

ARIZONA STATE BOARD OF COSMETOLOGY TELEPHONIC BOARD MEETING  
MINUTES  
October 16, 2020 at 9:00 a.m.  
1740 W Adams, Suite 4400, Boardroom A  
Phoenix AZ 85007

**CALL IN INFORMATION**  
**DIAL: 1-505-738-3028**  
**ENTER PASSWORD: 650 749 998#**

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  
Thomas Rough, Cosmetologist  
Brandy B. Flores, Public Member  
Jenna M Bentley, Public Member  
Amber Cepkauskas, Cosmetologist  
Vacant, Instructor  
Vacant, Nail Technician

**1. Call to Order**

**2. Pledge of Allegiance**

**3. Roll Call of Board Members**

Gary Begley  
Thomas Rough  
Brandy Flores - Arrived at 9:30 a.m.  
Jenna Bentley  
Amber Cepkauskas

**Also in Attendance:**

Kim Scoplitte, Executive Director  
 Theresa Bunch, Deputy Director  
 Irma Telles, Investigative Supervisor  
 Rosa Rodriguez, Compliance  
 Lisa Chavez, Investigator  
 Elizabeth Huffman, Inspector  
 Cathy Bergeron, Inspector  
 Mona Baskin, Assistant Attorney General  
 Marc Harris, Assistant Attorney General

**BOARD BUSINESS**

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

1. Discussion, Consideration and Possible Action on Approval of Telephonic-Virtual Board Minutes of September 18, 2020.

**MOTION by Thomas Rough to approve minutes as written. MOTION SECONDED by Jenna Bentley.**

**Roll Call:**

<b>Vote</b>	<b>Gary Begley</b>	<b>Thomas Rough</b>	<b>Brandy Flores</b>	<b>Jenna Bentley</b>	<b>Amber Cepkauskas</b>
<b>Aye</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>
<b>Nay</b>					
<b>Recused</b>					
<b>Abstained</b>					
<b>Absent</b>			<b>x</b>		

**MOTION CARRIED.**

2. Board Member Declaration of Conflict of Interest.

Gary Begley declared for case nos. 95613 under Step 1. B., 95186 and 95978 under Step 1 D. of the agenda.

Thomas Rough declared for case nos. 95613 under Step 1 B., 95186 and 95978 under Step 1 D of the agenda.

3. Review, Discussion and Possible Action on Eyelash Extensions.

This matter was brought back as an action item based on direction from the Board at the September Board meeting. Assistants Attorney General Mona Baskin and Marc Harris were present for the discussion.

After Board members had received information on the Board’s history of Eyelash Extensions from 2012 and the Confidential Legal Advice Memorandum considered at the September Board meeting, the Board raised the following two questions:

1. **MOTION by Gary Begley** should the Board make an emergency decision to stop regulating Eyelash Extension until we receive clarification from the Legislature.  
**Jenna Bentley SECONDED.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye			x	x	
Nay	x	x			x
Recused					
Abstained					
Absent					

**MOTION FAILED.**

2. **MOTION by Gary Begley** does the Board want to move the issue of regulation of Eyelash Extension to the Legislative committee to make a recommendation to the full Board for consideration. **Thomas Rough SECONDED.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	X		x	x	
Nay		x			x
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

4. Discussion, Consideration and Possible Action on Election of New Board Officers Pursuant to A.R.S. § 32-503 (A).

- Chairman

**MOTION by Thomas Rough to nominate Gary Begley for Chairman of the Board. MOTION SECONDED by Amber Cepkauskas. No other nominations for Chairman were made. Nominations were closed.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

- Vice-Chairman

**MOTION by Jenna Bentley to nominate Brandy Flores for Vice-Chairman of the Board. MOTION SECONDED by Brandy Flores. MOTION by Gary Begley to nominate Thomas Rough for Vice-Chairman of the Board. MOTION SECONDED by Amber Cepkauskas. No other nominations for Vice-Chairman were made. Nominations were closed.**

**Brandy Flores for Vice-Chair**

**Roll:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye			x	x	
Nay	x	x			x
Recused					
Abstained					
Absent					

**MOTION FAILED.**

**Thomas Rough for Vice-Chair**

**Roll:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x			x
Nay			x	x	
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

- Secretary/Treasurer

**MOTION by Gary Begley to nominate Amber Cepkauskas for Secretary/Treasurer of the Board. MOTION SECONDED by Thomas Rough No other nominations for Secretary/Treasurer were made. Nominations were closed.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

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

There were no students in attendance.

## **EXECUTIVE DIRECTOR’S REPORT**

1. Report and Discussion on Agency Departments.

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

2. Report and Discussion on Oral Proceedings on Proposed Rulemaking held on September 23, 2020.

Kim Scoplitte Executive Director stated that the agency held the Oral Proceedings on Proposed Rulemaking on September 23, 2020. The agency had two individuals who asked questions regarding R4-10-112 (S) a salon in a residence and one individual who asked questions regarding R4-10-306 Curriculum Hours. Staff replied to these questions and the individuals where happy to see the changes.

3. Report and Discussion on Governor’s Regulatory Review Council (GRRC) Study Session on 5-Year Rule Review Report held on September 29, 2020.

Kim Scoplitte Executive Director stated that Theresa Bunch, Irma Telles and Kari Watkins accompanied her to the Governor’s Regulatory Review Council Study Session on the 5-Year Rule Review Report held on September 29, 2020. The Council stated that they

appreciated the hard work that the Board has done and that there was a lot of great improvement.

4. Report and Discussion on Governor's Regulatory Review Council (GRRC) 5-Year Review held on October 6, 2020, A.R.S. § 41-1056.

Kim Scoplitte Executive Director stated that the Governor's Regulatory Review Council approved the 5-Year Review Report on October 6, 2020.

5. Update on Governor's Regulatory Review Council (GRRC) Meetings to be held for Proposed Rule Making.

Kim Scoplitte Executive Director stated that the Study Session for Proposed Rule Making will be held on November 24, 2020, at 10:00 a.m. with the Governor's Regulatory Review Council. On December 1, 2020, at 10:00 a.m. the agency will be on the Governor's Regulatory Review Council agenda which will hopefully result in the approval of the Proposed Rule Making.

6. Report and Discussion on Provisional License.

Theresa Bunch Deputy Director updated the Board regarding Provisional License and stated that the following:

Executive Order 2020-17 Continuity of Work

- Provisional license would allow the Board to provide these of type licenses to eligible students.
- First issued on May 6, 2020, to expire November 6, 2020.
- The Provisional license was present & discussed during the May Board meeting with the Board.
- Written Examination Centers opened the first part of the June, 2020.
  - Written Examination have been opened for 4 months.
- Practical Examination Centers opened October 5, 2020.
  - First Practical examination had 21 candidates that did not show up to test.
- Since the first group of expiration dates are coming due November 6, 2020, and after further review of the Executive Order with Trista Guzman-Glover (Governor's Boards & Commissions Director), Kim Scoplitte (Executive Director) and Theresa Bunch (Deputy Director) – the Executive Order would allow an extension of "20-days" from after the candidate sits for their examination.
  - Example: If candidates expiration date was on November 6, 2020. Their practical examination was on November 16, 2020. This EO would extend the provisional license out an extra 20-days, which would be December 6, 2020.
  - This is why it was very important the candidates appear for their scheduled practical examination.

7. Summary of Current Events that Affect the Arizona State Board of Cosmetology A.R.S. § 38-431.02 (K).

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. Recommended Application Denials A.R.S. § 32-572.**

None

**B. Recommended Dismissals A.R.S. § 32-573 (B) (1).**

Investigative Supervisor Irma Telles stated that the cases have been reviewed according to the Board’s parameters and we would ask the Board to consider staff recommendations.

**MOTION by Thomas Rough to accept staff recommendations for all those listed below Step 1 B. MOTION SECONDED by Amber Cepkauskas.**

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x		x	x
Nay					
Recused					
Abstained					
Absent			x		

**MOTION CARRIED.**

95613

Imaj Institute School #ASL24  
 Phoenix Photonix Inc.  
 Gary Begley #31400143, President/C.E.O.  
 Peggy “Margaret” Begley #'s 71200016 & 31000609, Secretary/Director

*(No evidence found to support allegations)*

**CONTINUE – LACK OF QUORUM**

- 95853 Apex Salon & Lash Studio #SCOS28572 *(No evidence found to support allegations, salon closed – no longer in operation)*  
 Tamara K Robinson #10124552, Owner
- 96061 Suddenly Slimmer Day Spa SAES15041 *(No evidence found to support allegations)*  
 Acu Chi Mind Body Center Inc., Owner  
 Luzivone Damaceno, President/Treasurer  
 Jeanie Marcelino, Secretary  
 Sharon Bowen #50331450, Manager
- 96066 Haven Salon Healing LLC SCOS28558 *(No violations found to support allegations)*  
 Haven Salon Healing LLC, Owner  
 Christina Wertz #11800387, Member/Manager
- 96070 Shea Madison Salon & Blow Dry Bar #SCOS29968 *(No evidence found to support allegations)*  
 Shea Madison Salon LLC, Owner  
 Michelle Greene #10122971, Member
- 96087 Venessa D Bell #30400135, Licensee *(Location licensed #SAES22190 “Serenity Women’s Care”)*
- 96091 Lively Nails & Company Inc., #SNT16900 *(No evidence found to support allegations)*  
 Lively Nails & Company, Inc. Owner  
 Don T. Phu #59600436, President/ Director  
 Hoang H. Tong, Vice President/ Director
- 96142 Turning Point Beauty College #CSL00198 *(No evidence found to support allegations)*  
 5 Star Enterprises LLC, Owner  
 Nhu Bui Holder, Member  
 Thao Dinh Pham, Member  
 Michael Anthony Crump #90700009, Instructor
- 96183 Turning Point Beauty College #CSL00198 *(No evidence found to support allegations)*  
 5 Star Enterprises LLC, Owner  
 Nhu Bui Holder, Member  
 Thao Dinh Pham, Member  
 Rosa Rodriquez #91100093, Instructor
- 96184 Turning Point Beauty College #CSL00198 *(No evidence found to support allegations)*  
 5 Star Enterprises LLC, Owner  
 Nhu Bui Holder, Member  
 Thao Dinh Pham, Member  
 Rosa Rodriquez #91100093, Instructor
- 96209 Gaetana’s Hair Salon #SCOS26165 *(No evidence found to support allegations)*  
 Gaetana’s Hair Salon LLC, Owner  
 Danielle Benitez #10700884, Member  
 Rochelle Puczkowskyj #18123891, Licensee

**C. Recommended Non-Disciplinary Letter of Concern A.R.S. § 32-573 (B)(2).**

Investigative Supervisor Irma Telles stated that the cases have been reviewed according to the Board’s parameters and we would ask the Board to consider staff recommendations.

**MOTION by Thomas Rough to accept staff recommendations for all those listed below Step 1 C. MOTION SECONDED by Jenna Bentley.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x		x	x
Nay					
Recused					



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<b>Abstained</b>					
<b>Absent</b>			<b>x</b>		

**MOTION CARRIED.**

- 96073 Shelby Welker #31800899, Owner/Manager *(Advertising "Skin By Shelby" unlicensed)*
- 96238 Sandra Cobos 19000381, Owner/Manager *(Inactive Establishment License)*
- 96244 Ilyanna Ruffina Leavitt #P42001777, Licensee *(Advertise engaged in a business of cosmetology without being licensed)*
- 96259 Hush a Salon and Day Spa #SCOS23326 *(Delinquent personal license)*  
 Hush a Salon and Day Spa Inc., Owner  
 Sheri M Turner #18901124, V-P  
 Kathy Basile #19000468, V-P  
 Danielle T Colucci #19101192, V-P
- 96264 Flagstaff Face & Body, License No. SAES17453 *(Inactive Personal License)*  
 Savannah's Legacy, LLC, Owner  
 Leona Barth, Member/Manager
- 96266 Skinnovations Skin Care #SAES18853 *(Inactive Establishment License)*  
 Skinnovations by Terri, LLC, Owner  
 Terri L Jalbert #30600575, Member/Manager
- 96267 Bottled Blonde by Nicole, License No. SCOS29015 *(Inactive Establishment License)*  
 Bottled Blonde by Nicole LLC, Owner  
 Nicole Fischer #10800483, Member/Manager

**D. Recommended Informal Interview or Negotiation Terms A.R.S. § 32-573 (C) (D).**

Investigative Supervisor Irma Telles stated that the cases have been reviewed according to the Board's parameters and we would ask the Board to consider staff recommendations or take other Non-Disciplinary Action.

**MOTION by Thomas Rough to accept staff recommendations for all those listed below Step 1 D. MOTION SECONDED by Jenna Bentley.**

**Roll Call:**

<b>Vote</b>	<b>Gary Begley</b>	<b>Thomas Rough</b>	<b>Brandy Flores</b>	<b>Jenna Bentley</b>	<b>Amber Cepkauskas</b>
<b>Aye</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>
<b>Nay</b>					
<b>Recused</b>					
<b>Abstained</b>					
<b>Absent</b>			<b>x</b>		

**MOTION CARRIED.**

1. 95186 Taglio Salon #SCOS26482  
 RC Salon Systems LTD, Owner  
 Thomas Rough #19501024, Director/President  
 Lisa Rough, Director/President  
**CONTINUE – LACK OF QUORUM**
2. 95811/96071 Lynn Nails & Spa LLC #'s SAES17859 & SNT17288  
 Lynn Nails & Spa LLC, Owner  
 Huy Hoang Nguyen #50700269, Member

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Offer a consent agreement to case no. 96071 license no. SNT17288 to assess \$600.00 civil penalty and Board costs, 12-months' probation with early termination and to dismiss case no. 95811 license no. SAES17859 due to no evidence was found, see motion above.

3. 95978 Imaj Institute School #ASL24  
Phoenix Photonix Inc. – Imaj Institute  
Gary Begley #31400143, President/C.E.O.  
Peggy “Margaret” Begley #'s 71200016 & 31000609, Secretary/Director  
**CONTINUE – LACK OF QUORUM**
4. 96069 Pink Polish Hair Nails Skin #SNT19677  
Long Xuyen Business Development LLC, Owner  
Nina Dieu #'s 51900513 & 31901133, Member/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
5. 96192 Bien Nails, License No. SNT9313  
Hung Ngoc Huynh #59500848, Owner  
“Judy” Thao Thanh Ngo #59700159, Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
6. 96206 Unique Design by Susy's #SCOS14782  
Maria de Jesus Martinez #19100978, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
7. 96231 Kingan Place #SAES21788  
Kingan Place LLC, Owner  
Sheila Millette, Manager/Member  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
8. 96240 Kevins Gorgeous Nails, License No. SNT19738  
Cuong T Phan #50600694, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
9. 96250 Keoshie J Malone #51900250, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
10. 96256 The Final Cut LLC License No. SCOS26814  
The Final Cut LLC, Owner  
Gene Mapanoo, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
11. 96258 Gurl Bang, License No. SCOS29850  
Gurl Bang LLC, Owner  
Christina Shaffer #11000838, Member  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
12. 96261/96262 7 Day Nails & Spa 1 #'s SNT17986 & SAES18920

- Robinson Tran, Owner/Manager, License No. 50300047  
Offer a consent agreement to assess \$1,000.00 civil penalty, Board costs, 12-months' probation with early termination and high risk based, see motion above.
13. 96263 The Cut Flagstaff #SCOS28642  
Chakra Industries LLC, Owner  
Renee Aldrich #19600791, Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
14. 96265 Herbal Nails & Spa #SNT18620  
Herbal Nails & Spa 6 LLC, Owner  
Jennifer Tran #10501045, Member/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
15. 96268 & KD Nails #SNT19295  
96225 & Tri Sanh Dinh #51800016, Owner/Manager  
Offer a consent agreement to assess \$100.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.  
96218 Hieu Trung Truong #51900224, Licensee  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
16. 96279/92680 Elements Nail Spa #'s SNT19257 & SAES21103  
Annie Hoang Le, Owner/Manager, License No. 51600009  
Offer a consent agreement to assess \$300.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
17. 96281 VS Nails & Spa, License No. SNT18895  
Duc C Le #50800431, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
18. 96284 Hollywood Styles, License No. SCOS22910  
Brandie C Woods #10332047, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.

## END OF CONSENT AGENDA

### STEP 2: INFORMAL INTERVIEWS A.R.S. § 32-573 (C) (D).

#### A. Without Negotiation Options

1. 96097 "Jacky" Thuan Quang Tran #51400137, Licensee **9:45a.m.**  
"Jacky" Thuan Quang Tran was sworn in and stated that he was sorry to the family and that she is crying while speaking. When minor female came to the salon I talked to the client and minor female and was told minor female was stressed out. Mr. Tran stated that he tried to comfort minor female and that he cares for the children and that he is not a predator. Mr. Tran stated that he did not offer to go to minor female hotel and that the client was with the minor female at the salon and could see that I could not have touched her private parts under the table. Mr. Tran stated that the report is really hurtful and

did not think he can do anything and stated that his daughter passed away and I will do anything to help my clients not harm them.

Investigator Lisa Chaves testified that on January 7, 2020, Board office received a complaint from client on behalf of her minor female and alleged that minor female was assaulted by "Jacky" Thuan Quang Tran at Aria Nail Bar located in Scottsdale, Arizona.

Investigator Lisa Chaves testified that the client stated the following: They live in Alabama and were in Scottsdale, Arizona, for the Christmas holidays. On Friday, December 27, 2019, the client and minor female went to Aria Nail Bar for manicures and pedicures. Minor female was taken back first by "Jacky" and client was taken back by another lady and were seated together for our pedicures. "Jacky" commented while he was massaging minor female's legs that her legs seemed very tight. When the pedicure was finished minor female was taken to the back of the room for her manicure. "Jacky" asked minor female a series of very uncomfortable questions. Have you ever had a Brazilian wax, how often do you shave your V and would you like a full body massage? "Jacky" started to massage minor female's legs under the manicure table and moved further up to her groin and touched her private area and "Jacky" said you have a knot here and you should rub it when you get stressed. They paid and walked out, minor female told the client that he was a predator. Client and minor female went to the Scottsdale Police Department and filed a report with Officer Evans. Client went to the salon the next day and asked for licenses information, manager provided the information. "Jacky" had told minor female that he had lived in Michigan and the client googled him and he was accused of doing the same thing to a 14-year old girl in Bay City, Michigan on June 7, 2011, "Jacky" was accused of touching her breast while massaging her arm. "Jacky" was acquitted due to lack of evidence. This has affected the minor female and the client. The other case the defense claims that the child was in a fantasy with the respondent. The client of minor female says that the minor female was paralyzed when he was touching the minor female and "Jacky" has a license to have access to children.

On July 22, 2020, Investigator went to salon and spoke to the manager Jan who said "Jacky" did the minor female's pedicure first then went back and did the manicure, police came and talked to Jan the manager about what happened and questioned "Jacky" about what happened. The manager Jan spoke to "Jacky" and he was fired that night.

On July 27, 2020, Investigator Lisa Chavez went to a new salon where "Jacky" worked and explained the complaint. "Jacky" could not respond at that time. On July 30, 2020, Investigator Lisa Chavez spoke with client and minor female and both made statements of what had transpired on December 27, 2019. On July 31, 2020, the client of minor daughter emailed correspondence to investigator, three articles from Michigan newspapers, Scottsdale Police Report filed December, 2019, and the client of minor female timeline with Scottsdale Police Department.

On August 4, 2020, Investigator Lisa Chavez called the Scottsdale Police Department asking to speak with Officer Evans and left a message for a call back concerning this case. Investigator Lisa Chavez stated she has not heard back from Officer Evans.

On August 7, 2020, Investigator Lisa Chavez met with "Jacky" Thuan Tran who stated the following: the client and female minor came in and it was my turn and other workers turn to service client. The minor female looked stressed and he talked to her. The client said the minor female's life is really stressful lately, pedicure was almost done massaged the minor female and minor female said it was really good. He told the minor female if there was time he would massage more. He never asked the minor female anything about waxing. "Jacky" stated that 6-7 months ago he had a similar problem with the Board with a girl he performed a waxing service on. He did ask the minor female if she ever had a full body massage because it would help relax/de-stress her. He did massage the minor female's legs after the manicure was completed and her hands were curing under the lights, the minor female rested her foot on my knee which was under the manicure table and he massaged her leg up to the knee. He said the client checked my record and found what happened in 2012, involving touching inappropriately and he said the case went to trial and he won there was no evidence he did anything wrong.

The client read a statement that both client and minor female wrote together for the Board.

**MOTION by Jenna Bentley for case no. 96097 to adopt the Findings of Facts found in the substantiated violations and Conclusions of Law. MOTION SECONDED by Amber Cepkauskas.**

**Roll Call:**

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Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**HISTORY:**

94632 4/19/2019 Disciplinary Letter of Concern Working out of scope of practice (performing wax services)

**MOTION by Jenna Bentley for case no. 96097 to move this case to a Formal Hearing and to also offer a consent agreement suspending licensees nail license no. 51400137 pending the resolution of two criminal proceedings with the City of Phoenix and Scottsdale Police Department in lieu of a Formal Hearing. MOTION SECONDED by Amber Cepkauskas.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

- 2. 96210 & Sigma Cuts School of Beauty #CSL00217 **10:00 a.m.**  
 Sigma Cuts School of Beauty Corp./World Media Entertainment Inc., Owner  
 Will Mitchel, C.E.O.  
 Bonnie Duran, Director  
 Erica Padilla #91700021, Director
- 96211 Marissa Morris #91900020, Director/Instructor

**MOTION by Gary Begley to move case nos. 96210 & 96211 to a Formal Hearing and in the alternative accept a signed consent agreement in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					

Absent					
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**MOTION CARRIED.**

3. 96214 Alejandra's Beauty School #CSL00224 **10:15 a.m.**  
 Edith Reyes, Partnership  
 Flor Paula, Partnership  
 Minerva Chavarria #90216539, Instructor  
 Continued from the September's Board meeting

**MOTION by Gary Begley to move case no. 96214 to a Formal Hearing and in the alternative accept a signed consent agreement in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**B. With Negotiation Options**

1. 96102 You Need Nails and Facial #SNT19225 **10:30 a.m.**  
 Tung T Ly #59920300, Owner (Deceased)  
 Thuy T. T. Vo #51400252, Manager  
 Continued from the September's Board meeting

Thuy Vo and Yen Vo (sister and translator) were sworn in and stated that Thuy Vo has made every effort to do this, she bought the business the owner passed away and Thuy Vo wanted to keep the same business name but was unable to and she is trying to get this changed.

Investigator Lisa Chavez testified that on December 13, 2019, Board office received a complaint alleging that You Need Nails located in Phoenix, Arizona, have unlicensed technicians operating in the establishment. It was noted that the previous owner was deceased on October 21, 2019, and the Board has not received an ownership change.

On June 29, 2020, Investigator Lisa Chavez went to salon location and upon entering she witnessed on the left side of the salon two women one performing a manicure and one doing an acrylic set of nails and on the right side of the salon two women performing pedicures. Investigator Lisa Chavez asked for the manager and the women performing the acrylic nail service stood up and walked outside and a man also came outside and identified himself as the manager's son and to interpret for her. The Investigator explained the complaint, and informed them that the salon would be inspected. As the Investigator started the inspection and walked to the back of the salon the woman who was performing the manicure quickly got up and started to walk to the back door. Investigator asked for the woman's license the manager stated that she just cleans the salon. The following violations were found: Unlicensed operator (Lan) performing a manicure, personal licenses were posted together on a back wall not posted at each station. Investigator stated that on another investigation she had talked to owner about this same violation. At the end of the inspection Investigator found that the manager's name is Thuy T. T. Vo license no. 51400252.

On September 10, 2020, Compliance Supervisor spoke with Yen Vo who claims she is legally the new owner. Yen Vo stated that she had submitted an application twice, and the first time she was

told to wait until salon name expires and the second time her salon application was sent back. Yen Vo stated that she had submitted the trade name in July early August.

**Continue this matter to next month's Board meeting for new salon application to be submitted and to resolve the other issues.**

2. 96197 Academy of Nail Technology #NSL00006 **10:30 a.m.**  
 It Takes Two LLC, Owner  
 Brian McKew, Member  
 Continued from the September's Board meeting

**MOTION by Gary Begley to move case no. 96197 to a Formal Hearing and in the alternative accept a signed consent agreement with the previously offered negotiated terms in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

3. 96065/96101 Fly Girls Boutique & Beauty Bar #SCOS25822 **10:30 a.m.**  
 Fly Girls Only LLC, Owner  
 Angela Crowder, Member  
**CONTINUE**

4. 96088/96089 L&T Nails #SNT18195 **10:30 a.m.**  
 Hai Anh Duong #51200184, Owner/Manager/Licensee

**MOTION by Gary Begley to move case nos. 96088/96089 to a Formal Hearing and in the alternative accept a signed consent agreement with the previously offered negotiated terms in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

5. 96182/96185 TT Nail and Spa #'s SNT18328 & SAES19463 **10:30 a.m.**  
 TT Nail and Spa LLC, Owner  
 Thien Kim-Hoan #51500671, Member  
**NEGOTIATED \$250/12-MONTH PROBATION**

6. 96215 E-Spa Nails SNT17080 10:30 a.m.  
 Thien Hoang Do #59900289, Owner/Manager  
**NEGOTIATED \$500**

7. 96226 Love Nails and Wax, License No. SNT19508 10:30 a.m.  
 Julie Pham, #50116478 Owner/Manager

Julie Pham was sworn in and stated that she has been doing this for years and when she found out that they could not use MMA she went back to the shop where she bought it and the person told her they put the product in the wrong bottle.

Inspector Cathy Bergeron testified that on July 8, 2020, she conducted an inspection of Love Nails and Wax located in Phoenix, Arizona, and found the following: Establishment was found with prohibited hazardous material-MMA (Methyl Methacrylate Monomer).

**MOTION by Gary Begley for case no. 96226 to adopt the Findings of Facts and Conclusions of Law. MOTION SECONDED by Thomas Rough.**

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**STAFF REPORTED NO HISTORY**

**MOTION by Gary Begley for case no. 96226 to issue a Disciplinary Letter of Concern for having MMA in the salon. MOTION SECONDED by Thomas Rough.**

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

8. 96229 Polish Studio #SNT19586 10:30 a.m.  
 TTKM LLC, Owner  
 Tony Phu Nguyen, Member  
 Kevin Dat Nguyen #59700276, Member  
**NEGOTIATED \$500/PAID**

9. 96230 Carla R Munoz #10402110, Owner 10:30 a.m.



Irma Telles Investigative Supervisor asked the Board to reconsider rescinding the previous motion offered of \$500 civil penalty & costs due to the salon application was in the office at the time of the inspection. In this case there was a slight variation in the salon name and we were not able to cross reference.

MOTION by Thomas Rough for case no. 96230 to rescind previous motion offered of \$500 civil penalty & costs and to dismiss as the salon application was in the office at the time of the inspection. MOTION SECONDED by Jenna Bentley.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

10. 96232 Mercedes Meraz #10902336, Owner 10:30 a.m.  
 Beauty Parlor By Mercedes #SCOS20284

MOTION by Gary Begley to move case no. 96232 to a Formal Hearing and in the alternative accept a signed consent agreement with the previously offered negotiated terms in lieu of the Formal Hearing.

Gary Begley withdrew his motion as licensee is present.

Roll Call:

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

Mercedes Meraz was sworn in and stated that she is not the owner of the salon and that she sold the salon in October to a gentleman and she had notified the Board of the salon closure.

Investigator Helen Bordelon testified that on September 28, 2020, she conducted an inspection of Beauty Parlor by Mercedes located in Tucson, Arizona, and found the following: Salon signage reads Paty's Beauty Salon & Barber, no salon license posted, contaminated wet disinfectant with dirt and unclean combs inside, unclean and not disinfected shampoo bowls, unclean tools/color bowls left out with chemicals in them and perm rods left out and not covered.

This matter was continued to next month's Board meeting for staff to look into the notification of salon closure.

11. 96233 Nora Gorgess #11700278, Licensee 10:30 a.m.

**MOTION by Gary Begley to move case no. 96233 to a Formal Hearing and in the alternative accept a signed consent agreement with the previously offered negotiated terms in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**Gary Begley withdrew his motion as licensee is present. MOTION SECONDED by Thomas Rough.**

Nora Gorgees was sworn in and stated that she has fixed everything, she could not get the Barbicide because of COVID, she had the first aid kit in a box in the cabinet and that she forgot about the licenses because she was in Chicago for a couple of weeks.

Investigator Lisa Chavez testified that on August 28, 2020, she conducted an inspection and found the following: Unlicensed establishment license expired May 11, 2019, unlicensed operator, Nora Gorgees personal license expired March 27, 2018, no EPA disinfectant concentrate, no wet disinfectant set up, implements not disinfected properly, no first aid/blood exposure kit, no display of licenses and no IFP guidelines posted.

**MOTION by Thomas Rough for case no. 96233 to adopt the Findings of Facts and Conclusions of Law. MOTION SECONDED by Jenna Bentley.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**MOTION by Thomas Rough for case no. 96233 to offer a new consent agreement with the following new terms, to asses a \$250 civil penalty and costs, for Licensee Nora Gorgees to attend the Infection Protection/Law Review Class within 3-months and for staff to send the IFP guidelines to the salon owner. MOTION SECONDED by Jenna Bentley.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x

Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

12. 96234 Stephanie M Mattheussen #10701617, Licensee **10:30 a.m.**  
**MOTION by Gary Begley to move case no. 96234 to a Formal Hearing and in the alternative accept a signed consent agreement with the previously offered negotiated terms in lieu of the Formal Hearing. MOTION SECONDED by Thomas Rough.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

13. 96236 D'Image Beauty College - Avondale, License No. CSL162 **10:30 a.m.**  
 D'Image Beauty College - Avondale, LLC  
 Luz Elva Jaime Martinez #90600042, Manager  
**NEGOTIATED \$250**

**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. Review, Discussion and Possible Action on Appeal from a Denial of Application.**

None

**B. Review, Discussion and Possible Action on Motion to Deem A.R.S. § 32-573 (E).**

None

**C. Review, Discussion, and Possible Action to Amend Allegations of Statutory and Rule Violations in a Matter Moved to Formal Hearing.**

95724                      Sigma Cuts School of Beauty #CSL00217  
 Sigma Cuts School of Beauty Corp./World Media Entertainment Inc., Owner  
 Will Mitchel, C.E.O.  
 Bonnie Duran, Director  
 Erica Padilla #91700021, Director  
 Marissa Morris #91900020, Director/Instructor

**MOTION by Jenna Bentley to amend Allegations of Statutory and Rule Violations and to add A.R.S. § 32-572 (A)(3) & (7), A.A.C. R4-10-204 (A) and A.A.C. R4-10-204 (D)(3)(4)(5)(8) & (9) and to delete A.A.C. R4-10-204 (D)(7) and (E). MOTION SECONDED by Gary Begley.**

**Roll Call:**

Vote	Gary Begley	Thomas Rough	Brandy Flores	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

**MOTION CARRIED.**

**D. Report, Review, Discussion and Possible Action on Update Regarding Consent Agreement for 6-Month Terms of Probation.**

95860/95861                      Lux's Nails Spa #'s SNT18799 & SAES21138  
 Lux's Nails Spa LLC, Owner  
 Phuong Vo #50100238, Manager/Member  
 Andy Ngoc Nguyen #50700401, Licensee

**Irma Telles Investigative Supervisor reported to the Board that there is one more inspection to be completed and staff will report back to the Board as the salon is still under a 6-month probation.**

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

None

**F. Formal Hearing Pursuant to A.R.S. § 32-573 (D) or in the Alternative Accept Signed Consent Agreement for Voluntary Revocation of License Pursuant to A.R.S. § 32-573 (E).**

None

**G. Review, Discussion and Reconsideration on Denial of Application and Possible Action on Opening an Investigation Pursuant to A.R.S. § 32-571 (A) (1).**

None

**H. Review, Discussion and Possible Action on Request for Extension of Time to Comply with the Board Order.**

None

**I. Review, Consideration and Possible Action on Motions for Rehearing/Review A.R.S. § 41-1092.09 and A.A.C. R4-10-115**

None

**J. Report, Discussion and Possible Action on Non-Compliance with Consent Agreement Pursuant to A.R.S. § 32-572 (A) (9).**

None

**K. Report, Discussion and Possible Action on Opening a Complaint Pursuant to A.R.S. § 32-572 (A) (2) (B) (C) (D) and A.R.S. § 32-573 (A).**

None

**ADJOURNMENT**

**MOTION by Jenna Bentley to adjourn the meeting at 12:07 p.m. MOTION SECONDED by Gary Begley.**

**Roll Call:**

<b>Vote</b>	<b>Gary Begley</b>	<b>Thomas Rough</b>	<b>Brandy Flores</b>	<b>Jenna Bentley</b>	<b>Amber Cepkauskas</b>
<b>Aye</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>
<b>Nay</b>					
<b>Recused</b>					
<b>Abstained</b>					
<b>Absent</b>					

**MOTION CARRIED.**

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