50 civil penalty and costs, see motion above.

52. 79373 Cindy's Nails & Spa #M15268
Phuong Thi Nguyen #50100641, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and salon will be reinspected within 60 days, see motion above.

53. 79374 Top Notch Hairware #C18809
Top Notch Hairware Inc
Geraldine Davis #16124702, President/Manager

Offer a consent agreement to salon to assess \$250 civil penalty and costs; add Audrey Inda #58500040 and offer a consent agreement to assess \$250 civil penalty and costs; add Leon Crandall #19700460 and offer a consent agreement to assess \$500 civil penalty and costs and to attend the law review class given by the Board; see motion above.

54. 79377 Salon Sahara #C14723
Cheryl Hovland #18123591, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and for Cheryl Hovland #18123591 to attend the infection protection class and the law review class given by the Board; add Cheryl Burton #59600393 and offer a consent agreement to attend the infection protection class and the law review class given by the Board see motion above.

55. 79379 Utah Nails #M16028
Utah Nails LLC
Tuy V. Nguyen #59900065, Member/Manager

Offer a consent agreement to assess \$750 civil penalty and costs, and for Tuy V. Nguyen #59900065 to attend the infection protection class and the law review class given by the Board, see motion above.

56. 79381 Sonya's Hair Studio #C19513
Sonya O'Connor #19900292, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and for Sonya O'Connor #19900292 to attend the infection protection class and the law review class given by the Board, see motion above.

57. 79391/79392 Estrella Nails & Spa by Khanh #A16115 & #M15992

Khanh H. Nguyen #30800731 & #50800001, Owner/Manager

Offer a consent agreement to assess \$250 civil penalty and costs, and for Khanh H. Nguyen #30800731 & #50800001 to attend the infection protection class and the law review class given by the Board, see motion above.

58. 79393 TJ Elegant Nails #M15994

TJ Elegant Nails LLC

Lien Thi Pham #30700455 & #50700528, Member

Thuy Tien To Bui, Member

Hai T. Nguyen #50601144, Manager

Offer a consent agreement to assess \$500 civil penalty and costs, sand for Lien Thi Pham #30700455 & #50700528, Thuy Tien To Bui, and Hai T. Nguyen #50601144 to attend the infection protection class and the law review class given by the Board, see motion above.

59. 79394/79395 Don’s Nail Spa #A16051 & #M15936

Andy Nail & Spa LLC

Hang Thach #30700588 & #50701019

Nhan Thach, Member

Tommy Thach #50800551, Manager

Offer a consent agreement to Don’s Nail Spa #A16051 to assess \$250 civil penalty and costs; offer a consent agreement to Don’s Nail Spa #M15936 to assess \$250 civil penalty and costs, and for Hang Thach #30700588 & #50701019, Nhan Thach, and Tommy Thach #50800551 to attend the infection protection class and the law review class given by the Board, see motion above.

60. 79396 Amaxx Hair Salon #C18357

Laura Manzano, Owner

Offer a consent agreement to assess \$500 civil penalty and costs, and for Laura Manzano to attend the infection protection class given by the Board, see motion above.

STEP 2: INFORMAL INTERVIEWS * AND ***

A. Without Negotiation Options

1. 78834 European Nails & Spa A15787 **10:15 a.m.**

Tammy Dan Tran, Owner/Manager 30500512 & 50100125

Continued from December’s Board Meeting

Tammy Dan Tran appeared and spoke to the issue.

MOTION by Stephen Colarusso to offer a consent agreement for voluntary revocation of all licenses listed OR to a formal hearing; and for all proper authorities to be notified. MOTION SECONDED by Flora Finch. MOTION CARRIED.

MOTION by Stephen Colarusso to amend the motion to include restitution of \$850.00. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

2. 78689 Prestige Nails & Spa #2512 M16019 **10:15 a.m.**

Tho Nguyen #59917579, Owner/Manager/Licensee

Continued from December’s Board Meeting

BOARD MEETING MINUTES

January 15, 2010

MOTION by Stephen Colarusso to enter into executive session for the purpose of obtaining legal advice.
MOTION SECONDED by Flora Finch. MOTION CARRIED.

Meeting reconvened.

Tho Nguyen, attorney Brad Johnston, and interpreter John Fernandez, appeared and spoke to the issue.

MOTION by Stephen Colarusso to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs, to attend the infection protection class and the law review class given by the Board as terms of a six month probation and the violations are sanitation only. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

3. 79162 3 Way Stylist #C13804 **10:15 a.m.**

3 Way Stylist LLC

Elizabeth Escobedo #19600972, Member/Manager

Elizabeth Escobedo appeared and spoke to the issue.

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$250 civil penalty and costs as terms of a six month probation and to renew the license immediately. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

4. 79212 Beauty Planet Salon #C15777 **10:15 a.m.**

Carmen Mendoza #19501325, Owner/Manager

CONTINUED

5. 78946 Empire Beauty School #106 **10:15 a.m.**

EEG Inc., Owner

Franklin Schoenman

Paul Finkelstein

Anthony Baran

Mark Vannata, Executive Director

RaChelle Minter #90013920, Academic Director

CONTINUED

B. With Negotiation Options

1. 78564 Tammy Nails Salon Pro Nails #M16347 **11:00 a.m.**

Mao Dam, Owner

Continued from December's Board Meeting

NEGOTIATED \$1,000/6-Months Probation/1st Payment submitted

2. 78697/79164 Nails Rap #'s A14713 & M14779 **11:00 a.m.**

Nails Rap Shannon LLC, Owner

Duc Xuan Vu #50200626 Owner/Manager

Thanh Van Le 30330661, Licensee

Continued from December's Board Meeting

NEGOTIATED \$750

3. 78701 D'Gala Nancy's Hair Studio C19124 **11:00 a.m.**

Nancy Hernandez #19600661 Owner/Manager

Luz A Burrueal #10401667, Licensee

Maria Gemma Vazquez #10400536, Licensee

Fernando Hernandez Millan, License No. 10000021 (Revoked as of 1.23.03)

Nancy Hernandez and Luz A Burrueal appeared and spoke to the issue.

BOARD MEETING MINUTES

January 15, 2010

MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$2,000 civil penalty and costs to be paid in six months, for Nancy Hernandez #19600661 and Luz A Burruel #10401667 to attend the infection protection class and the law review class given by the Board within six months, as terms of an eighteen month probation OR voluntary surrender of all licenses and refer to the proper authorities. MOTION DIES FOR LACK OF SECOND.

MOTION by Thom Kasch for voluntary revocation of all licenses OR to a formal hearing and to notify proper authorities. MOTION SECONDED by Kyra Locnikar. Karla Clodfelter, Stephen Colarusso, and Sandra Hecksel VOTED NAY. MOTION DIED due to split decision.

MOTION by Thom Kasch Kasch for voluntary revocation of all licenses OR to a formal hearing and to notify proper authorities but to exclude Maria Gemma Vazquez #10400536. MOTION SECONDED by Kyra Locnikar. MOTION CARRIED. Karla Clodfelter VOTED NAY.

4.	78787	Toni & Guy Hairdressing Academy S79 RAS Management Inc., Owner Michael Smith, President Sheri Rogers #99000011, Director Continued from December’s Board Meeting NEGOTIATED \$1,000	11:00 a.m.
----	-------	---	-------------------

5.	79000 & 79207	Toni & Guy #C17580 San Tan Associates Gerry Watkins #18225407, President NEGOTIATED \$1,000 Lethan Olvera #19919234, Partner Continued from December’s Board Meeting NEGOTIATED TO ATTEND LAW/IP CLASSES	11:00 a.m.
----	----------------------	--	-------------------

6.	79001	My Nails Spa of Gilbert #M15785 Thong T. Pho #50501529, Owner/Manager Continued from December’s Board Meeting NOTICE RETURNED – UNABLE TO FORWARD	11:00 a.m.
----	-------	---	-------------------

7.	79005	Shalina Madrigal #19601362, Licensee Continued from December’s Board Meeting Shalina Madrigal and her husband Darin Madrigal appeared and spoke to the issue.	11:00 a.m.
----	-------	---	-------------------

MOTION by Stephen Colarusso to maintain the previous terms offered which was to offer a consent agreement in lieu of a formal hearing to assess \$1,000 civil penalty and costs as terms of a six month probation. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

8.	79010	Jevons Chung Yu #50400835, Licensee Continued from December’s Board Meeting NEGOTIATED \$750/6-Months Probation/1st payment of \$150 submitted	11:00 a.m.
----	-------	--	-------------------

9.	79064 & 79065 &	Sylvia White #17515703, Licensee Continued from December’s Board Meeting Patricia Larson #17921811, Licensee Continued from December’s Board Meeting NEGOTIATED \$50	11:00 a.m.
----	------------------------	---	-------------------

BOARD MEETING MINUTES

January 15, 2010

79066 Tracye Alcaraz #17920867, Licensee
Continued from December's Board Meeting
NEGOTIATED \$50/PAID

10. 79069 French Nails #M15842 **11:00 a.m.**
Nhan Van, Owner
Continued from December's Board Meeting
NEGOTIATED \$2,000

11. 79071 Nail Show #M9522 **11:00 a.m.**
Oanh Nguyen #59700408, Co-Owner/Manager
Thuan Bui #59900320, Co-Owner
Continued from December's Board Meeting
NEGOTIATED \$1,000

12. 78012 & Deena Mali, File No 9050573 **11:00 a.m.**
79259 Deena Mali #50900174

Deena Mali appeared and spoke to the issue.

MOTION by Stephen Colarusso to maintain the previously offered terms which is to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs as terms of twelve month probation. MOTION SECONDED by Flora Finch. MOTION CARRIED.

13. 78506 Hai Van Tran #50600922, Owner/Manager **11:00 a.m.**
Hai Van Tran appeared and spoke to the issue.

MOTION by Karla Clodfelter to maintain the previously offered consent agreement which is to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs for the only violation of ARS 32-574(A)(1). MOTION SECONDED by Flora Finch. MOTION CARRIED.

14. 78557 Best Nails & Spa of Yuma AZ #M16377 **11:00 a.m.**
Conrad Slay, Co-Owner
Karen Le #50401519, Co-Owner
NEGOTIATED \$500

15. 78713 & Nails Mall #M14857 **11:00 a.m.**
79349 Nga Thi Nguyen #19501342, Owner/Manager
**NEGOTIATED \$500/with terms to be completed within 6-months of
18-month probationary period**

16. 78714 Life Care Center of Sierra Vista #C3371 **11:00 a.m.**
Life Care Center of Sierra Vista, Owner
NEGOTIATED \$1,000/PAID

17. 78792 Michelle Greene #10122971 **11:00 a.m.**
Michelle Greene appeared and spoke to the issue.

MOTION by Stephen Colarusso to maintain the previously offered terms which is to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs, to attend the infection protection class and the law review class given by the Board, as terms of a twelve month probation and to allow twelve months to pay the fine. MOTION SECONDED by Flora Finch. MOTION CARRIED.

18. 78795/78796 Global Nail Spa #'s M157738 & A15857 **11:00 a.m.**

BOARD MEETING MINUTES

January 15, 2010

Tommy V Nguyen #'s 50401503 & 30500360, Owner/Manager
Thao T Nguyen #50400426, Licensee
NEGOTIATED \$500

19. 78890 & 79260 Visage #C15143 **11:00 a.m.**
Visage European Fusion Day Spa #C19294
Wilma Mrosek #18500118, Owner/Manager
NEGOTIATED \$1,000/terms to be completed within the first 6-months of 18-month probationary period

20. 78941 Michelle Greene #10122971 **11:00 a.m.**
Michelle Greene appeared and spoke to the issue.
MOTION by Thom Kasch to issue a Letter of Concern stating that there is a concern that licensee has adequate knowledge of hair coloring; and strongly suggested that licensee attend continuing education with color. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

21. 78942/78943 Luz Jamie #90600042 & 10500314 **11:00 a.m.**
NEGOTIATED \$500/PAID

22. 78944 Christine M Bauman #10801378 **11:00 a.m.**
Christine M Bauman appeared and spoke to the issue.
MOTION by Karla Clodfelter to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs for an unlicensed establishment and to pay restitution of \$1,400.00. MOTION DIES FOR LACK OF SECOND.

MOTION by Thom Kasch to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs and to pay \$600.00 restitution as terms of a six month probation, and to remove the violation of malpractice/incompetency. MOTION SECONDED by Flora Finch. MOTION CARRIED.

23. 79072 & 79350 Pro Ten Nails #M15072 **11:00 a.m.**
Quang Tran #50000568, Owner/Manager
CONTINUED

24. 79140/79141 & City Nails by Tony #A15237 & #M15251 **11:00 a.m.**
79351 Tri Minh Tran #50331566, Owner/Manager
ATTEND IP/LAW CLASSES WITHIN 6-MTHS PROBATION OF 18-MONTH PROBATION

25. 79142 & 79352 Summer Day Spa #C19146 **11:00 a.m.**
NEGOTIATED \$750
Theresa Pham #30600282 & 50500869, Owner/Manager
ATTEND IP/LAW CLASSES WITHIN 6-MTHS PROBATION OF 18-MONTH PROBATION

26. 79143 Just Hair #C19213 **11:00 a.m.**
Raphus Bickham #10800966, Owner/Manager
Raphus Bickham appeared and spoke to the issue.
MOTION by Kyra Locnikar to issue a Letter of Concern. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

BOARD MEETING MINUTES

January 15, 2010

27. 79146 In His Image Beauty Salon #C17500
Tina Burt #10600897, Owner/Manager
NEGOTIATED \$500 **11:00 a.m.**
28. 79147 TNT's Hair, Nails & S'More #C18482
Tammy Morris #19600917, Owner/Manager
NEGOTIATED \$500 **11:00 a.m.**
29. 79152 Marianne Ocampo #10901088, Licensee
NEGOTIATED \$500/ATTEND IP/LAW CLASSES WITHIN 6-MTHS **11:00 a.m.**
PROBATION OF 18-MONTH PROBATIONARY PERIOD
30. 79153 Cool Cuts #C18086
Cool Cuts LLC
Hyangsuk Kwon Osborne, Member
Steve Osborne, Member
NEGOTIATED \$250/PAID **11:00 a.m.**
31. 79154 BJ's Beauty Salon #C156
Bonnie Johnson #17415664, Owner/Manager
Suzanne Baldwin #19700422, Licensee
11:00 a.m.
- MOTION by Stephen Colarusso to accept staff recommendations and rescind the previous motion and to instead issue a Letter of Concern to the salon; offer a consent agreement to Suzanne Baldwin #19700422 to assess \$250 civil penalty and costs, and offer a consent agreement to Bonnie Johnson #17415664 to attend the law review class given by the Board MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.
32. 79155 Hair 'Tiz #C16799
Hair 'Tiz LLC
Arlene Nicoll #19300371, Member
NEGOTIATED \$250/PAID **11:00 a.m.**
33. 79156/79157 & Fresh Start by Joan #A15052 & #M15080
79353 B Joan C. Orecchio #50100533, Owner/Manager
NEGOTIATED **11:00 a.m.**
34. 79158 & Pro Nails by Tina #C18787
NEGOTIATED \$250 **11:00 a.m.**
79354 Chloe Thai #10900438, Owner/Manager
ATTEND IP/LAW CLASSES WITHIN 6-MTHS PROBATION OF 18-
MONTH PROBATIONARY PERIOD
35. 79159 & Nghia P. Phan #50800688, Licensee
NEGOTIATED \$250/ TTEND IP/LAW CLASSES WITHIN 6-MTHS **11:00 a.m.**
PROBATION OF 18-MONTH PROBATIONARY PERIOD
79160 Son T. Duong #50600657 & 30600567, Licensee
NEGOTIATED \$250/ TTEND IP/LAW CLASSES WITHIN 6-MTHS
PROBATION OF 18-MONTH PROBATIONARY PERIOD
36. 79161 & Q Nails #M15959
NEGOTIATED \$250 **11:00 a.m.**

79355 Loc Ly #50700210, Owner/Manager

ATTEND IP/LAW CLASSES WITHIN 6-MTHS PROBATION OF 18-MONTH PROBATIONARY PERIOD

37. 79163 Smartstyle #1157 #C15376 **11:00 a.m.**
Minnesota Regis Corp
Paul Finkelstein, President
NEGOTIATED \$750/CURRENT MANAGER(S) TO ATTEND CLASSES
38. 79174 Alicia Winkley #30400248 **11:00 a.m.**
Alicia Winkley appeared and spoke to the issue.
MOTION by Karla Clodfelter to maintain the previously offered terms which is to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs with twelve months for payment of fines. MOTION SECONDED by Flora Finch. MOTION CARRIED.
39. 79185 Frida's Hair Salon #C79185 **11:00 a.m.**
Dora Ponce, Owner
NEGOTIATED
MOTION by Thom Kasch to accept staff recommendations and remove the class. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.
40. 79186 Margaret Dean #16405912, Licensee **11:00 a.m.**
NO SHOW; TO FORMAL HEARING
41. 79187 Kelly's Mani's & Pedi's #M15039 **11:00 a.m.**
Davis Salon LLC
Kelly Thuy Davis #50400140, Member/Manager
NEGOTIATED \$250/PAID
42. 79188 Michaels Hair Crafters #C18138 **11:00 a.m.**
Michael Chamberlin #18326910, Owner/Manager
NEGOTIATED \$250
43. 79192 Sports Buzz Haircuts #C14036 **11:00 a.m.**
Buzz Cuts LLC
NEGOTIATED \$500
44. 79195 Smart Style #424 #C13699 **11:00 a.m.**
Minnesota Regis Corp
Paul Finkelstein, President
NEGOTIATED \$250
45. 79198 V-K Elle Nails #M16419 **11:00 a.m.**
Duy-V-K Elle Nails Inc
Duy Quoc Tong #50100431, President
NEGOTIATED \$250
46. 79199 & 79356 Jacquelin's O D Beauty Salon #C12006 **11:00 a.m.**
Maria L. Dominguez #19400006, Owner/Manager
NEGOTIATED \$750/6-Months Probation/signed up for 3.22.10 classes

BOARD MEETING MINUTES

January 15, 2010

47. 79200 & Lakisha Thomas #19917711, Licensee **11:00 a.m.**
NEGOTIATED \$250/attend IP/LAW Classes to reactive personal license
within the first 3-months of 18-month probationary period
79201 & Melissa Coleman #10701666, Licensee
79202 Anastasia Smith #19917196, Licensee

48. 79213 VO Nails #C18730 **11:00 a.m.**
Phuong Thi Vo #30600837 & #50400907, Owner/Manager
NO SHOW; TO FORMAL HEARING

49. 79214/79215 Seduction Nail & Spa #A16650 & #M16390 **11:00 a.m.**
Shirley Tuyet Vo #50800260, Owner/Manager
Shirley Tuyet Vo appeared and spoke to the issue.

MOTION by Stephen Colarusso to maintain the previously offered terms which is to offer a consent agreement to assess \$500 civil penalty and costs, and to add to attend the infection protection class and the law review class given by the Board within the first six months of an eighteen month probation and to allow eighteen months to pay the fine. MOTION SECONDED by Flora Finch. MOTION CARRIED.

50. 79216 Janeth Estetica Y Barberia #C19570 **11:00 a.m.**
Jose Patino, Owner

Jose Patino appeared and spoke to the issue.

MOTION by Stephen Colarusso to offer a consent agreement in lieu of a formal hearing to assess \$500 civil penalty and costs, to attend the infection protection class and the law review class given by the Board as terms of a twelve month probation and to allow twelve months to pay the fines. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

51. 79219 Grisel Castorena #10902036, Licensee **11:00 a.m.**
NEGOTIATED \$500

52. 79222 Le' Meridien Beauty Studio & Barber #C17237 **11:00 a.m.**
Patricia Beltran, Owner
NEGOTIATED \$1,500/6-Months Probation/signed up for 2.22.10 classes

53. 79223 Gaby's Hair Salon #C14454 **11:00 a.m.**
Luz Gabriela Montoya #19200430, Owner/Manager
NEGOTIATED \$250

54. 79224 Kaboom Beauty & Barber Salon #C14593 **11:00 a.m.**
Luz Laureano #10400440, Owner/Manager
NEGOTIATED \$250

55. 79231 Estetica La Fayette Number Two #C17331 **11:00 a.m.**
Roxana Quintero #19500982, Owner/Manager
NEGOTIATED

56. 79236/79237 Ledo Nails #A16374 & #M16188 **11:00 a.m.**
Suc Le, Owner
NEGOTIATED \$250

57. 79239 Phuoc Huy Dinh Tran #50700682, Licensee
CONTINUED

11:00 a.m.

STEP 3: HEARINGS * AND ***

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

73428 Fancy Hair & Nail #C16588 10:00 a.m.
Do Tu Nguyen, Owner/Manager #90400087

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, 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 Flora Finch. MOTION CARRIED.

MOTION by Karla Clodfelter to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Flora Finch. MOTION CARRIED.

MOTION by Karla Clodfelter to issue an Order of discipline to revoke both licenses, to pay \$250 civil penalties and costs for the violation, and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Flora Finch. MOTION CARRIED.

74618, 74730, A+ Beauty School #90 10:00 a.m.
74822, 74823, Do Tu Nguyen, Owner, #90400087
74824, 74825,
74826, 74827 &
74730

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, 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 Thom Kasch . MOTION CARRIED.

MOTION by Karla Clodfelter to adopt as Findings of Fact paragraph III in the Complaint and as Conclusions of Law paragraph IV in the Complaint. MOTION SECONDED by Thom Kasch . MOTION CARRIED.

MOTION by Karla Clodfelter to issue an Order of discipline to revoke the licenses, and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Thom Kasch. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

F. Discussion, Consideration and Possible Action on Proposed Consent Agreement Terms.

None

STATUS AND ADDITIONS TO TENTATIVE AGENDA * AND ***

- 75067 & James Lee Mai #50500220
- 75068 & Kelly Chan Lee #10500332
- 75069 Tuan Quoc Vo #50501111

MOTION by Karla Clodfelter to accept staff recommendations and to dismiss. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

- 76818 Esthetically Pleasin' #A161189
- Sherry D Weddle #39920461, Owner/Manager

MOTION by Thom Kasch to accept staff recommendations and to rescind the previous motion and to instead dismiss. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

For Board Information Only:

ADJOURN

MOTION by Thom Kasch to adjourn the meeting. MOTION SECONDED by Stephen Colarusso. MOTION CARRIED.

In accordance with Title II 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 the ADA Coordinator at (480) 784-4539.

- * **LEGAL ADVICE WHERE APPLICABLE – A.R.S. § 38-431-03 (A) (3)**
- ** **PERSONNEL MATTERS – A.R.S. § 38-431.03 (A) (1)**
- *** **CONFIDENTIAL MATTERS – A.R.S. § 38-431.03 (A) (2)**
- **** **PENDING LITIGATION – A.R.S. § 38-431.03 (A) (4)**