



Arizona State
Board of Cosmetology

1721 E Broadway Rd • Tempe, Arizona 85282-1611
Telephone 480.784.4539 • Fax 480.784.4962
www.azboc.gov

ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES
October 16, 2015 at 9:15 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 ~~an~~ 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
Joe Verdugo
Tammy L Acton
Melissa C Porter - Absent
Martha P Ramsey

BOARD BUSINESS

1. Approval of Regular Board Minutes of September 11, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION
SECONDED by Martha Ramsey. MOTION CARRIED.

2. Approval of Executive Session Minutes of September 11, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

3. Declaration of Conflict of Interest.

Tammy Acton declared for 89601 no. 21, 89729 no. 38 and 89733 no. 40 under Step 2. B.

4. Discussion, Consideration and Possible Action on Proposed Legislation for 2016 Legislative Session.

***Board Membership A.R.S. §32-502 and Proposing Legislative Change**

- Adding Aesthetician Member
- Removing Public Educator Member and Adding Second Public Member
- Adding Salon Owner Member

***Age Limit for Proof of Education Requirement**

- A.R.S. §32-510 Aesthetician; Applications; Qualifications
- A.R.S. §32-511 Cosmetologist; Applications; Qualifications
- A.R.S. §32-512 Nail Technician; Applications; Qualifications
- A.R.S. §32-531 Instructor; Applications; Qualifications
- A.A.C. R4-10-204 (C) (3) (c) Proof of Education Requirement
- A.A.C. R4-10-101 (14) Definition of %High School Equivalency+

***Definition of Eyelash Enhancements and/or Eyelash Extensions**

- A.R.S. §32-501 Definitions

***Indirect and Direct Supervision of Licensees Using Lasers**

- A.R.S. §32-516 Aestheticians; Cosmetologists, Cosmetic Laser and IPL Device Use; Certification; Fees; Definitions

•
Karla Clodfelter presented to the Board Members copies of the Proposed Legislative changes to review. Karla Clodfelter stated the folder would be opened on Proposed Legislation by November 15, 2015, and House Speaker David Gowan will be carrying our Bill.

5. Discussion, Consideration & Possible Action on Approval of Proposed Language to Board Rules

- A.A.C. R4-10-102 Fees
- A.A.C. R4-10-107 License Renewal
- A.A.C. R4-10-110 Reactivating an Inactive License

Executive Director Donna Aune, stated that Jeanne Hann would be delivering the Certification and Rule Packet to the Secretary of State on Monday October 19, 2015. Donna Aune also stated that we had Oral Comments on October 14, 2015, two individuals came in to make oral comments and were both in favor of the 2-year renewal.

6. Report and Discussion On Resignation of Board Member Melissa Porter

Executive Director Donna Aune reported that Melissa Porter had sent in her Letter of Resignation to Ryan Peters Director of Boards and Commissions.

7. Discussion, Consideration and Possible Action on Election of New Board Officers.

- Chairman
- Vice-Chairman
- Secretary/Treasurer

Karla Clodfelter nominated Gary Begley for Chairman. No other nominations for chairman were made. Nominations were closed. MOTION by Karla Clodfelter to elect Gary Begley as Chairman. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

Tammy Acton nominated Karla Clodfelter for Vice-Chairman. No other nominations for Vice-Chairman were made. Nominations were closed. MOTION by Tammy Acton to elect Karla Clodfelter as Vice-Chairman. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

Karla Clodfelter nominated Tammy Acton for Secretary/Treasurer. No other nominations for Secretary/Treasurer were made. Nominations were closed. MOTION by Karla Clodfelter to elect Tammy Acton as Secretary/Treasurer. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

8. Cosmetology Students on Field Trip.
- Questions and answers regarding Board authority and process

Students from Aveda Institute were in Attendance.

EXECUTIVE DIRECTOR'S REPORT

1. Discussion, Consideration & Possible Action on 2016 Board Meeting Dates and 2016 Infection Protection/Law Review Class Administered by the Board.

- Board Meeting Dates:

Jan 15 th	Feb 19 th	Mar 18 th	April 15 th	May 20 th
Jun 17 th	July 15 th	Aug 19 th	Sept 23 rd	Oct 21 st
Nov 18 th	Dec 9 th			
- Infection Protection/Law Review Class Dates:

Jan 11 th & 25 th	Feb 8 th & 22 rd	Mar 7 th & 21 st	Apr 4 th & 18 th
May 2 nd , 16 th & 23 rd	Jun 13 th & 27 th	July 11 th & 25 th	Aug 8 th , 22 nd & 29 th
Sept 12 th & 26 th	Oct 3 rd 17 th & 31 st	Nov 14 th & 28 th	Dec 12 th & 19 th

MOTION by Gary Begley to approve the 2016 Board Meeting dates along with the class dates. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

2. Discussion & Report on 90/10 Director's Meeting held on October 6, 2015, and Survey from Governor's Office for Board Members and Executive Director.

Executive Director Donna Aune reported on the 90/10 Director's Meeting she attended and stated the Governor's plan for 2016 is to consolidate agencies and to eliminate others. Ryan Peters the Director of Boards and Commissions stated at the meeting that this will happen in fiscal year 2016.

3. Report on American Association of Cosmetology Schools (A.A.C.S.) to be held on October 23rd thru 26th, 2015, in Phoenix, Arizona.

Executive Director Donna Aune stated that she and Gary Begley will attend the conference and she was invited to attend the States Dinner on Saturday night.

4. Summary of Current Events.

Executive Director Donna Aune reported that she continues working with NIC on the National Standards, and was invited to the Barbers Conference this month where Leslie Roste of King Research gave a presentation before coming out to the Board to give an educational class.

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

89954 Shirina P Sinclair *(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

89967 Susan Phan *(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

**MOTION by Karla Clodfelter to deny and accept with negotiation terms.
MOTION SECONDED by Tammy Acton. MOTION CARRIED.**

B. Recommend Dismissals

MOTION by Martha Ramsey to accept staff recommendations for all those listed below Step 1 B & C. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

89036	Red 115 Salon #SCOS15880 Red Inc, Owner	(No evidence to support allegations)
89096	Jannessa St. James #19100379, President/Manager Maricopa Skill Center Cosmetology Program #CSL55 Maricopa County Community College District, Owner	(No evidence to support allegations)
89165	Gayla Brunett #90700051, Director Mane Event Salon & Spa #SCOS24292 Janet Rae Synder #16506484, Owner	(No evidence to support allegations-client satisfaction)
89260	Arizona Professional Weight Loss, Unlicensed Lynn Hoza, RN	(No evidence to support allegations)
89438	V Lashed #SAES19031 Valencia Davis #10902168, Owner	(No evidence to support allegations)
89461	Erika V Ocampo #10601728	(No evidence of unlicensed activity)
89508	Angie's Hair & Nail Salon #SCOS14668 Angela Redhead #19700217, Owner	(No evidence to support allegations)
89625	Five Star Nails & Spas #SNT17572 Five Start Nails & Spas LLC, Owner Phuong Hoang Ngo #50500272, Member	(No evidence to support allegations)
89663	Supercuts #9111 #SCOS10315 Supercuts Corp Shops Inc., Owner Dan Hanrahan, President/Director	(Client Satisfaction)
89655	Ashley Anderson #11202340, Licensee Mine Nails Salon #SNT16594 Yen Phan #50400161, Owner	(No evidence to support allegations)
89682	Tammy's LA Nails, Unlicensed	(Said location is vacant)
89689	Magic Cuts Barber #SCOS24067 Daniel Younan Owner	(No evidence of unlicensed activity – refer to Barber Board)
89701	Lorilyn Espinal Unlicensed	(Insufficient evidence)
89707/89708	Metro Nails & Spa #SNT17847 & SAES18700 Thuy Trang Thi Ly #50800701, Owner	(Said location is vacant)
89727	#1 Nail Expert & More #SNT16227 Michelle N Phan Vu #59700615, Co-Owner/Manager Hung V Vu #59700559, Co-Owner/Manager	(No evidence to support allegations)
89736	Retro Hair Studio #SCOS24361 Richard M Witham #19813627, Owner	(Insufficient evidence)
89755	Salon JO.EL #SCOS22091 Joseph W Porter #90500067 & 19000737, Owner Roger Montoya #10501845, Licensee	(No evidence to support allegations)
89765	Angela Marie Luna #11002608	(Found no activity at residence)
89804	Christie Viandis, Unlicensed	(Refer to proper authorities)
89808	Marlene Jolley #16910495, Licensee	(Reference to ARS §32-574 (A) (5))
89815	Paul Mitchell the School Phoenix CSL96 Phoenix LLC, Owner John K Cole, Member Shirley S Serafin #91100047, Director	(Evidence does not support allegations)

C. Recommend Letter of Concern

See Motion Above.

89675	New Serenity Spa / LLC #SCOS23610 New Serenity Spa LLC, Owner Stacy LeClair #30900526, Member	<i>(Expired products)</i>
89818	Salon Chic #SCOS22009 Salon Chic LLC, Owner Jade N Smith #10602035, Member/Manager Jason Newton, Member	<i>(Delinquent personal licenses)</i>
89819	Lily Hair & Nails Salon #SCOS23723 Tiem Thi Nguyen #50100672, Owner/Manager	<i>(1/6 licensees with sanitation violations & delinquent establishment license)</i>
89821	Gracie's Hair Waves Salon #SCOS4351 Graciela Maier #18600148, Owner/Manager	
89824	Polish Lounge #SNT18005 Vivian Kim Tran #50401357, Owner/Manager	<i>(No first-aid kit & no blood spill kit)</i>
89825	Signature One 63 #SCOS16353 Danielle Tryon #10224542, Owner/Manager	<i>(Delinquent personal license)</i>
89826	Spectrum Salon #SCOS25258 Ragen Laraway #10501948, Co-Owner/Manager Kelly D Hoopingarner #19600996, Co-Owner/Manager	<i>(No tuberculocidal disinfectant)</i>
89832	H & L Salon #SCOS21688 Heather M Proffitt #10800324, Co-Owner/Manager Lynnette Anne Hernandez #10501032, Co-Owner/Manager	<i>(Delinquent personal license)</i>
89851	Toni & Guy Hairdressing #SCOS11514 Toni & Guy Associates Inc, Owner Bruno Mascalo, President Talia R Stannard #11100993, Manager	
89854	Styles by Renee Cherie #SCOS23904 Renee Hilger #10701765, Owner/Manager	<i>(Delinquent establishment license)</i>
89856	Infamous Hair AZ #SCOS24990 Silvia Mathis #19917310, Owner	<i>(Wet disinfectant not labeled & delinquent personal license)</i>
89857	Bob and Weave #SCOS23648 Mariah Crowley #10402201, Co-Owner/Manager	<i>(Delinquent personal license)</i>
89863	Elvera Gabriel Perkins #10500416, Co-Owner/Manager Mesa Pavilion Hair Salon #SCOS16391 Ruby Mortazavi #19100671, Owner	<i>(Delinquent personal license)</i>
89864	Bridget A Nino #18701012, Manager The Salon at Ulta 3 #SCOS7005 Ulta 3 Cosmetics & Salon Corp, Owner Terry Hanson, CEO Damon Clark #17921680, Manager	<i>(Required personal license display)</i>
89865	European Wax Center-East Mesa #SAES17508 Cabby Inc, Owner Kimberly Larson, Member Jason Larson, Member Gina McCready, Manager	<i>(Delinquent personal licenses)</i>
89866	Charlie's Salon and Spa #SCOS24046 P & G Brown LLC, Owner Pamela L Innes #10701225, Member	<i>(Delinquent establishment & delinquent personal license)</i>
89868	Trendy Shears #SCOS23646 Mariela Bautista #10700011, Owner/Manager	<i>(Delinquent personal license)</i>

D. Recommend Informal Interview or Negotiation Terms

MOTION by Tammy Acton to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

1. 89114 Nail Galleria #SNT15184
Brian P Bui #50401124, Owner
Bich Ha Phung #50400665, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
2. 89178/89899 20 Lounge Scottsdale Quarter LLC #SAES18250 & SNT17540
20 Lounge Scottsdale Quarter LLC, Owner
Valerie Griggs, C.E.O.
Ashley Beck #11201185, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
Francheska Rosamond Fox #11400991, Licensee
Issue a Letter of Concern for improper wax service, see motion above.
3. 89231 & Stylist Rock Salon #SCOS19741
89900 & Veronica Baca #10800840, Owner
89901 & Karen D Sutherland #18226010, Licensee
89902 Sarah Davis #11401541, Licensee
MOTION by Tammy Action to continue 89231, 89900, 89901 & 89902 for further investigation. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
4. 89266/89267 Regal Nails #SNT13389 & SAES13390
Kim Cuc T Trinh #1020089, Owner/Manager
Ha K Do #50200240, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner/Manager Kim Cuc Trinh to attend the Infection Protection/Law Review class given by the Board, see motion above.
5. 89390 Arizona Nails by Tony Inc. #SNT16847
Arizona Nails by Tony Inc., Owner
Tri Minh Tran, President
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
6. 89489 Connie Snyder #10900523
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
7. 89735 RoyaleqHair Studio #SCOS24717
Maranda Hall #10902272, Owner/Licensee
Dismiss due to insufficient evidence, see motion above.
8. 89738 Do My Nails #SNT17067
Do My Nails LLC, Owner
Long T Nguyen #50400328, Member
Joan Nguyen #51000589, Manager
Gelacio Dominguez Marino #51500387, Licensee
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
9. 89751 Lupita Barber Shop & Salon #SCOS22875
Guadalupe Toscano Hernandez, Owner
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and add A.R.S. § 32-542 (B), see motion above.
10. 89767 Martha Vasquez #10801293

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

- Offer a consent agreement to assess \$2,000.00 civil penalty and Board costs, see motion above.
11. 89768/89769 Nails U Luv 1 LLC #SNT1602 & SAES16147
Nails U Luv 1 LLC, Owner
Thy Thi Huynh #50601196, Member/Manager
Dismiss due to insufficient evidence, see motion above.
12. 89803 Jd Corey Mills #11501108
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and \$150.00 restitution, see motion above.
13. 89812 Marie L Kiebert #19500353
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
14. 89816 & Kustom Kuts by Omar #SCOS16416
Omar Sandoval, Owner
89817 Gwen+Huyen Thi Edwards #10400096, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
15. 89820 Yoli Sala De Belleza #SCOS12163
M Yolanda Arredondo #19200341, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
16. 89822 King Nails #SAES13314
Hanh Kim Tran #59900311 & 30330738, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and for Owner/Manager Hanh Kim Tran to attend the Infection Protection/Law Review class held by the Board, see motion above.
17. 89823 Maren Bloomer #10121729, Owner/Manager
Issue a Letter of Concern for not providing correct application information, see motion above.
18. 89827 Mary Leal #10700205, Owner/Manager (*Revoked*)
Offer a consent agreement to assess \$1,250.00 civil penalty and Board costs, see motion above.
19. 89828 Ruby Red A Salon #SCOS21894
AJI Enterprises LLC, Owner
Angela Molina #10326016, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
20. 89829 Free Expressions by Dashonna #SCOS24563
Dashonna Johnson #11000792, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
21. 89830 Jessica Enriquez #11202405, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
22. 89831 Sport Clips AZ 120 #SCOS21326
Lee Hill Investments LLC, Owner
Jared Lee, Member
Val Hill, Member
Claudia Rico #10401835, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
23. 89833 Thairapy #SCOS17281
Mairi Heath #10400163, Owner

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

- Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner Mairi Heath to attend the Infection Protection/Law Review class given by the Board, see motion above.
24. 89850 9 Pretty Nails & Spa #SAES17136
9 Pretty Nails & Spa LLC, Owner
Ha T Nguyen #☞ 50601336 & 30800563, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Member Ha T. Nguyen to attend the Infection Protection/Law Review class given by the Board, see motion above.
25. 89852/89927 University Nails & Spa #☞ SAES18308 & SNT17573
Phuong Thi Vo #☞ 50300068 & 30500347, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner Phuong Thi Vo to attend the Infection Protection/Law Review class given by the Board, see motion above.
26. 89854 & Kelly L Burns #10601304, Co-Owner
Offer a consent agreement to assess \$375.00 civil penalty and Board costs, see motion above.
89855 Kayla Stacker #11201242, Co-Owner
Offer a consent agreement to assess \$375.00 civil penalty and Board costs, see motion above.
27. 89858 Angela Brown #11500736, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
28. 89859 Angela L Stewart #10700053, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
29. 89860 Kristy Rahkola #11301957, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
30. 89861 Doria Tabron #11100026, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
31. 89862 Ambia A Elms #19917415, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
32. 89867/89932 Ultra Nails Spa #☞ SNT15245 & SAES15231
Quan Xuan Ngo #59800222, Owner
Jennifer Nguyen, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
33. 89869 The Coterie #SCOS21655
Amphaphone Souvannarin #50022911, Co-Owner/Manager
Linda Souvannarin #☞ 50601055 & 30600902, Co-Owner/Manager
Salina Rogers #10120943, Co-Owner/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. 89389/89649 Luxury Nails #SNT16401 & SAES16672 **10:15 a.m.**
Phung Thi Vo #50300068 & 30500347, Owner
Continued from September Board Meeting
No Show; to formal hearing
2. 89393 Esmeralda Garcia #11100172 **10:15 a.m.**
Continued from September Board Meeting
NEGOTIATED \$50
3. 89447 J Anthony Salon & Spa #SCOS24038 **10:15 a.m.**
J Anthony Salon & Spa LLC, Owner
Christy Kamp, Corporate Owner
Abigail Haddad #30800317, Licensee
Continued from September Board Meeting
NEGOTIATED \$250
4. 89528/89529 & Ken Nails & Spa #SNT16386 & SAES16641 **10:15 a.m.**
89628 Anh Hoang Nguyen #50200058, Owner
Continued from July Board Meetings
No Show; to formal hearing
5. 88922 Andy Nails #SNT17187 **10:15 a.m.**
Chau Thi Huynh #50100735, Owner

Chau Thi Huynh appeared was sworn in and stated that this is not true, nobody came to her shop on that day she has no record of the service and it is too long ago to remember. Chau Thi Huynh stated the licensee did not see the bottle she needed to clean the spa, Chau Thi Huynh said she looked for it and found it in the cabinet and the Inspector misunderstood. Barbaranne Morris testified that the office received a complaint from Laura Magallan alleging she received a pedicure service by a female who scrubbed the heel area rough which left a cut resulting in an infection requiring medication. Complainant returned to salon to explain, the owner told her the individual who performed the service was no longer working at the salon and gave her a cream to apply. Complainant sought medical attention and was diagnosed with a fungus and prescribed antibiotics. Complainant returned to the salon to show owner cost of doctor's visit and prescription, owner told her she would not pay until she produces receipts. Investigator also observed a licensee finish a pedicure service on a client and used soap and sponge, did not run the pedicure spa with any disinfectant.

MOTION by Karla Clodfelter to move that for case no. 88922 all alleged violations cited in the Investigation Report have been shown except A.R.S. § 32-572 (A)(4) and A.R.S. § 32-574 (A)(4). MOTION SECONDED by Tammy Acton. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (G)(1)(2) Infection Control/Safety Standards
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications

HISTORY

Andy Nails, License No. A17714

86056 . 3/15/13 . Letter of Concern . Delinquent Personal License

MOTION by Karla Clodfelter to move that for case no. 88922 to impose the following discipline and to issue a Consent Agreement with the following new terms of \$250.00 civil penalty and Board costs. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

6. 88859 Bernice Fernandez #11002873 **10:15 a.m.**
Bernice Fernandez appeared was sworn in and stated she did do the complainants hair in her home, she was trying to find a place to work at the time and a month later she started working at Sports Clips. Joanne Ayotte testified to licensee performing services out of her home.

MOTION by Karla Clodfelter to move that for case no. 88859 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(5) & (8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon.

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

HISTORY

88116 . 9/19/14 . Consent Agreement/\$750 Civil Penalty & Cost . Working out-of-home Appeared at October 17, 2014, Board Meeting and offered new terms of \$125 in Civil Penalty & Cost

MOTION by Karla Clodfelter to move that for case no. 88859 to impose the following discipline and to maintain Consent Agreement previously offered to licensee and to add 10-month probation in which to pay the fine. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

7. 88984 & 20 Lounge, Unlicensed **10:15 a.m.**
Valerie Griggs, Owner
89773 & Ashley Beck #11201185, Manager
CONTINUED
89774 & Alyssa Cyermillion #11001981, Licensee
CONTINUED
89775 & Jennifer McQueen #51400190, Licensee
CONTINUED
89776 & Francheska Rosamond #11400991, Licensee
CONTINUED
89778 & Kellie Anne Michell #31300090, Licensee
CONTINUED
89779 & Suzanne Garcia #50100527, Licensee
CONTINUED
89780 & Coleen McCullouch #51000483, Licensee
CONTINUED
89781 Suzie Miller #59000169, Licensee
CONTINUED

Compliance Manager Joanne Ayotte asked the Board if they would rescind fines against all individuals; salon was licensed and delinquent, license not posted and to issue a Letter of Concern to salon license no. M17540 and A18250 for delinquent establishment license and establishment license display.

MOTION by Karla Clodfelter to dismiss fines on case nos 89773, 89774, 89775, 89776, 89778, 89779, 89780, 89781 and to issue a Letter of Concern to salon license nos M17540 and A18250 for delinquent establishment license and establishment license display. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

8. 89307 Tuan El Bella Day Spa #SCOS17357 **10:15 a.m.**
Tony Hoang Pham #5000157, Owner
Vivian Le # 50600140 & 30700459
No Show; to formal hearing

9. 89360 & Kingman #1 #SNT16651 **10:15 a.m.**
NEGOTIATED \$1,500.00/6 MONTH PROBATION

ARIZONA STATE BOARD OF COSMETOLOGY
 OCTOBER 16, 2015, BOARD MEETING MINUTES

- | | | | |
|-----|---------------|---|-------------------|
| | 89878 & | Tuong T Mac #50100289, Owner
NEGOTIATED TO ATTEND BOARD CLASS | |
| | 89879 | Tien T Mac #50200389, Licensee
NEGOTIATED TO ATTEND BOARD CLASS | |
| 10. | 89554 | Kingman #1 #SNT16651
Tuong T Mac #50100289, Owner
Tien T Mac #50200389
NEGOTIATED \$1,000.00/6 MONTH PROBATION | 10:15 a.m. |
| 11. | 89497 | Milano Nails Salon LLC #SNT17434
Milano Nails Salon LLC, Owner
Luong T Ngo #50800052, LLC Manager
Tuyen Thi Thu Loung #11302126, LLC Manager
Monica Robles Olvera #10901044, Licensee
NEGOTIATED \$500/PAID | 10:15 a.m. |
| 12. | 89510 | Notorious Hair and Nails #SCOS23601
Manuel G Romero, Owner
NEGOTIATED \$500/ 1st Payment 6 MONTH PROBATION | 10:15 a.m. |
| 13. | 89515/89517 & | Scottsdale Nail & Spa LP #SNT18087 & SAES19083
Henry Nguyen, Partner
Tuan Mong Chu, Partner
NEGOTIATED \$500/PAID | 10:15 a.m. |
| | 89903 | Kristine N Nguyen #50100168, Manager
NEGOTIATED TO ATTEND BOARD CLASS-SCHEDULED | |
| 14. | 89535 | Michael A Malisewski #17616979
NEGOTIATED \$500/PAID | 10:15 a.m. |
| 15. | 89536/89537 | For Nails Only #SNT17310 & SAES17891
LNN Inc., Owner
Thu M Nguyen #59500445 & 30100111
Khanh Ly #50022418 & 30500627
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 16. | 89547 | Krissy Rahkola Disabato #11301957
Brazilian Blowdry Boutique Unlicensed
NEGOTIATED | 10:15 a.m. |
| 17. | 89555/89561 | Regal Nails #1746 #SNT17849 & SAES18705
Tommy Ngo #51300042, Owner
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 18. | 89569 | Dolly Nail & Spa #SCOS23049
Jennifer Christine Nguyen #11000949, Owner | 10:15 a.m. |

Jennifer Christine Nguyen appeared was sworn in and stated she follows sanitations rules and does not believe Marilyn got an infection from her salon. Jennifer Nguyen stated her salon is very clean and she is strict about the sanitation, they spray Barbicide around the spa and in the spa, we do not use buffers and we have a sign for services not regulated by the Board. Jennifer Nguyen stated she has been in business for 18-years. Investigator Amber Moore testified that the office received a complaint from Marilyn Smith alleging she received a pedicure service by Dolly a week later she noticed a red round spot on her foot

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

and became painful. Complainant went to the doctor and said it looked like MRSA was prescribed Bactrim.

MOTION by Karla Clodfelter to move that for case no. 89569 all alleged violations cited in the Investigation Report have been shown except A.R.S. § 32-572 (A)(4). MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.A.C. R4-10-111 (F) Notice of posting out non-regulated salon services

A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1) Personal licenses posted at the licensee's stations

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (B)(C)(D)(E)(1)(7)(G) Infection Control/Safety Standards

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

HISTORY

87211 . 11/15/13 . Consent Agreement/\$500 Civil Penalty & Cost . Pedicure resulting in two big swollen toes/Health and Safety

87333 . 11/15/13 . Board Order to Attend Law/IFP Class

MOTION by Karla Clodfelter to move that for case no. 89569 to impose the following discipline and to issue a Consent Agreement with the following new terms of \$750.00 civil penalty and Board costs. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

- | | | | |
|-----|-------------|---|-------------------|
| 19. | 89579 | Da-Vi Nails #4325 #SNT16270
Tracy Hoang #50700357, Owner
NEGOTIATED | 10:15 a.m. |
| 20. | 89583 | Fantastic Sams #SCOS13553
EDDM Investment, Corp
Channelle Renne Watlington #10902061, Manager
Jessie Ramona Griffin #11400219, Manager
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 21. | 89601 | Tucson College Beauty #CSL44
Transwest Properties Inc/Behind the Chair School of Design LLC, Owner
Michael Hanson
Rochelle Carr #99229186, Director/Instructor-in-charge
Jensen Carr #11101106
NEGOTIATED | 10:15 a.m. |
| 22. | 89617/89618 | Angel's Nails/LLC #SNT17328 & SAES17915
Angel's Nails LLC, Owner
Johnny V Nguyen #50400597, Member
NEGOTIATED | 10:15 a.m. |
| 23. | 89623/89624 | Nail Time & Wax #SNT16985 & SAES17433
Nail Time LLC, Owner
Ky Nguyen #50331266, Member
Duc M Hoang #50100299 & 30300032, Member
NEGOTIATED \$500/PAID | 10:15 a.m. |
| 24. | 89630 | Denise Rosa Dunlap #19500618
CONTINUED | 10:15 a.m. |

ARIZONA STATE BOARD OF COSMETOLOGY
 OCTOBER 16, 2015, BOARD MEETING MINUTES

25. 89634 & Oanh T Huynh #50000542, Member **10:15 a.m.**
 Oanh Ken Nails & Spa #SNT18061 & SAES19044
 Oanh Ken Nails & Spa LLC, Owner
CONTINUED
- 89846 & Thuy T Nguyen #5970037, Licensee
CONTINUED
- 89847 Ngoc Ngan Phan Tran #50600986, Licensee
CONTINUED
- Compliance Manager Joanne Ayotte asked the Board if they would rescind previous motion of \$500.00 civil penalty and costs against salon license nos. SNT18061 & SAES19044 which are closed and place the civil penalty of \$250.00 along with \$24.00 restitution against each new owner Thuy T. Nguyen and Ngoc Ngan Phan Tran.
- MOTION by Joe Verdugo to rescind previous motion of \$500.00 against SNT18061 & SAES19044 and place \$250.00 along with \$24.00 restitution against each new owner Thuy T. Nguyen and Ngoc Ngan Phan Tran. MOTION SECONDED by Tammy Acton. MOTION CARRIED.
26. 89652/89886 & Legends Nails #SAES15005 & SNT15034 **10:15 a.m.**
NEGOTIATED \$500/PAID
- 89904 Kim Phuong Thi Nguyen #10100401
NEGOTIATED TO ATTEND BOARD CLASS-SCHEDULED
27. 89685 Suzan A Hooper #39819782 **10:15 a.m.**
NEGOTIATED \$500/PAID
28. 89711 Indulge Designs & Co #SCOS23368 **10:15 a.m.**
 Indulge Designs & Co LLC, Owner
 Antwaun T Bryant #10402122, LLC Manager
"RETURN TO SENDER" - RE-NOTICE
29. 89715 & Paradise Nails Salon #SNT17569 **10:15 a.m.**
NEGOTIATED \$500/PAID
- 89908 John Chuong Van Kieu #19700641, Owner
NEGOTIATED TO ATTEND BOARD CLASS-SCHEDULED
30. 89716 The Salon at Ulta 3 #SCOS6323 **10:15 a.m.**
 Ultra 3 Cosmetic Savings Store Inc, Owner
 Terry Hanson, CEO
 Tracie Lujjo, Manager
NEGOTIATED \$500/PAID
31. 89717 Sweelen Hudson #10800757 **10:15 a.m.**
CONTINUANCE GRANTED
32. 89718 Creations Hair Design #SCOS11510 **10:15 a.m.**
 Beth Ornelas, Owner
 David M DeLeon #18327536, Manager
NEGOTIATED \$250/PAID
33. 89719 Lili Nails Corp #SCOS25138 **10:15 a.m.**
 Lili Nails Corp, Owner
 Lieu Nguyen Howard #19920027, President/Director
 Gary Howard, Director

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

NEGOTIATED \$500/PAID

- | | | | |
|-----|-----------------------------|---|------------|
| 34. | 89720 | Hair Ink #SCOS21677
Ashley Filio #10401306, Owner
Brandee Leann Culver #10601531, Manager
CONTINUANCE GRANTED | 10:15 a.m. |
| 35. | 89721 | Pure Elements Salon #SCOS16518
Pure Elements Salon LLC, Owner
Jenny R Kauffman #50227986, Member
NEGOTIATED | 10:15 a.m. |
| 36. | 89722 | Diq Hair and Nail Salon #SCOS215
Dianna Ripplinger #18225540, Owner
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 37. | 89726 | Top This Salon #SCOS18825
Raeshel Elisa Lucero #10501077, Co-Owner
Joyce Lucero, Co-Owner
NEGOTIATED \$250 | 10:15 a.m. |
| 38. | 89729 | Spoiled Rotten-A Hair and Nail Studio #SCOS24500
Divia C Chilcoat #10700336, Owner
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 39. | 89730 &
89892 &
89893 | Bit of Heaven #SCOS20417
NEGOTIATED \$500/PAID
Julie A Pennington #19601246, Co-Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED
Joanne Suchanek #59500309, Co-Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED | 10:15 a.m. |
| 40. | 89733 | Roxanneq Hot Locks & Nails #SCOS16258
Roxanne Williams #18400580, Owner
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 41. | 89739 | Awesome Styles Salon & Boutique #SCOS23351
Holly OConnell #19900240, Owner/Manager
NEGOTIATED \$250/ | 10:15 a.m. |
| 42. | 89740/89741 &
89914 | ZA Nails #q SNT17552 & SAES18268
NEGOTIATED \$2,000.00
Hoa C Giang #51300215, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS | 10:15 a.m. |
| 43. | 89742 | Hiedi M Hand #10123069
NEGOTIATED \$250/PAID | 10:15 a.m. |
| 44. | 89743 | Envy Hair & Nails Salon #SCOS24806
CC R Tatzell LLC, Owner
Claudine R Tatzel #50300146, Member
Kathryn Privett #11500434, Manager
NEGOTIATED \$250 | 10:15 a.m. |
| 45. | 89744 | Happy Haircutters #SCOS20110 | 10:15 a.m. |

ARIZONA STATE BOARD OF COSMETOLOGY
OCTOBER 16, 2015, BOARD MEETING MINUTES

Margarita Braun #19300708, Owner
Diane M Bush #19401106, Manager
NEGOTIATED \$250/PAID

46. 89758 Bangz Art & Hair Salon Ltd #SCOS22897 **10:15 a.m.**
Bangz Art & Hair Salon Ltd, Owner
Jamie L Rankin #18701643, President/Manager
NEGOTIATED \$250/PAID

47. 89784 Salon Virtu #SCOS21678 **10:15 a.m.**
Salon Coalition Inc, Owner
Mark O Smith #18124768, Member/Manager
NEGOTIATED \$250/PAID

48. 89785 Autumn M Houston #19501359 **10:15 a.m.**
NEGOTIATED \$1,250.00/ATTEND BOARD CLASS

49. 89786 Allison C Giles #19500572 **10:15 a.m.**

Allison Giles appeared was sworn in and stated she came into State Board in June to get an application, she needed the signature of her landlord, she is in a salon within a salon and has been in the same establishment for 15-years. Allison Giles stated the business was sold in July of 2012 and the construction was completed December of 2013, however the building was not vacant Mango Salon and Awesome Hair Design were still operating. Allison Giles stated she was surprised to find her salon licensed was canceled when she went to renew it. Allison Giles stated that the suites might change due to the construction which they did and she knew that the Board required to be registered with the Secretary of State and went downtown and registered and is now in compliance. Investigator Amber Moore testified that while on a routine inspection found licensee the owner of an unlicensed establishment. The previous salon license was closed out on 5/15/13, the plaza was vacant there were no salons and the building was under construction.

MOTION by Karla Clodfelter to move that for case no. 89786 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment

A.A.C. R4-10-111 (A) Display of Signs

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. 89786, we should impose the following discipline and to issue a Letter of Concern for salon licensing requirements. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

50. 89788/89789 Polish Nails #SNT17743 & SAES18558 **10:15 a.m.**
Danny Nguyen #50500827 (*Inactive*)
No Show; to formal hearing

51. 89790 Fuchsia #SCOS21986 **10:15 a.m.**
Owens-Hall & Vukonich LLC, Owner
Erin Owens-Hall, Member
Lisa Vukonich #18800675, Member
Andrea Sims, Manager
NEGOTIATED \$250/PAID

52. 89796 Namti #SAES17586 **10:15 a.m.**
Jeff McGrath, Owner

NEGOTIATED \$250/PAID

53. 89798 Pleasant Nails #SNT15776 **10:15 a.m.**
Pleasant Nails LLC, Owner
Chad Van Nguyen #50800394, Member/Manager
Anh Bao Le #59716672, Member/Manager
NEGOTIATED

54. 89799 Hair & More #SCOS18571 **10:15 a.m.**
Debra Wombacher-Finley, Co-Owner/Manager
Bill Wombacher, Co-Owner
CONTINUED

55. 89801 Leo Orchid Nails & Spa #SNT16822 **10:15 a.m.**
Thac Chi Nguyen #50200010, Owner/Manager

Thac Chic Nguyen appeared was sworn in and stated the container is deep enough for two people, himself and his brother and he will fix the problem if you will give me a warning and will use a bigger container.

MOTION by Karla Clodfelter to move that for case no. 89801 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4. a) Infection Control/Safety Standards
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications

HISTORY

88310 . 6/6/14 . Consent Agreement/\$250 Civil Penalty & Cost . Health and Safety (No large wet disinfectant set up, no TB/HIV-1 HEP B disinfectant solution, no first-aid kit & no blood spill kit)/Display of Signs (IFP Guidelines).

MOTION by Karla Clodfelter to move that for case no. 89801, we should impose the following discipline and to issue a Consent Agreement with the following new terms of \$500.00 civil penalty and Board costs with 10-months to pay and for Owner/Manager Thac Chi Nguyen to attend the Infection Protection/Law Review class given by the Board within 60-days. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

Karla Clodfelter rescinded previous motion. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Karla Clodfelter to move that for case no. 89801, we should impose the following discipline and to issue a Consent Agreement with the following new terms of \$475.00 civil penalty and Board costs with 1-year to pay the fine and for Owner/Manager Thac Chi Nguyen to attend the Infection Protection/Law Review class given by the Board within 60-days. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

56. 89802 Great Clips #SCOS10720 **10:15 a.m.**
Hands Shear Magic Inc, Owner
Kenneth Hand, President
Barbara B Hand, Secretary/Treasurer
Cindy M Prater #193000234, Manager
CONTINUED

57. 89845 Kimberly Herrera #10701148, Inactive **10:15 a.m.**
NEGOTIATED

STEP 3: HEARINGS

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

A. Denial Appeals

89752 Rosario Atherton, Exam Candidate *(Provided proper education)*

Compliance Manager Joanne Ayotte asked the Board if they would rescind previous Denial as the proper education requirements have been provided and to issue license.

MOTION by Karla Clodfelter to rescind previous denial and to issue license. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

B. Motion to Deem Allegations Admitted

87737/88481 Alina Gifford #10900051 **9:45 a.m.**

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Joe Verdugo to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo 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 Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo to issue an Order of discipline to revoke personal license and to impose civil penalties and costs of \$500.00 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 Jessica Rainbow. MOTION CARRIED.

89044 Isabel Mabel+Carrillo **9:45 a.m.**

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee appeared.

MOTION by Tammy Acton to continue case for Motion to Deem in 90-days, licensee agrees to pay \$200.00 today and the remainder in 90-days. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

89158 Shear Bliss Salon #SCOS19485 **9:45 a.m.**

Shear Bliss Salon LLC, Owner

Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Joe Verdugo to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo 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 Jessica Rainbow. MOTION CARRIED.

MOTION by Joe Verdugo to issue an Order of discipline to revoke salon and to impose civil penalties and costs of \$250.00 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 Jessica Rainbow. MOTION CARRIED.

89211 True Colors LLC #SCOS20401 **9:45 a.m.**
Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Jessica Rainbow to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Jessica Rainbow 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 Joe Verdugo. MOTION CARRIED.

MOTION by Jessica Rainbow to issue an Order of discipline to revoke salon and to impose civil penalties and costs of \$500.00 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 Joe Verdugo. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

72511 Aide Salgado #19500702 **10:00 a.m.**
Compliance Manager Joanne Ayotte asked the Board to consider Aide Salgado's request for reinstatement. Aide Salgado's license was revoked for non-compliance and her personal license expired in 2008, she wants to reinstate her license to be able to receive reciprocity in California.

MOTION by Karla Clodfelter to reinstate license only after licensee has paid all fines, fees, attended class and passes both the written and practical examination. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

E. Appeal Board Orders

None

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

None

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Tammy Acton to adjourn the meeting at 11:30 p.m. MOTION SECONDED by Martha Ramsey. 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.