

MISSION STATEMENT

To ensure the public health, welfare, and safety through education and enforcement of the cosmetology laws and rules by the regulation of salons, schools, and individuals who practice Cosmetology.

ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES
November 17, 2017 at 9:00 a.m.
1721 East Broadway
Tempe, Arizona 85282-1611

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

Board Members

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

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call of Board Members**

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of October 20, 2017.

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

2. Approval of Executive Session Minutes of October 20, 2017.

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

3. Board Member Declaration of Conflict of Interest.

None.

4. Report, Discussion, on proposed legislation for 2018.

- Allow Students to Receive Credit for Hours Spent on Charitable and Special Cosmetology Events
 - ❖ A.R.S. § 32-557 (A)
 - ❖ A.R.S. § 32-506 (4)
 - ❖ A.A.C. R4-10-306 (F)(H)
- Definition of Supervision/Laser/A.R.S. § 32-516
- Nail Technician License/Reduce Required Hours of Training

Executive Director Donna Aune stated that the staff will get this information to Representative Todd Clodfelter who will follow through with Legislation Council.

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

5. Welcome and Board Member Dialogue with Visiting Cosmetology Students

Representatives from Penrose Academy, Aveda Institute and Don Villa Beauty School were in attendance.

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

- Secretary/Treasurer

Karla Clodfelter nominated Thomas Rough for Secretary/Treasurer. No other nominations for Secretary/Treasurer were made. Nominations were closed. MOTION by Karla Clodfelter to elect Thomas Rough as Secretary/Treasurer. MOTION SECONDED by Gary Begley. MOTION CARRIED.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.
 - Financial
 - Personnel
 - Licensing
 - Information Technology

Executive Director Donna Aune stated that the move will take place December 15th & 16th.

2. New Board Member Brandy Wells.

Executive Director Donna Aune stated that Brandy Wells is our new board member replacing Jessica Rainbow and we look forward to working with her. Executive Director Donna Aune stated we will miss Jessica Rainbow as she did great work with the Board.

3. 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

None.

B. Recommend Dismissals

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

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92074	Arizona Academy of Beauty Inc. #CLS6 Arizona Academy of Beauty Inc., Owner Stewart White, President Carey Ann White, Vice-President Noel, Financial Aid Assistant	<i>(Found no evidence to support allegations)</i>
92289	Nail U Luv 1 #SNT16012 Nail U Luv 1 LLC, Owner Thuy Thi Huynh #50601196, Member/Manager	<i>(Customer satisfaction)</i>
92356	Hair on the Go #SCOS26901 Hair on the Go LLC, Owner Senice Bowman, #11500834. Member/Manager Vivian Clieto, Member/Manager	<i>(Found no evidence to support allegations)</i>
92380	Great Clips #SCOS6761 Sonora Services LLC, Owner Mike DiCarlo, Manager/Partner	<i>(Found no evidence to support allegations)</i>
92389	Shear Gossip by Sabrina #SCOS21317 Sabrina R Chacon, #19300330, Owner	<i>(Found no evidence to support allegations)</i>
92428	New Romantic Nails & Spa #SNT18658 Tuyet Pham, #50200738. Co-Owner Phontg Co-Owner	<i>(Found no evidence to support allegations)</i>
92444/92445	True Nails, #'s SNT6755 & SAES13040 Ho V Duong, #59700018, Owner	
92486	Lucky Day Nail & Spa #SAES17804 Lucky Day Nail & Spa LLC, Owner Phuoc Hung Tran, #50600474, Member/Manager	<i>(Found no evidence to support allegations)</i>
92487	Noelen Bustamante Gomez	<i>(Refer to proper authorities)</i>
92489	Samantha Walter, #10601471, Licensee	<i>(Found no evidence to support allegations)</i>
92490	Hair Invention Unlicensed Hair Invention, Owner	<i>(Found no evidence to support allegations)</i>
92537	Sigma Cuts School of Beauty #CSL00194 World Media Entertainment Enterprises Inc, Owner Will Mitchell, CEO Erica Padilla #91700021, Director Rochelle Sanders #90500069, Instructor in Charge	<i>(Student kit lists provided in tuition)</i>

C. Recommend Letter of Concern

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below Step 1 C. MOTION SECONDED by Charlie Phan. MOTION CARRIED

92491	Mon Cheri's House of Hair #SCOS27638 Mon Cheri's House of Hair LLC, Owner Deja Good, #10801175, Owner	<i>(Posting out of Service not regulated by State Board of Cosmetology)</i>
92496	US Haircutters, #SCOS22920 Gordon LLC, Owner Christina Newman, #10332343, Owner Courtney Brown, #10800702, Licensee	<i>(Advertising differently than salon name)</i>
92501	Grandstrands Salon #SCOS24732 Katarzyna Kuruc #10100735, Owner/Manager	<i>(Salon suite change)</i>
92502	Chuck & Kate LLC #SCOS24780 Chuck & Kate LLC, Owner Heather Freymuller #10326242, Member/Manager	<i>(Delinquent personal license)</i>
92504	N. Y. Style LLC #SCOS24781 N. Y. Style LLC, Owner Knarik Kocharyan #10501756, Owner/Manager	<i>(Delinquent personal license)</i>
92505	The Look by Annie B. #SCOS26416	<i>(Delinquent establishment license)</i>

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92506	Annie Braslawsce #18701663, Owner/Manager The Modern Hippie Salon Studio #SCOS23939	<i>(Delinquent establishment license)</i>
92507	Calynn Colceri #10500773, Owner/Manager Great Clips Salon #9575 #SCOS18074 Rittenhouse Clips Inc, Owner David E Oliverio, President Yvette C Rios #10124304, Manager	<i>(Current license display)</i>
92508	Arizona Hair Co #SCOS18233 San-Mar Ent Ltd, Owner Sanora S Marshall, President Walter S Marshall, Secretary-Treasurer	<i>(Delinquent personal license)</i>
92511	Blush Aesthetics #SAES18651 RFJ Aesthetics LLC, Owner	<i>(Delinquent establishment license)</i>
92519	Rachael Jacobsen #30800268, Member/Manager Skin Upgrades LLC #SAES19518 Skin Upgrades LLC, Owner	<i>(Delinquent establishment license)</i>
92522	Jolanta Bury #39500027, Member/Manager The Modern Monarch Salon #SCOS25891	<i>(Delinquent personal license)</i>
92523	Michelle McGuire #10501615, Owner/Manager Calderon's Hair Salon #SCOS17124	<i>(Delinquent establishment license)</i>
92535/92536	Jorge Calderon-Soto #19700197, Owner/Manager Queen Nails & Spa #'s SNT17802 & SAES18635 M.A.C. Enterprise LLC, Owner	<i>(Delinquent establishment licenses)</i>
92541	Diena T Mac #'s 59818852 & 31400575, Member/Manager Skin Addict LLC #SAES19703 Skin Addict LLC, Owner	<i>(Personal license display)</i>
92542/92543	Shannon Piano #31600561, Member/Manager Pretty Little Nails & Spa LLC #'s SNT17425 & SAES18075 Pretty Little Nails & Spa LLC, Owner	<i>(Delinquent personal licenses)</i>
92544	Christina Kim Ho #'s 50500527 & 30800356, Member/Manager Hair in Motion #SCOS15522 Hair in Motion Inc, Owner	<i>(Delinquent personal license)</i>
92553	Joe Edward Chavez #16204443, President True Goddess Hair by Athena #SCOS25193	<i>(Delinquent establishment license)</i>
92554	Athena M Benjamin #10802351, Owner Toadall Hair Creations #SCOS16224	<i>(Delinquent establishment license)</i>
92555	Melissa Merrill #10021586, Owner/Manager Blueyed Gemini #SCOS22203 Elizabeth L Ruiz #19400264, Owner/Manager	<i>(Delinquent establishment license)</i>

D. Recommend Informal Interview or Negotiation Terms

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

1. 91709 Beebe' Academy of Beauty, #CSL00190
Beebe's Academy of Beauty, LLC, Owner
Denisse Romero, #'s 91300024 & 19400036, Owner
Gabriel Romero, Owner
Offer a consent agreement to assess \$1,000 civil penalty and Board costs, 2-year probation and to combine case no's. 92073 and 92098, see motion above.
2. 92073 Beebe' Academy of Beauty, #CSL00190
Beebe's Academy of Beauty, LLC, Owner

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Denisse Romero, #'s 91300024 & 19400036, Owner
Gabriel Romero, Owner

See No. 1.

3. 92097 Arizona Academy of Beauty Inc., #CLS6
Arizona Academy of Beauty Inc., Owner
Stewart White, President
Carey Ann White, V-President
Noel Sanchez, Financial Aid Assistant
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 1-year probation, see motion above.
Angela Woods, #91300049, Instructor
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation, see motion above.
Jennifer Smith, #90218146, Instructor
4. 92098 Beebe' Academy of Beauty, #CSL00190
Beebe's Academy of Beauty, LLC, Owner
Denisse Romero, #'s 91300024 & 19400036, Owner
Gabriel Romero, Owner
See No. 1
5. 92099 Shear Gossip by Sabrina, #SCOS21317
Sabrina R Chacon, #19300330, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation and to Offer a consent agreement to attend the Infection Protection/Law Review Class given by the Board to licensee Angela Creech license no. 11102102, see motion above.
6. 92171 Maribel's Beauty Salon, #SCOS16439
Maribel Sandoval, #10501593, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$65.00 restitution and six month probation, see motion above.
7. 92227 Splendid Nail Spa, #SNT18727
Duyen Thi Le, #50400954, Owner
Dismiss due to insufficient evidence, see motion above.
8. 92287 Super Nail, #SNT17260
Michelle Nguyen, #50200748, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation and add A.R.S. § 32-501 (10)(11)(a), see motion above.
9. 92296 Olena Olegovna Gully, #11700388
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
10. 92327 Michele F Weese, #30900486, Licensee
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, \$60.00 restitution, 1-year probation and for licensee Michele Weese to attend the Infection Protection/Law Review Class given by the Board, see motion above.
11. 92336 Shaggy's Hair Salon, #SCOS25135
Julie Davis, #19600250, Manager
Kimberly J Akins, #11301141, Manager
Alex Merrill-Donald, #11600599, Licensee

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Offer a consent agreement to assess \$130.00 restitution, six month probation and to offer a consent agreement to licensee Alex Merrill-Donald to attend a lightener color weave class and to provide written proof of attendance to the Board, see motion above.

12. 92373 Shelli Burhan, #19400864, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
13. 92381 Sadie Ranov, #30700785, Licensee
Dismiss and refer to proper authorities, see above motion.
14. 92391 Joya Salon, #SCOS21065
MI Hotel Operating Co. Inc., Owner
Michael Shannon, President
Eddie Zrimsek, Assistant Director
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$259.00 restitution and six month probation, see motion above.
15. 92406 Paulene's Nails, #SNT18653
Hung C Pham, #50701137, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation and for owner Hung C Pham to attend the Infection Protection/Law Review Class given by the Board, see motion above.
16. 92416 Prestige Nails & Spa, #SNT17966
Prestige Nails & Spa, LLC, Owner
Tan Van Huynh, #50300151, Owner
Tan Van Huynh #10602306, Co-Member
Thu Nguyen, Co-Member
Cong Q Nguyen, #50601089, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
17. 92422 Herbal Nails & Spa, #SNT18465
Jennifer Tran, Owner
Bryan, #517000275, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$38.00 restitution six month probation and for licensee Biet Triet Nguyen "Bryan" to attend the Infection Protection/Law Review Class given by the Board, see motion above.
18. 92429 Ashleigh Lynn Olsen, #11102111, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
19. 92434/92435 Fashion Nails & Spa, #'s SNT16604 & SAES16909
Hoa T Vo, #30100103, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation and for owner Hoa T. Vo to attend the Infection Protection/Law Review Class given by the Board, see motion above.
20. 92450/92453 Charming Nails, #'s SNT15199 & SAES15190
Christina Dong, #'s 59800115 & 30400771, Owner
Nga Dong, #59800116, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, \$30.00 restitution, six month probation and for owner Nga Dong to attend the Infection Protection/Law Review Class given by the Board, see motion above.

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21. 92463 Temptation Nails & Spa, #SNT18341
Vo Salons, LLC, Owner
Nu Nguyen, Owner
Eva Huynh, #11000268, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, \$48.00 restitution, six month probation and to offer a consent agreement to licensee Shih C. Le license no. 51200040 to attend the Infection Protection/Law Review Class given by the Board, see motion above.
22. 92500 Scissors Rox Paper #SCOS16414
Mont Villa LLC, Owner
Deanna L Montrose #18123734, Member/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
23. 92509 San Tan Valley Nails & Spa #SNT17953
Duc Thai, Owner
Thien Tran, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation and for owner Duc Thai to attend the Infection Protection/Law Review Class given by the Board, see motion above.
24. 92510 Pamper Nails & Spa #SNT17677
Pamper Nails & Spa LLC, Owner
Christine Thai, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation, see motion above.
25. 92517 Quinshaunta C Harrison #10200437, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
26. 92533 Nuestra Belleza Salon & Barber #SCOS18860
Silvia Z Chavez #19601302, Co-Owner
Delores R Chavez, Co-Owner
Mael Edith Navarro #10902469, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, six month probation, see motion above.
27. 92534 Hair Again #SCOS23753
Kara Mcallister-Dommel #11101840, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation, see motion above.
28. 92538 Cortiva Institute #ASL00039
FCNH Inc, Owner
Steiner Education Group Inc, Owner
Pamela Denise Brown #71500016, Director
Offer a consent agreement to assess \$2,000.00 civil penalty and Board costs, 2-year's probation, see motion above.
29. 92557 Carey's Permanent Make Up and Hair Studio #SCOS17993
Carey Lynn Smith #18600553, Owner/Manager
Offer a consent agreement to assess \$150.00 civil penalty and Board costs, six month probation, see motion above.

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30. 92558 Beauty Box Salon #SCOS24885
Dana Cruickshank #11201215, Co-Owner/Manager
Kristy Wallace #11101651, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, six month probation, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

1. 92443 International Academy of Hair Design #CSL00192 **9:45 a.m.**
Olympus Inc., Owner
Gerald Johnson #97800591, President
Suzanne Markensen, Treasurer
Felicia Borunda #98500021, Director

9:47 a.m. MOTION by Karla Clodfelter to go into Executive Session for legal advice regarding legal representation. MOTION SECONDED by Gary Begley. MOTION CARRIED.

10:05 a.m. Back to Open Session.

Chair Gary Begley stated this case will be moved to the December agenda due to proper legal representation issue.

B. With Negotiation Options

1. 91524 ZA Nails SAES18268 **10:00 a.m.**
Hoa C Giang, #51300215, Owner
Continued from September's Board Meeting

Hoa Giang was sworn in and stated that they do have a first aid kit and it was on the front desk, the inspector did not ask to see it. Hoa Giang stated that they do not have any aestheticians at this time and there was no blood drawn regarding the eyebrow wax service. Investigator Linda Stroh testified that this was an anonymous complaint alleging that the complainant received an eyebrow wax service and was burnt and blood was drawn and no blood spill procedure was performed and that the technician was unlicensed. On May 22, 2017, the investigator went to the salon the owner showed the investigator the aesthetic room which was clean, investigator was unable to locate the first aid kit. Investigator noted there were no aesthetic services being performed and no licensees licensed to perform any aesthetic services.

MOTION by Karla Clodfelter to move for case no. 91524 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Charlie Phan. MOTION SECONDED.

SUBSTANTIATED VIOLATIONS

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

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

HISTORY

89740 (SNT) & 89741 (SAES) - 9/11/15 - Consent Agreement/\$2,000 Civil Penalties & Costs/6-Month's Probation - Unlicensed Individual/Personal & Latest Inspection Sheet Display/Health and Safety

Owner Hoa C. Giang License No. 51300215

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89914 (re-89741 & 89741) – 9/11/15 – Board Order to attend & complete the Infection Protection/Law Review Class

MOTION by Karla Clodfelter to move that for case no. 91524 to issue a Letter of Concern the concern being that the salon needs to make sure the first aid kit is available at all times. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

2. 91894 ZA Nails #SNT17552 **10:00 a.m.**
Hoa Giang, #51300215, Owner
Linh Thi Kim Phan, #51700047, Licensee
Continued from October's Board Meeting

Hoa Giang was sworn in and stated that Alex was only polishing nails and that is my fault. Investigator Linda Stroh testified that the office received a complaint alleging that complainant went to salon for shellac nails and the following day the shellac chipped and returned to the salon to have them redone. After waiting 30-minutes complainant asked for a refund and the owner Henry refused and asked her to leave. Complainant also stated the licensee Linh tried reusing cuticle clippers complainant asked licensee to sanitize the clipper and licensee used Lysol wipes, complainant refused to have the clipper used on her. Complainant also stated there was no license display at Linh's workstation and witnessed no sanitation of instruments or implements and pedicure spas were rinsed, plastic was placed in the spa and filled with water. On May 22, 2017, Investigator went to salon to discuss the complaint, the owner showed the investigator one tub of disinfectant which was unlabeled, no wet disinfectant at nail stations, small unlabeled individual boxes that held implements. Investigator noted that one gentleman that was working on a client was gone and recorded four licenses and the gentleman that was working on a client did not have a license. Owner told the investigator his name was Alex Phan and he only polishes nails and answers the phone.

MOTION by Karla Clodfelter to move for case no. 91894 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Thomas Rough. MOTION SECONDED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (4)(a)(C)(L)(1) Infection Control/Safety Standards

A.R.S. § 32-543.2/A.A.C. R4-10-111 (C) Display of License

A.R.S. § 32-574 (A)(1)(2)(4) Perform or attempt to perform nail technology or hold oneself as a nail technician and permit an employee or another person to perform nail technology without a license

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

HISTORY

8988 (SNT) - 11/13/15 – Consent Agreement/\$2,000 Civil Penalties & Costs – Incompetence/Malpractice/Health & Safety

89740 (SNT) & 89741 (SAES) - 9/11/15 - Consent Agreement/\$2,000 Civil Penalties & Costs/6-Month's Probation - Unlicensed Individual/Personal & Latest Inspection Sheet Display/Health and Safety

Owner Hoa C. Giang License No. 51300215

89914 (re-89741 & 89741) – 9/11/15 – Board Order to attend & complete the Infection Protection/Law Review Class

MOTION by Karla Clodfelter to move that for case no. 91894 to maintain Consent Agreement previously offered to licensee and to have Owner Hoa Giang to attend the Infection Protection/Law Review Class given by the Board. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

3. 92067 CK Awesome Nails, #SNT18145 **10:00 a.m.**
Cindy Oanh Ho, #50400191, Owner
Continued from October's Board Meeting

Deputy Director Kim Scoplitte asked the Board if they would consider rescinding previous motion of \$500.00 and to dismiss. After further review of the case there was insufficient evidence to move forward.

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MOTION by Karla Clodfelter for case no. 92067 to rescind previous motion of \$500.00 and to dismiss due to insufficient evidence. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

4. 92314 Tri Nguyen, #50500690, Owner **10:00 a.m.**
Continued from October's Board Meeting
No Show; to formal hearing

5. 92316 Danielle E Boldon #10100060, Owner/Licensee **10:00 a.m.**
Continued from October's Board Meeting

Danielle Boldon was sworn in and stated Hunter is always late and I asked her please do not be late and Hunter came in late for her appointment. Danielle stated she did the same color formula as she has always used, my assistant was in the salon the day of the service. Hunter ran out of the salon, did not pay, there was no redness on her scalp when she left, and Hunter went to another salon for services the same day. Investigator Amber Bingham testified on August 3, 2017, complainant Hunter Storm requested copies of the investigator's report. August 8, 2017, complainant Hunter Storm requested the Board to reopen her initial complaint Case #91936 which was dismissed on June 16, 2017, Board meeting due to "No evidence of chemical burn", insufficient evidence and no medical documentation was provided. Complainant stated Danielle's assistant Victoria was not at the salon the day of the service. Hunter Storm stated that Danielle has been bleaching her hair, applying Great Lengths Extensions and doing her roots for years and could not imagine how she could have accidentally burned her and her hair. August 10, 2017, Board office received medical records from complainant Hunter Storm. On August 15, 2017, complainant was informed that case no. 92316 was generated against personal license of Licensee/Owner Danielle Boldon based on the medical records that were provided. Investigator reviewed the medical records which indicated that complainant Hunter Storm was being treated at Arizona Advanced Dermatology for chemical burn on scalp, left ear and hair loss. On September 14, 2017, investigator informed Danielle Boldon that a new case had been generated against her personal license based on the medical records submitted and she would receive a copy of the complaint and an affidavit requesting written response. On November 3, 2017, Danielle Boldon emailed investigator an email that was sent to Danielle from Hunter Storm around April 7, 2017, which confirms that Hunter Storm went to Dolce Salon April 6, 2017. Investigator contacted Dolce Salon and confirmed services performed and proper protocol was followed on Hunter Storm and there was no blisters, open sores but did see some redness to the scalp. Complainant Hunter Storm was sworn in and testified that she was late for her appointment, we were alone in the salon that morning, Danielle has always done her hair but the cream was a different color and it was tingling on her scalp. Complainant stated that Danielle said this is new and everyone loves it, and when Danielle rinsed it out it was bright orange. Hunter stated she asked if Danielle would fix this and she begrudgingly tried to fix it, and after Danielle tried to fix it she now had purple strips. Hunter Storm stated she had Molly from Dolce Salon take pictures before any service was done to document what her hair looked like.

MOTION by Karla Clodfelter for case no. 92316 to dismiss due to insufficient evidence. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

6. 92354/92355 Gemma Watkins, #50331135, Owner **10:00 a.m.**
Continued from October's Board Meeting

Gemma Watkins was sworn in and stated she does not do eyelash extensions she does lash enhancements, she is certified to do laser, Gemma Watkins stated she does not know who Veronica is. Investigator Amber Bingham testified that this was an online complaint alleging she received eyelash extensions on April 21, 2017, alleging Gemma Watkins applied the extensions and did a terrible job, used globs of glue on her extensions and got glue in one of her eyes and proper procedure was never fully explained to her and she was not satisfied with the service. Investigator searched the data base and found that Gemma Watkins does not hold an aesthetic license in Arizona. On April 26, 2017, investigator contacted complainant Veronica Loera who stated she made an appointment for an eyelash extensions performed by Gemma

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which was purchased from Groupon website for \$60.00. Complainant Veronica Loera stated during the service she had burning in her eyes and was uncomfortable, Gemma Watkins told her to keep eyes closed so the glue could dry. After the services Veronica Loera stated she was experiencing blurry vision, burning of the eyes, and large clumps of glue which made closing her eyes painful. On April 22, 2017, Veronica Loera contacted to get the lashes removed due to pain and discomfort, Gemma Watkins did not respond. On April 22, 2017, Veronica Loera made an appointment to get her eyelashes removed from another licensee, the licensee was unable to remove all lashes due to too much glue and the lash clusters that were left started falling out with three to four natural lashes. On May 25, 2017, Veronica Loera went to the doctors and a medication was prescribed. On June 9, 2017, investigator went to salon and spoke with Gemma Watkins who denied the allegations and said she only does lash enhancements. Investigator found only lash strips in the suite, there were multiple laser certificates posted, no shampoo bowl in suite with a cosmetology establishment license issued, teeth whitening, laser hair removal and hydro facial machines in suite, no sign posted for services not regulated by the Board, no aesthetic licensure and an unopened bag of wax beads. Investigator asked Gemma Watkins about the bag of wax beads, Gemma Watkins stated she has a friend from Scottsdale that travels to her salon to perform wax services. Investigator asked to see the glue that was used to perform lash enhancements services, Gemma Watkins stated she was out of the glue. On August 10, 2017, investigator spoke to Gemma Watkins stated she only performs non-invasive radio-frequency and IPL on clients, Gemma Watkins stated that per the Radiology Board she does not need to work under a medical provider or nurse practitioner as long as the service is non-invasive. Gemma Watkins also stated she does not work under a medical provider or nurse practitioner. August 23, 2017, investigator contacted the Radiology Board and confirmed laser certification for Gemma Watkins and that the services that are being performed by Gemma Watkins a doctor or nurse practitioner must be present.

MOTION by Karla Clodfelter to move for case no's. 92354 & 92355 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-572 (A)(4) Incompetence/Malpractice

A.R.S. § 32-574 (A)(1)(2)(4) Perform or attempt to perform aesthetics without a license in that category.

A.R.S. § 32-501 (9)(10) Scope of Practice "Nail Technician" & "Nail Technology"

A.A.C. R4-10-403 (C)(2) Salon Requirements

A.R.S. § 32-572 (A)(5) Knowingly advertising by means of false, misleading, deceptive or fraudulent statements through communications media.

A.R.S. § 32-516 (A)(2)(6)(C)(2) Aestheticians, cosmetologist, cosmetic laser and IPL device use.

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (O)(2) Invasive Procedures

A.A.C. R4-10-111 (F) Post out non-regulated services

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

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter for case no's. 92354 & 92355 to offer a consent agreement with the following new terms \$1,250.00 civil penalty & costs, restitution of \$60.00 to complainant Veronica Loera, restitution of \$55.00 to complainant Colin Kaspszak, two-year probation, one-year to pay fine, for Owner Gemma Watkins to attend the Infection Protection/Law Review Class given by the Board within ninety days and if consent agreement is not signed the case will proceed to a Formal Hearing. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

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|----|----------------------|---|------------|
| 7. | 92382 &

92456 | Polished Creations by Jessica LLC, #SNT18351
Polished Creations by Jessica LLC, Owner
Jessica M Vajarsky, #50600984, Member/Manager
Continued from October's Board Meeting
CONTINUANCE GRANTED FOR January Board meeting | 10:00 a.m. |
| 8. | 92399 & | Breanna Montoya, #31600439, Licensee | 10:00 a.m. |

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92400 Angelique Ayala, #31700372, Licensee
Continued from October's Board Meeting

Angelique Ayala and Breanna Montoya were sworn in and stated they did not know there was not an establishment license and only work one day a week at this location and stated she works in North Scottsdale and most of the employees work at two locations. Inspector Lisa Chavez testified that both licensees were working in an unlicensed establishment and one licensee working without personal license posted.

MOTION by Karla Clodfelter to move for case no's. 92399 & 92400 all alleged violations cited in the inspection summary have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (A)(5)(8) Unlicensed Establishment

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

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

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter for case no's. 92399 & 92400 to impose the following discipline and to Board Order Licensees Breanna Montoya and Angelique Ayala to attend the Infection Protection/Law Review class given by the Board within 90-days and if consent agreement is not signed the case will proceed to a Formal Hearing. The investigative findings on or about August 8, 2017, Board Inspector found the licensees working in an unlicensed establishment and personal license not posted which are violations of statute A.R.S. § 32-574 (A)(5)(8) and A.R.S. 32-543.2/A.A.C. R4-10-113 (A)(1). MOTION SECONDED by Charlie Phan. MOTION CARRIED.

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|-----|-------|--|-------------------|
| 9. | 92405 | Hair by Jenn Custom Hair Design, #SCOS24464
Hair by Jenn LLC, Owner
Jennifer D Coffelt, #19700026, Member
Continued from October's Board Meeting
NEGOTIATED | 10:00 a.m. |
| 10. | 92460 | Pamela Johnson #18225121, Licensee
Continued from October's Board Meeting
NEGOTIATED | 10:00 a.m. |
| 11. | 92166 | Aveda Institute Phoenix #CSL163
AZ Institute LLC, Owner
Dave Lemonds, Member/Manager
Katrina Bervin #71300003, Instructor
NEGOTIATED | 10:00 a.m. |
| 12. | 92268 | Chelsea Allen #30600762 (Inactive)
Chelsea Allen was sworn in and stated she does not perform eyelash extension just advertise them for friends who are cosmetologists who give her a referral fee to advertise. Chelsea Allen stated she does not have a salon, she has a shop and sells retail items and performs permanent makeup, growth removals and had a sign posted indicating services not regulated by the Board. Chelsea Allen stated she does have aesthetician on her business cards because she has had the training and thought it would help with her permanent makeup career. Chelsea Allen stated she does want to reactivate her license unfortunately she can't afford to at this point. Investigator Linda Stroh testified on July 20, 2017, board office received an anonymous complaint alleging licensee Chelsea Allen is performing aesthetics with an inactive license and operating an unlicensed establishment. Investigator checked social media and found a face book page for "Beauty Bomb Shop" with a picture of licensee and services of eye lash application, mole and skin growth removal. On August 22, 2017, investigator went to location and picked up a business card which indicated Chelsea Allen, Aesthetician and Beauty Bomb Shop and phone number. August 29, 2017, investigator returned to location which was not open and took photos of advertisement on the door which indicated Lash ext. and business | 10:00 a.m. |

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card. August 31, 2017, investigator received a voice message from Chelsea Allen who stated she is not practicing aesthetics and she is performing eyelash extension, permanent makeup and growth removal.

MOTION by Karla Clodfelter to move for case no. 92268 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-518 (D) Shall not practice under an inactive license

A.R.S. § 32-574 (A)(1) Perform or attempt to perform aesthetics

A.R.S. § 32-574 (A)(5)(8) Practice or attempt to practice aesthetics in any place other than in a salon licensed & operate a salon or school without being licensed.

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

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter for case no. 92268 to offer a consent agreement with the following new terms \$500.00 civil penalty or reactivate personal license and attend the Infection Protection/Law Review Class given by the Board before 11/24/18 and to show proof of licensure and if consent agreement is not signed the case will proceed to a Formal Hearing. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

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| 13. | 92497 | Melanie D Kown #30400573, Licensee,
CONTINUANCE GRANTED FOR DECEMBER Board MEETING | 10:00 a.m. |
| 14. | 92290 | Nails of the World and Spa #SNT15668
Phung Minh Le #50700502, Owner
CONTINUANCE GRANTED FOR DECEMBER Board MEETING | 10:00 a.m. |
| 15. | 92343
92527 | European Nails & Spa #SNT16629
Don D Tran #10000259, Co-Owner/Licensee
NEGOTIATED/\$25 SCHEDULE CLASS FOR 11.13.2017
Mindy Pham #31200540, Co-Owner
NEGOTIATED PAID/\$250 | 10:00 a.m. |
| 16. | 92357 | AK Nails Spa #SNT18557
An Xuan Le #50600363, Owner
NEGOTIATED | 10:00 a.m. |
| 17. | 92371 | Best Nails of Mesa LLC #SNT18080
Best Nails of Mesa LLC, Owner
Tuong Linh Bui, Manager/Member
Quinn Bui, Manager
No Show; to formal hearing | 10:00 a.m. |
| | 92528 | Nhi Hong Nguyen #'s 51100391 & 31300406, Licensee
NEGOTIATED TO ATTEND CLASS/SCHEDULE FOR 11.27.2017 | |
| 18. | 92372 | Supercuts #90352 #SCOS17026
Supercuts Corporate Shots Inc., Owner
Mark Kartarik, President
Kimberly Andrews #11000404, Manager
Angeline Brocious #11400761, Licensee
No Show; to formal hearing | 10:00 a.m. |
| 19. | 92375 | Barbara Melchart-Lorgreen #10000384, Licensee
No Show; to formal hearing | 10:00 a.m. |
| 20. | 92415 | Tru Colors Salon & Day Spa #SCOS15066
Quang Pham #'s 59900208 & 10801401, Co-Owner | 10:00 a.m. |

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Lam M Tran #'s 59900071 & 30100102, Co-Owner

Quang Pham was sworn in and stated the salon is in Athem and is known for a lot of crickets, we have the salon sprayed regularly and have to sweep every morning and evening because of the crickets. Investigator Amber Bingham testified that this was an anonymous complaint stating that the salon is not following health and safety regulations and the salon is dirty. On September 20, 2017, investigator went to salon location and spoke to Co-Owner Lam Tran who denied the allegations. Investigator noted three dead crickets in the waiting room and boutique area of the salon and lime buildup at the sink in the nail area. Co-Owner Quang Pham stated that they have the salon sprayed with pesticide every three to four months and that the salon resides in a hard water area.

MOTION by Karla Clodfelter to move for case no. 92415 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

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

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

HISTORY

89527 7/17/15 Consent Agreement \$500/Health and Safety

MOTION by Karla Clodfelter for case no. 92415 to issues a Letter of Concern to continue to maintain the crickets in the salon and clean the lime buildup at the sink. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

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|-----|-------|--|-------------------|
| 21. | 92424 | 3 Shades of Gray LLC #SCOS26847
3 Shades of Gray LLC, Owner
Mariah Escoto #11401359, Member
Lana Kozinski #11402063, Member
Chelsie Perea #11501982, Member
NEGOTIATED | 10:00 a.m. |
| 22. | 92438 | Lash & Brows by Vicky #SAES19777
Victoria Linh Huynh #10900827, Owner/Manager
NEGOTIATED PAID/\$250 | 10:00 a.m. |
| 23. | 92439 | Cut N Dye #SCOS27441
Jessica Caitlin Alonge #11003035, Owner/Manager
NEGOTIATED PAID/\$50 -1ST PAYMENT 6MOS. PROBATION | 10:00 a.m. |
| 24. | 92441 | Salon & Spa Visage #SCOS16579
Nadia Montova, Co-Owner
Baldramina Renteria, Co-Owner
No Show; to formal hearing | 10:00 a.m. |
| 25. | 92442 | Belleza Latina Beauty Salon #S7 #SCOS25823
Liliana Betancourt #19800358, Owner
No Show; to formal hearing | 10:00 a.m. |
| 26. | 92446 | Sesma's Salon & Barber #SCOS22505
Jazmin Talamantes, Owner
NEGOTIATED PAID/\$500 | 10:00 a.m. |
| 27. | 92452 | Turning Point Beauty College #CSL00198
5 Star Enterprise LLC, Owner
Nhu Nui Holder, President
Thao Dinh Pham, Owner
Kimberly Hong Tran, Owner
Michael Anthony Crump #90700009, Instructor in Charge | 10:00 a.m. |

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No Show; to formal hearing

28. 92467/92468 N & N Nails & Spa #'s SNT17060 & SAES17534 **10:00 a.m.**
Baoloc T Nguyen #50226232, Owner
CONTINUANCE GRANTED FOR DECEMBER Board MEETING

29. 92471 Beauty Performance LLC #SCOS24410 **10:00 a.m.**
Beauty Performance LLC, Owner
America Estrada, Member
Adriana Garcia, Manager

No Show; to formal hearing

30. 92478 Beauty Brands LLC #SCOS24281 **10:00 a.m.**
Beauty Brands LLC, Owner
Lyn Kirby, CEO
Rich Bos, President
Charlotte Kerner, CFO
Dan Costello, Secretary
Spring Aldecoa, Manager
NEGOTIATED

31. 92498 Beauty Brands LLC #SCOS24283 **10:00 a.m.**
Beauty Brands LLC, Owner
Rich Bos, Member/Manager
Charlotte Kerner, Member/Manager
Bambie Saldana, Assistant Manager
NEGOTIATED

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

B. Motion to Deem Allegations Admitted

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

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).

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

F. Review, Discussion & Reconsideration of Informal Interview without Consent Pursuant to A.R.S. § 32-573 (C).

92178 Breanna Marie Metzger #10901769 (*Revoked*)

Mona Baskin Assistant Attorney General stated that the Board moved this case to an informal interview without consent, there are two allegations operating an unlicensed establishment and several health and safety violations. After further review of the case the inspection occurred prior to the revocation of the personal license. Mona Baskin is asking the Board to rescind prior motion of an informal interview without consent for the unlicensed establishment and to dismiss. Mona Baskin stated under A.R.S. § 32-572 (C) the Board can move forward with the investigation and impose discipline regarding the health and safety violations.

MOTION by Karla Clodfelter for case no. 92178 to rescind previous motion of informal interview without consent and dismiss unlicensed establishment violation and move forward with the complaint regarding the unlicensed individual, health and safety standards violations. MOTION SECONDED by Thomas Rough. MOTION CARRIED.

ADJOURNMENT

MOTION by Karla Clodfelter to adjourn the meeting at 12:30 p.m. MOTION SECONDED by Charlie Phan. 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 Suzi Thomas the ADA Coordinator at (480) 889-2959.