



Arizona State
Board of Cosmetology

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ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES
January 20, 2017 at 9:00 am
1721 East Broadway
Tempe, Arizona 85282-1611

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

The Board may go into “Executive Session” for the purpose of obtaining legal advice from the Board’s attorney on any of the agenda items pursuant to 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

Gary Begley
Karla Clodfelter
Jessica M Stall-Rainbow
Melissa C Porter
Charlie C Phan
Thomas Rough

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of December 9, 2016.

MOTION by Karla Clodfelter to approve minutes as written. MOTION
SECONDED by Melissa Porter. MOTION CARRIED.

2. Declaration of Conflict of Interest.

None.

3. Discussion, Consideration and Possible Action on Proposed Legislation – Senate Bill 1130:

- Hairstyling License
- Instructor License A.R.S. §32-531
- Required Inspection of Proposed Salon A.R.S. §32-542
- Application Time Frames A.R.S. §32-551 (B)

Karla Clodfelter stated she and Executive Director Donna Aune handed out new books that staff put together and received positive responses. Twelve Representatives signed the Bill, eight in the House and four in the Senate.

Any Additional Pending 2017 Legislation Relating to The Arizona State Board of Cosmetology

4. Discussion, Consideration & Possible Action on Proposed Legislation on Administering the Licensing Exam in Locations other than Phoenix

Executive Director Donna Aune stated she met with Gretchen Jacobs, representing JTED and Representative Clodfelter and discussed holding examinations in other locations, also students doing charity work outside of school.

5. Discussion, Consideration and Possible Action on Conducting Board Meetings in Alternate Locations

- A.R.S. §32-503(B)

Executive Director Donna Aune stated that they did look into the possibility of a video feed and the cost.

Board Members discussed and tabled Conducting Board Meetings in Alternate Locations at this time.

6. Discussion, consideration & Possible Action on Pursuing Statutory and Rule Changes to Allow Students to Receive Credit for Hours Spent on Charitable Cosmetology Events

- A.R.S. §32-557(A)
- A.R.S. §32-506(4)
- A.A.C. R4-10-306(F)(H)

Executive Director Donna Aune stated she met with Gretchen Jacobs, representing JTED and Representative Clodfelter and discussed holding examinations in other locations, also students doing charity work outside of school.

7. Discussion, Consideration and Possible Action on Revising Disciplinary Parameters.

Board Members discussed and considered on revising disciplinary parameters.

MOTION by Karla Clodfelter to accept the Disciplinary Parameters which included recommendations of civil penalty and costs as presented. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

8. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

No students were in attendance, representatives from Aveda Institute, Empire Beauty School, Gateway Community College and Penrose Academy attended.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.

- Financial
- Personnel, Board Membership and Appointments
- Licensing
- Information Technology

2. Report and Discussion on meeting with Policy Advisor Mara Mellstrom with Regulatory Affairs held on January 10, 2017.

Executive Director Donna Aune stated that she and Kim Scoplitte met with Policy Advisor Mara Mellstrom with Regulatory Affairs from the Office of Governor Doug Ducey, she will be meeting with Directors every month, she will also be attending the next 90/10 Directors meeting. Very positive visit.

3. Report and Discussion on meeting at ADOA held on January 17, 2017, for Executive Directors of Non Health Regulatory Boards.

Executive Director Donna Aune stated she attended a meeting at ADOA of all Non Health and Health Regulatory Boards regarding the move to 1740 W. Adams and reported that we will be moving in December not July of 2017.

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

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

- | | | |
|-------|--------------------------|--|
| 91439 | Monica Arreola #10601319 | <i>(Deny & accept w/negotiation; submitted false SS#)</i> |
| 91487 | Nhu Thi Quynh Tran | <i>(Deny & accept w/\$250 negotiation terms; working prior to licensure)</i> |
| 91504 | Katie Cassidy | <i>(Deny & accept w/\$250 negotiation terms; working prior to licensure)</i> |

MOTION by Karla Clodfelter for case no's 91439 and 91504 to deny and accept with negotiation terms. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

MOTION by Karla Clodfelter for case 91487 to deny and accept with negotiation terms of \$750.00 due to working prior to licensure on two occasions. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

B. Recommend Dismissals

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step 1. B except 91174. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

- | | | |
|-------|---|---|
| 90723 | The Salon At Classic Residence #SCOS13325
Vi at Grayhawk Retirement, Owner | <i>(Found salon currently licensed)</i> |
| 91128 | Yuma Nails and Spa #SNT16673
Kim Tran #31000485, Owner | <i>(No evidence of unlicensed activity)</i> |
| 91173 | Ultimate Nails & Beauty Salon #SCOS16888
Dien T Lopez #50000206, Partner
Richard E Bechnell, Partner | <i>(No evidence to support allegations)</i> |
| 91174 | Dycami's Beauty Salon #SCOS258385
Elena M Arrizon de Fausto, Owner
Wendy Carrillo #10701848, Licensee | <i>(Found no evidence to support allegations)</i> |

MOTION by Karla Clodfelter for case 91174 to offer a Consent Agreement of \$500.00 civil penalty and Board costs, due to an unlicensed individual. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

- | | | |
|-------|----------------------------------|--|
| 91227 | Delightful Nails & Spa #SNT17722 | <i>(Found no evidence of health & safety violations - new)</i> |
|-------|----------------------------------|--|

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91242	Delightful Nails & Spa LLC, Owner Vu X Nguyen #50700816, Member Beauty Calls Salon #SCOS26174 Mario D Cobos #18123864, Partner Jessica C Smith #11301024, Partner	salon license posted SNT18558 & SAES19842 (No evidence to support allegations)
91247	Gateway Community College #CSL00195 Maricopa County Community Colleges District with Partnership West Mec Pamela Van Why #91100017, Director Lisa K Hemming #90100009, Program Manager Elvan Dale Atkinson #90330336, Instructor	(Found no violations)
91248/91249	Princess's Nails #'s SNT17230 & SAES1776 Michelle Nguyen #'s 50401286 & 31200763, Owner	(Found salon in compliance)
91250	Milas Hair Salon #SCOS21834 Hair Salon of Tucson LLC, Owner Lyudmila Brunzman, Member Ronald Clard, Member	(No evidence to support allegations)
91251	Linda Frost #30500909, Licensee	(SAES18952 reactivated due to erroneously closing out)
91252	Brooke T Shobe #11302361	(Found no evidence to support allegations)
91254	Talk Nails & Spa #SNT15433 Andy Tran #50200669, Owner	(Found no evidence to support allegations)
91255	Veez Backstreet Hair & Nail-Cures LLC #SCOS22455 Veez Backstreet Hair & Nail-Cures LLC, Owner Virginia Fife #58201529 (inactive), Member Melinda L Wilkinson #17617185, Licensee Mara L Morrow #18800810, Licensee Margaret Varela #16506580, Licensee	(Settled by other means)
91257	Gayle L Framer #18124300, Licensee	(No evidence to support allegations)
91264	Savanna, Unlicensed	(No jurisdiction - refer to proper authorities)
91284	Corina R Stradling #18901035 (inactive)	(Found no evidence to support allegations)
91318	Uniquely Nail Spa #SNT15410 Kevin Le #59800435, Owner	(Found no evidence of unlicensed activity)
91336	Villeda Hair Styling #SCOS25564 Villeda Hair Styling LLC, Owner Maria Villeda Quiroz #11000065, Member	(Salon is currently licensed – expires 10.19.17)
91360	Avalon School of Cosmetology #CSL168 EA Education Inc., Owner Brandon Pobiak, President Don Pobiak, V-P Clint Tyron, Director Sheli Miller #99000008, Instructor	(Found building to be safe & repairs are being made)
91364	Renee's Studio Styles #SCOS21773 Heather Priess #19919695, Owner	(Found owner in compliance with mobile services, health & safety)
91380	Ashten's Salon #SCOS21699 Matthew Pino Holdings LLC, Owner Matthew Pino #19200485, Member	(In compliance with service animals)
91408/91409	The Nail Spot LLC #'s SNT17806 & SAES18642 The Nails Spot LLC, Owner Kelly Ho Vo #'s 50401170 & 30500374 Duy H Huynh #50500702, Member/Manager	(Ownership change went into effect same day as inspection)

C. Recommend Letter of Concern

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step 1. C except 91414. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

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90989/90991	Arizona Fashion Nails #'s SNT18155 & SAES19201 An Duy Trinh #50500328, Owner	(Advertising differently)
90993	Ly Hoa Broad #51300593, Licensee Lash Out Beauty LLC #SAES19456 Lash Out Beauty LLC, Owner	(Advertising differently)
91146	Kenda Auge (Harris) #31200469, Owner/Manager Ramon Bacaui Hair Gallery #SCOS17712 Ramon Bacaui Hair Gallery LLC, Owner	(Advertising differently & delinquent personal license)
91295	Ramon Bacaui #19201504, Member Jayneebell Salon LLC #SCOS24165 Jayneebell Salon LLC, Owner	(Delinquent establishment license)
91297	Michele M DuVall #11300481, Member/Manager The Cutting Room Floor #SCOS20135 Tera June Klein #10200770, Owner/Manager	(Delinquent establishment license & inspection sheet display)
91298	Becky's Beauties LLC #SCOS21875 Becky's Beauties LLC, Owner	(Delinquent establishment license)
91301	Rebecca Fishman-Anderson #19400049, Member/Manager The Mountain Spa #SCOS24470 Black Buffalo Golf LLC, Owner	(Delinquent establishment license & inspection sheet display)
91302	R Steven Loy, CEO Mary L Nordstrom #17011668, Authorized Representative Toes in the Sand Salon #SCOS21206 Toes in the Sand Salon LLC, Owner	(Delinquent establishment license)
91310	a Schulte #59920193, Co-Member Daniel Schulte, Co-Member Precious Phan Nails #SCOS25165 Christine V Phan #10801307, Owner/Manager	(Delinquent establishment license)
91311	Massage Envy 0076 #SAES17537 Scottsdale Encore Massage LLC, Owner	(Personal license display)
91312	Traci Swanson, Member Amy Berberich, Member Jerry Krempski, Manager 20 Lounge Inc #SCOS25394 20 Lounge Inc, Owner	(Delinquent establishment license & IFP Guidelines)
91323	Valerie Griggs, CEO/President Du Nails #SNT12232 Du Van Truong #59700316, Owner/Manager	(Delinquent establishment license & current license display)
91327/91328	Good Nails by Tony #'s SNT18181 & SAES19233 Tony Do #50331414, Owner/Manager	(Delinquent establishment licenses)
91329	Lady Jane's Peoria AZ LLC #SCOS26424 Lady Jane's Peoria AZ LLC, Owner	(Establishment license display)
91346	Chad Johnson, CEO/Member Sadie Sandoval #11100153, Assistant Manager Savante Salon LLC #SCOS25958 Savante Salon LLC, Owner	(Display of exterior sign)
91349	Stephanie Peteruti #10700716, Member/Manager Prive' Hair Studio #SCOS24945 Nancy Archuletta #18428632, Owner/Manager	(Delinquent establishment license)
91354/91355	J's Fashion Nails #'s SNT17886 & SAES18778 "Justin" Thanh Le #10200350, Owner	(Delinquent establishment license)
91370	A Savvy Skin-Care LLC #SAES18760 A Savvy Skin-Care LLC, Owner	(Delinquent establishment license)
91386	Virginia Smith #30400781, Member/Manager New Nails Salon #SNT14554	(No tuberculocidal bottle)

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- 91390 Bao Tung Duc Tong #59500449, Owner/Manager
Spa Lamar #SCOS19207 (Delinquent establishment license & IFP Guidelines)
Lamar Day Spa LLC, Owner
Heidi D Lamar, Member
- 91391 Stephanie Overhiser, Manager
E Clips #SCOS18129 (Delinquent personal license)
E Clips LLC, Owner
- 91392/91393 Maureen Moore, Member/Manager
Surprise Nails #'s SNT17383 & SAES18003 (Delinquent establishment licenses)
Thuy T Nguyen #51100115, Owner
- 91397 Handmaker Jewish Geriatric Center #SCOS808 (Personal licenses displayed)
Tucson Jewish Community Council, Owner
Bethany Palmer #18124551, Manager
- 91399 Sports Buzz Clips Mine #SCOS25337 (Delinquent establishment license)
Osnerisay LLC, Owner
Norma P Moreno #19700069, Member
Lorine B Duran #19815695, Manager
- 91407 The Salon at Classic Residence Assisted Cared #SCOS13326 (Salon license not posted)
Thomas Salons Inc., Owner
- 91412 Tangled Salon #SCOS25024 (No tuberculocidal bottle)
Monkey Mind-ed Management LLC, Owner
Erik Simonson, Member/Manager
Leslie Simonson, Member
- 91413 Tabu Salon #SCOS23321 (Delinquent establishment license)
Tabu LLC, Owner
Danielle E Boldon #10100060, Member/Manager
- 91414 Mioh Salon #SCOS23335 (No TB, incomplete first-aid kit & delinquent establishment license)
Megan Golding #11000247, Co-Owner/Manager
Jaime Lynn Wease #11100284, Co-Owner/Manager
- MOTION by Karla Clodfelter for case no. 91414 to offer a Consent Agreement for Co-Owners/Managers Megan Golding and Jaime Lynn Wease to attend the Infection Protection/Law Review Class given by the Board. MOTION SECONDED by Melissa Porter. MOTION CARRIED.
- 91415 Sport Clips AZ 107 #SCOS22647 (Personal license display & IFP Guidelines)
Arizona Clips LLC, Owner
Stephen Plunkett, President
Nancy Heffron, Vice-President
Samantha Silvernale #11202346, Manager
- 91416/91417 D & L Nails Inc #'s SNT15079 & SAES15051 (Advertising differently)
D & L Nails Inc, Owner
Lan Huynh #'s 59300433 & 30500865, President

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 Melissa Porter. MOTION CARRIED.

1. 90483 Forte Salon #SCOS26052
Ever Perez, Owner
Mirella E Cabrera #19812082, Manager
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and to be combine with 90964 no. 2, see motion above.
2. 90964 Forte Salon #SCOS26052
Ever Perez, Owner

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Mirella E Cabrera #19812082, Manager
Combine with 90483 no. 1, see motion above.

3. 90715 Reflections Beauty Salon #SCOS16183
Drama Queen LLC., Owner
Robert C Stickles, Member
Heather Wong #19916180, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
4. 90907 Tamaccio Salon Spa #SCOS16991
William for Hair Inc., Owner
William D Tamaccio #17719337, President
William C Tammacio, V-P
Gayle Bunk #10200643, Licensee
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and for President William Tamaccio to attend the Infection Protection/Law Review Class given by the Board, see motion above.
5. 90911 Be U Nails and Spa #SNT18385
Danh Nguyen #51000404, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
6. 90934 Felicita's Beauty Salon #SCOS19451
Felicita Garcia #10800235, Owner
Christina G Romero #10900812, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
7. 91026/91027 Yuma Nails and Spa #'s SNT16673 & SAES17094
Kim Tran #31000485, Owner
Loan Thi Kim Nguyen #51300643, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$35.00 restitution to SNT16673, to dismiss SAES17094 and to issue a Letter of Concern to Licensee Loan Thi Kim Nguyen for working beyond scope of practice, see motion above.
8. 91126 & Beautify Aesthetics & Wellness, Unlicensed
Scottsdale Aesthetics, Unlicensed
91435 & Kelsey Sayre Simons #11301792, Licensee
Offer a consent agreement to assess \$375.00 civil penalty and Board costs, see motion above.
91436 & Melissa Walden #31400220, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
91437 Kurten Skelly Davidson #11101949, Licensee
Offer a consent agreement to assess \$375.00 civil penalty and Board costs, see motion above.
9. 91165 Pink & Polish Mani-Pedi Spa #SNT17148
T & Tod LLC, Owner
Tammi Do #'s 50200765 & 30300002, Member/Manager
Thai Thanh Nguyen #59700517, Member

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Offer a consent agreement to assess \$500.00 civil penalty and Board costs and \$50.00 restitution, see motion above.

10. 91168/91438 Delightful Nails & Spa #'s SNT17722 & SAES18526
Delightful Valley LLC, Owner
Vu X Nguyen #50700816, Member/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
11. 91171/91172 Best Nails & Spa #'s SNT15747 & SAES15824
Hai Van Tran #50600922, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
12. 91192 Sigma Cuts School of Beauty #CSL00194
World Media Entertainment Enterprises Inc., Owner
Will Mitchell, C.E.O.
Laura Stone #90500065, Director
Erica Padilla #10801861, Student
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
13. 91231 Lovely Nails #SNT17643
Kim Tuyen Thi Nguyen #50701073, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$35.00 restitution, see motion above.
14. 91244 Nails Trend #SNT18491
Nhu T Tran, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and combine with 91466 no. 15, see motion above.
15. 91466 Nails Trend #SNT18491
Nhu T Tran, Owner/Manager
Combine with 91244 no. 14, see motion above.
16. 91258 Michaels Hair Crafters #SCOS18138
Michael Chamberlain #18326910, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
17. 91282 Estetica Unisex La Fayette #SCOS5717
Maribel Migulod #19714836, Owner
Melania Torres #10501551, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$180.00 restitution and Offer Consent Agreement to Licensee Melania Torres to assess \$100.00 civil penalty and Board costs, see motion above.
18. 91291 Bidegains Beauty Bizzare #SCOS22363
Monica C Bidegain #18501390, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
19. 91292 Tori Lynn Wimberly #11601452, Licensee

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- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
20. 91293 Hairbender's #SCOS15338
Rhonda J Vanhook #18901034, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
21. 91294 Christina A Jhagroo #10327481, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
22. 91296 Parlour A Salon #SCOS23133
Maj LLC, Owner
Madison Clifford #10600577, Member/Manager
Jade Hatch #10332902, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
23. 91299 Lori R Neumann #10100020, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
24. 91300 Payson Hair Company #SCOS25413
Brenda Slapnicka, Owner
Jessica Marie Slapnicka #11002870, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
25. 91303 K-Sa De Nail #SNT16839
Michelle Kim Pham, Owner
Tandy h Pham #50800124, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
26. 91305 Amazing Nails Spa LLC #SNT18354
Amazing Nails Spa LLC, Owner
Hung T Pham #50400171, Member
Kristine Nguyen, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
27. 91307/91308 One Day Nail Spa LLC #'s SNT18018 & SAES18972
One Day Nail Spa LLC, Owner
Phuong Thi Vo #'s 51000057 & 31000459, Member/Manager
Si Le #51000058, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
28. 91309 The Lash Lounge #SAES19244
The Lash Lounge LLC, Owner
Zully Greer #30400689, Member/Manager
Trevan Harrison, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

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29. 91313/91314 Glossy Nails #'s SNT17179 & SAES17697
Lan Thi Phuong Le #51000524, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner/Manager Lan Thi Phuong Le to attend the Infection Protection/Law Review Class given by the Board, see motion above.
30. 91315 Vanity Hair & Nails #SCOS19090
Yvonne G Montijo Aguirre #18900683, Co-Owner/Manager
Rebecca Baldenegro #58800050, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 91316 Bella Viso Salon by Elaine #SCOS24753
Susan Elaine Machelor #10802349, Owner
Issue a Letter of Concern for no tuberculocidal disinfectant and labeling violations, see motion above.
32. 91317 Epic Barber & Beauty #SCOS25506
Esther I Conner #18901348, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
33. 91324/91325 Blooming Nails LLC #'s SNT17867 & SAES18740
Blooming Nails LLC, Owner
Tung Vo #50601323, Member/Manager
Lai Vo, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Member/Manager Tung Vo to attend the Infection Protection/Law Review Class given by the Board, see motion above.
34. 91326 Cook Health Care Salon #SCOS21614
Arizona Baptist Retirement Centers Inc, Owner
David B Ellis, President/CEO
Donna Taylor, Executive Vice-President
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
35. 91342 Nova Bella Salon & Barber LLC #SCOS26060
Nova Bella Salon & Barber LLC, Owner
Jon A Bero #11501937, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
36. 91343 Madison Days Salon & Mobile Service #SCOS23543
Daniel Madison Day, Owner
Migdalia Day #11202208, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
37. 91344 Charles of Italy Beauty College #CSL159
Charles Bartolomeo #98200720, Co-Owner
Lee Bartolomeo #98500009, Co-Owner
Sue Ramsey #99100007, Director
Charlene M Williams #91600038, Instructor in Charge

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- Linh Loi #50331301, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
48. 91372 Paige Mizak #11202161, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
49. 91371 & Kathryn Geringer #11301022, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
91373 Nicole P Meyers #50401033, Co-Owner/Manager
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
50. 91374 Michele S Briggs #19100433, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner/Manager Michele Briggs to attend the Infection Protection/Law Review Class given by the Board, see motion above.
51. 91376 Melinda Roach #19500634, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
52. 91377 Marcella Bpgdan #10700216, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
53. 91378 Kim T Vong #50401343, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner Kim Vong to attend the Infection Protection/Law Review Class given by the Board, see motion above.
54. 91379 Presidio Hair #SCOS5502
Edward A Thibeault #19100747, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
55. 91382 Nataly's Barber Shop #SCOS25566
Nataly's Barber Shop LLC, Owner
Martha Villalpando, Co-Member
Joaquin Martinez Gayosso, Co-Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and to add Licensee Dulce Munguia, License No. 11501148 to attend the Infection Protection/Law Review Class given by the Board, see motion above.
56. 91384/91385 K-Sa De Nail #'s SNT16839 & SAES17233
Michelle Kim Pham, Owner
Lan K Pham #50000315, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
57. 91387 Beautitudes Beauty Nook #SCOS181
Beautitudes Campus of Care, Owner
Mary Bremhorst, Assistant/Administrator

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Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

- 58. 91388 Kalologie 360 Hilton Village #SAES19665
Arizona Aesthetic Holdings LLC, Owner
Steven M Gitt, Member/Manager
Stuart Blinick, Member/Manager
Rita Rayis #30600741, Lead Aesthetician
Issue a Letter of Concern for not posting out services not regulated by the Board, see motion above.
- 59. 91389 Sachi LLC #SCOS26694
Sachi LLC, Owner
Aaron Safir, Member
Sandra Karas, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
- 60. 91394 Tin Hung Le #10000151, Owner
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and for Owner Tin Hung Le to attend the Infection Protection/Law Review Class given by the Board, see motion above.
- 61. 91395 Karyn H Dinh #50200097, Member/Manager
Dismiss due to double jeopardy, see motion above.
- 62. 91398 Great Waves Salon #SCOS23605
TM & HM LLC, Owner
Teresa Monteverde, President
Humberto Monteverde, Vice-President
Stephanie Lehman #19816464, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

NONE

B. With Negotiation Options

- 1. 90557 Shear Hair Design #SCOS25688 **10:00 a.m.**
Blanca Elizarraraz Cortez, Owner
NEGOTIATED \$500
- 2. 90619/90620 Ocean Nails #'s SNT16577 & SAES16882 **10:00 a.m.**

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- Boa Kim Huynh #50600283, Owner
NEGOTIATED \$250/RESTITUTION \$20/PAID
3. 90671 Regal Nails S0alon & Spa #SNT17150 **10:00 a.m.**
Diana Anh Nguyen #19600673, Owner
NEGOTIATED \$500
4. 90982 Delicate Nails #SNT18241 **10:00 a.m.**
Delicate Inc., Owner
Ngoc-Tran Nguyen Luu, President
Tuan Luu #50600733, Director
Thuy Nguyen, Director
NEGOTIATED \$500
5. 91020 & Great Clips #SCOS24117 **10:00 a.m.**
Tucson Clips LLC, Owner
P Edward Neumayr, C.E.O.
William Goodheart, Member
Sandra Brennan, Member
Larry Haggarty, Member
Patrick Bradley, Member
Brenda Morales #19700336, Manager
NEGOTIATED \$250
91430 "Candy" Maria C Junio #10901887, Licensee
NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED CLASS 2.27.2017
6. 91051 & Latoya Shone Luc #11200015, Licensee/Member **10:00 a.m.**
CONTINUANCE GRANTED
91052 Pauline Presswood #'s 19200445 & 91200081
CONTINUANCE GRANTED
7. 91062 Kelly T Nails & Spa 2 LLC #SNT18417 **10:00 a.m.**
Kelly T Nails & Spa 2 LLC, Owner
Ellen Tran #'s 50700478 & 30600478, Owner
Antoni Huynh #50700483, Licensee
NEGOTIATED \$250/PAID
8. 91063 & Vista Queen Spa #SNT17530 **10:00 a.m.**
Kim Le #50400321, Owner
NEGOTIATED \$500/RESTITUTION \$30/PAID
91431 Tuyet Thi Dinh #50600096, Licensee
NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED 3.27.2017
9. 91075 Kelli A Hatch #10225576, Licensee **10:00 a.m.**
NEGOTIATED \$500
10. 91095 Aveda Institute Tucson #CSL123 **10:00 a.m.**
Arizona Institute LLC, Owner
Dave Lemonds, Member
Jacquire Rinder, Director
NEGOTIATED
11. 91121 Sunflower Nails #SNT17379 **10:00 a.m.**
Anhloan Pham #'s 50400881 & 30400494, Owner

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Nghia P Phan #50200716, Licensee
NEGOTIATED \$250/RESTITUTION \$40/PAID

12. 91130 Patricia Black #19601042, Owner/Licensee **10:00 a.m.**
CONTINUANCE GRANTED

Compliance Supervisor Joanne Ayotte asked the Board Members if they would consider rescinding the prior Consent Agreement of \$500.00 and issue a Letter of Concern as this was an advertising issue.

MOTION by Karla Clodfelter for case no. 91130 to rescind prior Consent Agreement of \$500.00 and to issue a Letter of Concern for advertising issues. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

13. 91200 Rochelle James #11300362, Licensee **10:00 a.m.**
CONTINUANCE GRANTED

14. 91210 & Amazing Lash Studio Arcadia #SCOS26458 **10:00 a.m.**
Desert Lash Arcadia LLC, Owner
Johnathan Brovitz, President
Erica Sanchez #31300463, Manager
CONTINUANCE GRANTED

- 91432 Melissa Cano #11502101, Licensee
CONTINUANCE GRANTED

15. 91214 El Bella Day Spa by Kim LLC #SCOS25505 **10:00 a.m.**
El Bella Day Spa by Kim LLC, Owner
Kim Xuan Do #11101824, Member/Manager
Hiep Quang Do, Member
NEGOTIATED \$250/PAID

16. 91215 Queen Phi's Nails #SNT18138 **10:00 a.m.**
Queen Phi's Nails LLC, Owner
Phi Thi Quy Nguyen #51100441, Member
NEGOTIATED \$500/PAID

17. 91216 French Nails Mesa #SNT17375 **10:00 a.m.**
Loan K Tran #50000220, Co-Owner/Manager
Ha Thanh Phan #51200212, Co-Owner/Manager
NEGOTIATED \$500/PAID

18. 91217 1 Elite Nails #SNT18037 **10:00 a.m.**
1 Elite Nails LLC, Owner
Michael Quan, Member/Manager
NEGOTIATED \$250/PAID

19. 91218 Evit Academy of Cosmetic Arts #CSL24 **10:00 a.m.**
East Valley Institute of Technology, Owner
Janice Kongas #99100010, Director/Instructor in Charge
NEGOTIATED \$250

20. 91232 Refined Nails & Spa #SNT18254 **10:00 a.m.**
Lan Nguyen, Owner

Lan Nguyen was sworn in and stated that no one was working that day that the lady described, the amount that was paid did not match any services done that day and we have replaced the wet disinfectant with a larger jar. Investigator Amber Moore testified that this case involved a pedicure service where complainant was cut on her right large toe, no blood was drawn, complainant has

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not sought medical attention and is seeking restitution of \$40.00. Investigator has not heard back from complainant. On November 10, 2016, Investigator went to salon to speak to Owner regarding complaint and found that the large wet disinfectant was not deep enough for complete tool immersion and uncovered.

MOTION by Karla Clodfelter to move that for case no. 91232 all alleged violations cited in the Investigation Report except A.R.S. § 32-572 (A)(4) have been shown. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4)(a)(C)(2) Infection Control/Safety Standards

A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 91232 to impose the following discipline to offer a Consent Agreement with the following new terms \$250.00 civil penalty and Board costs. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

21. 91234/91235 Nail Care & Spa by Nancy LLC #'s SNT18419 & SAES19622 **10:00 a.m.**
Nail Care & Spa by Nancy LLC, Owner
My Nguyen, Member
NEGOTIATED \$250/PAID

22. 91236 Serenity Salon #SCOS22760 **10:00 a.m.**
SDLJ LLC, Owner
Lanalee Johnson #10300661, Member
Shanna J Dyer #10300296, Member
No Show; to formal hearing

23. 91237 Caitlin Breyfogle #11202349, Owner/Manager **10:00 a.m.**
Compliance Supervisor Joanne Ayotte asked Board Members if they would consider rescinding prior Consent Agreement of \$500.00 to \$250.00 as this was a suite change.
MOTION by Karla Clodfelter for case no. 91237 to rescind prior Consent Agreement from \$500.00 to \$250.00 due to a suite change. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

24. 91261 Modern Love & Med Spa LLC #SCOS26600 **10:00 a.m.**
Modern Love & Med Spa LLC, Owner
Mahvush Hamid, Co-Member
Saqib Hamid, Co-Member
NEGOTIATED \$500/PAID

25. 91263 "Natalie" Thuong Nu Ton #11600629, Owner **10:00 a.m.**
CONTINUANCE GRANTED

26. 91266 Hair on 5th Ave #SCOS17843 **10:00 a.m.**
Hair on 5th Ave LLC, Owner
Rosemary Preisel #18600301, Co-Member
Corliss Evans #18500304, Co-Member
NEGOTIATED \$500

27. 91270 NU Nails #SNT18032 **10:00 a.m.**
Vu Nguyen, Owner
Truc T Nguyen #50500590, Manager
No Show; to formal hearing

28. 91271 Sharon L Napier #59817184, Owner/Manager **10:00 a.m.**

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Compliance Supervisor Joanne Ayotte asked Board Members if they would consider rescinding prior Consent Agreement of \$500.00 and dismiss as licensee applied for salon license within the time parameters.

MOTION by Karla Clodfelter for case no. 91271 to rescind prior Consent Agreement of \$500.00 and to dismiss due to no violation. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

- | | | | |
|-----|------------------|--|-------------------|
| 29. | 91272 | Regina Charlton #18428464, Licensee
NEGOTIATED \$50/PAID | 10:00 a.m. |
| 30. | 91278 &
91279 | Paradise Nail & Spa 2 #SNT16526
Nam Van Nguyen #50401465, Owner
NEGOTIATED \$750 | 10:00 a.m. |
| 31. | 91283 | Maria S Lopez #19800300, Licensee
NEGOTIATED \$50/PAID & SCHEDULED FOR BOARD CLASS 8.14.17 | 10:00 a.m. |
| 32. | 91289 | Swan Nails #'s SNT16661 & SAES16986
John Ho #51000277, Owner/Manager
NEGOTIATED \$250 | 10:00 a.m. |
| 33. | 91433 | Erin Holmes #11201541, Owner/Manager
Beauty by Erin #SCOS26044
NEGOTIATED TO ATTEND BOARD CLASS | 10:00 a.m. |

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

- | | | |
|-------|---|------------------|
| 90611 | Haircity Salon #SCOS25780
Elizabeth Perez Rocha, Owner | 9:45 a.m. |
|-------|---|------------------|

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

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

MOTION by Melissa Porter 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 Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter to issue an Order of discipline to revoke Haircity Salon, salon license no. SCOS25780 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 Karla Clodfelter. MOTION CARRIED.

90660 Angela S. Galan #10600027, Member/Manager **9:45 a.m.**
Accents Hair Salon #SCOS19531 (inactive/closed 11/9/14)
SETTELED

90750/90751 Nails & Spa by Vanna Inc. #'s SNT18383 & SAES19556 **9:45 a.m.**
Vanna Tuyet Le # 50300190, Director
Assistant Attorney General, Bridget Harrington, appeared representing the State. Independent Advisor, John R. Tellier, was available by telephone. Licensee did appear.

Licensee Vanna Tuyet Le stated she would like to settle case.

Assistant Attorney General, Bridget Harrington argued that if the Board approves settlement today, the state would not object to that, however all terms in the previously offered consent agreement should be complied with today; and if not the state would ask that both salon licenses be revoked and for the fine and all costs imposed.

Licensee Vanna Tuyet Le stated she will accept the settlement terms.

MOTION by Karla Clodfelter for case no's 90750 & 90751 to revoke salon license no's. SNT18383 & SAES19556, impose \$250.00 civil penalty and Board costs and for the agency to recover its total costs incurred for this case. However, if Licensee Vanna Tuyet Le signs Consent Agreement and makes payment of \$250.00 by the end of today the Board would stay the revocation. MOTION SECONDED by Melissa Porter. MOTION CARRIED

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

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).

None

E. Appeal Board Orders

None

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

91091 Julie Brown #30300123, Member/Manager
The Best Little Spa #SAES18318

Compliance Supervisor Joanne Ayotte asked Board Members if they would consider rescinding prior restitution and issue a Letter of Concern as the complainant did not receive all services.

MOTION by Karla Clodfelter for case no. 91091 to issue a Letter of Concern for partial services not rendered. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Karla Clodfelter to adjourn the meeting at 10:25 a.m. MOTION SECONDED by Melissa Porter. 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 the ADA Coordinator at (480) 825-7002.