

ARIZONA STATE BOARD OF COSMETOLOGY TELEPHONIC BOARD MEETING
MINUTES
November 20, 2020 at 9:00 a.m.
1740 W Adams, Suite 4400, Boardroom A
Phoenix AZ 85007

CALL IN INFORMATION
DIAL: 1-254-313-3244
ENTER PASSWORD: 282 860 995#

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, Vice-Chairperson
Brandy B. Flores, Public Member
Jenna M Bentley, Public Member
Amber Cepkauskas, Cosmetologist, Secretary/Treasurer
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
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
 Mary Williams, 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 October 16, 2020.

MOTION by Thomas Rough to approve minutes as written. 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.

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. 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

Theresa Bunch Deputy Director updated the Board members about the online applications. Last Friday the examination applications went live and so far there are eleven applicants. Theresa Bunch stated that next week the remaining applications will go online except the salon application which staff will be fine tuning and completing training.

Gary Begley indicated concerns with PCS and the amount of candidates having to take their exam if there was a possibility to extend the provisional licenses to 12-months. Jenna Bentley directed staff to contact the Governor's Office to discuss this matter.

2. Update on Legislation Committee Members.

Kim Scoplitte Executive Director updated the Board regarding the Legislation Committee Members and stated that on February 15, 2019, the Board voted Jenna Bentley for Chairperson of the Legislation Committee and voted Amber Cepkauskas as a member of the Legislation Committee with Gary Begley as Vice-Chairperson. Jenna Bentley suggested that the Legislative Committee might meet after the December Board meeting with all Legislative Committee members agreeing.

3. Update on Proposed Rule Making with Governor's Regulatory Review Council (GRRC) Scheduled for November 24, 2020.

Kim Scoplitte Executive Director updated the Board regarding the GRRC's study session of the Proposed Rules and stated that staff and herself will be attending the meeting next week November 24, 2020, and we are also scheduled on GRRC'S agenda December 1, 2020, in which we will find out if the Proposed Rules are approved.

4. 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.

Investigative Supervisor Irma Telles asked the Board if they would consider to deny or grant licensure upon acceptance of Consent Agreement of \$500 civil penalty & costs within 30-days. The applicant has past history with the Board. At it’s monthly Board meeting on November 18, 2018, the applicants cosmetology reciprocity application was denied for providing fraudulent information for licensure and the case was referred to the Attorney General’s Office. At this time the Board office is currently waiting for a response from the AG’s office.

Investigative Supervisor Irma Telles stated that according to the Board’s parameters for “Providing false information to the Board” the civil penalties and costs start at \$500 to \$2000.

- 1. 96332 Thuy Vi Ho, Examination Application *(Deny or grant licensure upon acceptance of Consent Agreement/\$500 within 30 days, history in 2018 for providing false documentation to obtain licensure by Reciprocity)*

MOTION by Gary Begley for case no. 96332 to grant licensure upon acceptance of Consent Agreement for \$500 within 30 days and if the civil penalty is not paid the Board will deny licensure. MOTION SECONDED by Jenna Bentley.

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.

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

Investigative Supervisor Irma Telles stated that cases 1 thru 10 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 Jenna Bently.

Roll Call:

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

MOTION CARRIED.

1. 95613 Imaj Institute School #ASL24 *(No evidence found to support allegations)*
 Phoenix Photonix Inc.
 Gary Begley #31400143, President/C.E.O.
 Peggy “Margaret” Begley #’s 71200016 & 31000609, Secretary/Director
- CONTINUE – LACK OF QUORUM**
2. 95797 McSweeney The Salon #SCOS27556 *(No evidence found to support allegations)*
 Donald McKenzie #18901021, Owner
3. 95823 Kelly Lambert #31800892, Licensee *(No evidence found to support allegations)*
4. 96085 Posh Hair and Spa #SCOS23910 *(No evidence found to support allegations)*
 Posh Hair and Spa LLC, Owner
 Debbie Lee Ivens #19301326, Member
 Cheryl Lewis #11003116, Licensee
5. 96092 & 96093 Vip Nails #’s SNT18976 & SAES20572 *(No evidence found to support allegations)*
 Angel Tran #51600297, Owner/Manager
6. 96111 The Nail Spot #SNT19533 *(No evidence found to support allegations)*
 The Nail Spot LLC, Owner
 Jessica G Le #51500420, Manager
7. 96201 Elizabeth A. Reiners #31800910, Licensee *(No evidence found to support allegations)*
8. 96243 Kaitlynn Nelson #P42000293, Licensee *(No evidence found to support allegations)*
9. 96245 The Uncensored Stylist #SCOS30364 *(No evidence found to support allegations)*
 Kandice Satterlee #11100593, Owner
10. 96249 Jess Salon #SCOS29363 *(No evidence found to support allegations)*
 Jess Hallock #11400450, Owner
 Mackenzie Rose Scruggs #P42001913, Licensee

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

Investigative Supervisor Irma Telles stated that these are staff recommendations cases 1 thru 8 that have been reviewed according to the Board’s parameters and we would ask the Board to consider staff recommendations and to pull #3. 96112 Spa 810

Scottsdale – Shea, Salon Aesthetic License No. SAES19708 for clarification (additional information) on the initial complaint.

MOTION by Thomas Rough to accept staff recommendations for all those listed below Step 1 C. except case no. 96112. 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.

1. 96060 Gainey Nails & Spa #SNT18713 *(Inactive personal license)*
 Gainey Nails & Spa LLC, Owner
 Amy Hua #50500109, Manager
 Dat T Pho #50000386, Manager
2. 96072 Crinosity #SAES20271 *(Required display of licenses & refer to HIPPA for disclosing clients health issues)*
 Leah McCabe #10901567, Owner
3. 96112 Spa 810 Scottsdale -Shea #SAES19708 *(Required display of license and failing to post out laser services not regulated by the board)*
 Red Bird Valley LLC, Owner
 Andrea Jefferson, Manager
 Shani Mckee, Manager

Irma Telles Investigative Supervisor stated that welearned throught the course of the investigation, the initial complaint was not a separate online complaint and that the only complaint submitted was a hard-copy complaint via US Post Office and the allegation relates to “Mmisleading the public with false advertising” only.

Investigator’s findings were “required display of license and failing to post laser services not regulated by the Board”.

MOTION by Gary Begley to issue a Non-Disciplinary Letter of Concern for not posting out services that are not regulated by the Board 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.

**ARIZONA STATE BOARD OF COSMETOLOGY
 NOVEMBER 20, 2020, TELEPHONIC BOARD MEETING
 PAGE 7**

- 4. 96324 Bimini Spa-Beautify Aesthetics #SCOS27133 *(Inactive personal license and inactive establishment license)*
 Michelle Arredondo # 30900698, Owner/Manager
 Rachel Catherine Gable, Owner
- 5. 96327 Desirea Connelly #31700109, Licensee/Member *(Inactive personal license)*
- 6. 96328 RNB Hair Studio # SCOS20712 *(Inactive establishment license)*
 Richard Rodriguez #18701358, Owner
- 7. 96329 Herbal Nails & Spa 25 LLC #SNT19557 *(Required display of license)*
 Jennifer Tran #10501045, Member/Manager
 Scott Ha, Manager
- 8. 96330 Beauty Boutique Hair Salon & Extension Bar LLC #SCOS27182 *(Inactive personal license and inactive establishment license)*
 Sandra Soil #11300965, Owner

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

Investigative Supervisor Irma Telles stated that cases 1 thru 16 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:

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

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. 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
- 3. 96202 Lemy’s Nail and Spa #SNT19399
 3H & T LLC, Owner
 Tuan Quoc Buu Tran, Member
 My Hanh Giang Pham #50700914, Manager
 Offer a consent agreement to assess \$350.00 civil penalty and Board costs, 12-months’ probation with early termination see motion above.

ARIZONA STATE BOARD OF COSMETOLOGY
NOVEMBER 20, 2020, TELEPHONIC BOARD MEETING
PAGE 8

4. 96203 Primp and Blow Waterfront #SCOS21307
Primp and Blow Waterfront LLC, Owner
Melodi Harmon, Member
Elahe Shahsavari #10401712, Manager
Vivian J. Lopez #11002178, Manager
Offer a consent agreement to assess \$650.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
5. 96208 Tucson College of Beauty #CSL44
Transwest Properties Inc./Behind The Chair School of Design LLC, Owner
Michael J Hanson
Rochelle Car #99229186, Director
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
6. 96239 Erica Mada #11102608, Licensee/Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
7. 96246 Arte Y Creacion Beauty Salon #SCOS14797
Ramon Chavarria, Owner
Rosalinda Honne #11400573, Licensee
CONTINUED
8. 96247 Alba Salon #SCOS27354
Albana Lika #11302430, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination and to remove A.R.S. § 32-541 (B)/A.A.C. R4-10-111 (A)(C) see motion above.
9. 96254 King Nails #SNT19562
Hanh K Tran #30330738, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
10. 96255 Fantastic Sams #SCOS16167
D&E Concepts LLC
Douglas Buchanan, Member
Elizabeth Buchanan, Member
Offer a consent agreement to assess \$600.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
11. 96260 Edlin J Samuels #31400502, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
12. 96278 A La Moda Hair Salon #SCOS28831
A La Moda Hair Salon LLC, Owner
Oyuque Bracamonte #11401523, Member
Monica Hernandez #10602038, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
13. 96283 New York Nails LLC #SNT16930
New York Nails LLC, Owner

Tuyphuong Thi Trong #10700881, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.

14. 96285 Tammy Nails Salon Pro Nails #SCOS27154
Hiep V Nguyen #50200167, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination and for Owner/Manager Hiep Nguyen to attend the Infection Protection/Law Review Class given by the Board, see motion above.

15. 96309 Elegance Nails & Spa LLC #SCOS30742
Elegance Nails & Spa LLC, Owner
Jady Ho #11402428, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination and for Member Jady Ho to attend the Infection Protection/Law Review Class given by the Board, see motion above.

16. 96323 JLen Spa LLC #SCOS30329
JLen LLC, Owner
Sreylen Deflorimonte #'s 31300033 & 51500361, Member/Manager
Offer a consent agreement to assess \$250.00 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

None

B. With Negotiation Options

- | | | | |
|----|-------------|---|------------------|
| 1. | 96065/96101 | Fly Girls Boutique & Beauty Bar #SCOS25822
Fly Girls Only LLC, Owner
Angela Crowder, Member
Continued from the October's Board meeting
NEGOTIATED \$850/12-MONTH PROBATION | 9:30 a.m. |
| 2. | 96102 | You Need Nails and Facial #SNT19225
Tung T Ly #59920300, Owner (Deceased)
Thuy T. T. Vo #51400252, Manager
Continued from the October's Board meeting | 9:30 a.m. |

Irma Telles Investigative Supervisor stated that at last month's Board meeting this case was continued for new owner Yen Vo to submit salon application and to resolve the other issues of permitting an unlicensed operator to perform nail technology while Thuy T. T. Vo was managing the salon. Irma Telles stated that on November 2, 2020, Nail Tech Salon license no. SNT19800 and Aesthetician Salon license no. SAES22267 were issued to salon name "You Need Nails & Waxing" and Owner Yen Investment Holdings LLC with Member Yen Vo.

MOTION by Jenna Bentley for case no. 96102 to dismiss. MOTION SECONDED by Brandy Flores.

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. 96232 Mercedes Meraz #10902336, Owner **9:30 a.m.**
 Beauty Parlor By Mercedes #SCOS20284
 Continued from the October's Board meeting

Irma Telles Invesgitative Supervisor stated that at last month's Board meeting, staff was directed to look into the notification of salon closure. Irma Telles stated the after discussing with former owner that there's no indication she submitted to the Board notifying Board of salon closure due to ownership change the former owner followed through with the bill of sale that salon was sold on November 16, 2019, and notification to close the salon license no. SCOS20284 received on October 28, 2020. Irma Telles also stated that after further review that the new owner was issued salon license no. SCOS30922 on September 24, 2020, to "Papa's Beauty Parlor & Barber Shop LLC" with members Ceasar Vineza and Elizabeth Aparicio.

MOTION Thomas Rough for case no. 96232 to dismiss. 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.

4. 96234at Stephanie M Mattheeussen #10701617, Licensee **9:30 a.m.**

Stephanie Mattheeussen was sworn in and stated both her personal license and the establishment licenses were expired and that the old owner who took care of the license is not longer the owner . Stephanie Mattheeussen stated that she was trying to renew her personal license and was working on the salon application and thought the Board was closed and has not applied for a salon license yet.

Investigator Lisa Chavez testified that on August 28, 2020, she conducted an inspection of "Looks to Dye For" located in Glendale, Arizona, and found the following: Establishment license no. SCOS23800 expired January 23, 2019. Lisa Chaves stated that Stephanie Mattheeussen stated that the

old owner is no longer the owner and no longer doing hair, and that she had been trying to renew her personal license and to submit salon application and thought the Board was closed.

MOTION by Gary Begley for case no. 96234 to continue to next month and directed staff to reachout to licensee to review salon application requirements and to follow through with a salon application. MOTION SECONDED by Jenna Bently.

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. 96069 Pink Polish Hair Nails Skin #SNT19677 9:30 a.m.
 Long Xuyen Business Development LLC, Owner
 Nina Dieu #'s 51900513 & 31901133, Member/Manager
NEGOTIATED \$250
- 6. 96071 Lynn Nails & Spa LLC #SNT17288 9:30 a.m.
 Lynn Nails & Spa LLC, Owner
 Huy Hoang Nguyen #50700269, Member
NEGOTIATED \$600
- 7. 96192 Bien Nails, License No. SNT9313 9:30 a.m.
 Hung Ngoc Huynh #59500848, Owner
 "Judy" Thao Thanh Ngo #59700159, Manager
NEGOTIATED \$500/12-MONTH PROBATION
- 8. 96206 Unique Design by Susy's #SCOS14782 9:30 a.m.
 Maria de Jesus Martinez #19100978, Owner
NEGOTIATED \$250
- 9. 96231 Kingan Place #SAES21788 9:30 a.m.
 Kingan Place LLC, Owner
 Sheila Millette, Manager/Member

Sheila Millettee was sworn in and Thomas E. Higgins, Attorney representing respondent. Sheila Millettee stated that she applied for the aesthetic establishment license before COVID and that licensees wanted to rent the property and Sheila Millttee told the licensees that they were to get all of their owe licenses. Sheila Millettee stated that she had no knowledge of the inspection and when she found out she told the girls that she was their landlord.

Investigator Helen Bordelon testified that on August 31, 2020, she conducted an inspection of "Kingan Place" located in Tucson, Arizona, and found the following: Aesthetic salon was found with two licensees performing cosmetology services in an aesthetic establishment.

MOTION by Thomas Rough for case no. 96231 to dismiss and for staff to re-inspect within 30-days at said location. MOTION SECONDED by Jenna Bently.

ARIZONA STATE BOARD OF COSMETOLOGY
 NOVEMBER 20, 2020, TELEPHONIC BOARD MEETING
 PAGE 12

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. 96240 Kevins Gorgeous Nails #SNT19738 **9:30 a.m.**
 Cuong T Phan #50600694, Owner/Manager
NEGOTIATED \$250

11. 96250 Keoshie J Malone #51900250, Owner/Manager **9:30 a.m.**

Keoshie Malone was sworn in and stated that she did not have a salon license in August and that she was not aware that she was a salon, she said she thought a salon was several licensees. Keoshie Malone stated that she now is licensed.

Inspector Cathy Bergeron testified that on September 10, 2020, she conducted an inspection of "Butta's Fingers Nail Artistry" located in Phoenix, Arizona, and found the following: Owner Keoshie Malone was found operating an unlicensed establishment.

MOTION by Jenna Bentley for case no. 96250 to dismiss. MOTION SECONDED by Brandy Flores.

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. 96256 The Final Cut LLC #SCOS26814 **9:30 a.m.**
 The Final Cut LLC, Owner
 Gene Mapanoo, Member
NEGOTIATED \$250

13. 96258 Gurl Bang #SCOS29850 **9:30 a.m.**
 Gurl Bang LLC, Owner
 Christina Shaffer #11000838, Member

MOTION by Gary Begley to move case no. 96258 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.

14. 96261/96262 7 Day Nails & Spa 1 #'s SNT17986 & SAES18920 9:30 a.m.
 Robinson Tran #50300047, Owner/Manager

MOTION by Gary Begley to move case nos. 96261 & 96262 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.

15. 96263 The Cut Flagstaff #SCOS28642 9:30 a.m.
 Chakra Industries LLC, Owner
 Renee Aldrich #19600791, Manager
NEGOTIATED \$500/12-MONTH PROBATION

16. 96265 Herbal Nails & Spa #SNT18620 9:30 a.m.
 Herbal Nails & Spa 6 LLC, Owner
 Jennifer Tran #10501045, LLC Manager

MOTION by Gary Begley to move case no. 96265 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.

- 17. 96268 & 96225 & 96218 KD Nails #SNT19295
 Tri Sanh Dinh #51800016, Owner/Manager
NEGOTIATED \$100
 Hieu Trung Truong #51900224, License
NEGOTIATED \$500/PAID **9:30 a.m.**
- 18. 96279/96280 Elements Nail Spa #'s SNT19257 & SAES21103
 Annie Hoang Le #51600009, Owner/Manager
NEGOTIATED \$300 **9:30 a.m.**
- 19. 96281 VS Nails & Spa #SNT18895
 Duc C Le #50800431, Owner/Manager
NEGOTIATED #250/PAID **9:30 a.m.**
- 20. 96284 & 96335 Hollywood Styles #SCOS22910
 Brandie C Woods #10332047, Owner/Manager
CONTINUED **9:30 a.m.**

STEP 3: HEARINGS

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

The Board may go into “Executive Sessions” for the purpose of obtaining legal advice from the Board’s attorney on any of the agenda items under Step 3 pursuant to A.R.S. § 38.431.03 (A)(3).

The Board may vote to go into “Executive Session” to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State of Federal Law on all agenda items under Step 3 pursuant to A.R.S. §38-431.03 (A)(2).

A. 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).

- 1. 94848 AZ Bluesky Nails & Spa #SNT19193
 AZ Bluesky Nails & Spa LLC, Owner
 Henry H. Huynh #50900636, Licensee/Manager **9:15 a.m.**

Assistant Attorney General, Mona Baskin, appeared representing the State in this matter and Mary Williams, Assistant Attorney General appeared providing independent legal advice to the Board on this matter.

Licensee was not present.

Assistant Attorney General, Mona Baskin stated that a Complaint and Notice of Hearing was issued in this case, the licensee was properly noticed and the certified mail was received, the Board nor the State has had any contact with licensee. On behalf of the State the State respectfully requests that the Board adopt the Findings of Facts and Conclusions of Law in the complaint, regarding discipline the State would recommend revocation of the license and stay the revocation for 6-months and cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply within 6-months the license would be revoked.

**MOTION by Thomas Rough to grant State's Motion to Deem Allegations Admitted.
 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 to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Facts and the alleged violations in the Complaint and Notice of Hearing as 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. 94848 to impose the following discipline as our Order in this matter to revoke license and stay the revocation for 6-months and cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply within 6-months the license would be revoked. 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.

2. 95620 Nails Spa 101 #SNT18140 **9:15 a.m.**
 Judy Nguyen, Owner

Assistant Attorney General, Mona Baskin, appeared representing the State in this matter and Mary Williams, Assistant Attorney General appeared providing independent legal advice to the Board on this matter.

Licensee was not present.

Assistant Attorney General, Mona Baskin stated that a Complaint and Notice of Hearing was issued in this case, the licensee was properly noticed and the certified mail was received, the Board nor the State has had any contact with licensee. On behalf of the State the State respectfully requests that the Board adopt the Findings of Facts and Conclusions of Law in the complaint, regarding discipline the State would recommend revocation and stay the revocation for 6-months and cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply within 6-months the license would be revoked.

MOTION by Thomas Rough to grant State's Motion to Deem Allegations Admitted.

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 to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Facts and the alleged violations in the Complaint and Notice of Hearing as 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. 95620 to impose the following discipline as our Order in this matter to revoke license and stay the revocation for 6-months and cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply within 6-months the license would be revoked. 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.

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

1. 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 updated the Board and stated as part of the terms of probation, to reinspect salon at the end of 30-days and to update the Board of any findings (inspected August 28, 2020, completed), and to reinspect salon within the six-month probation period, and to update the Board of any findings. Irma Telles stated that on November 2, 2020, Inspector Cathy Bergeron conducted a reinspection and found salon in compliance. At this point, the probation period ends February 17, 2021.

D. 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).

1. Lisa Clark Mastro, License No. 59200362 (Inactive 9.11.2009)

Irma Telles Investigative Supervisor stated that the Board received information from the Maricopa County Superior Court advising the Board that licensee has been convicted of a crime. Copies of the

documentation to support the conviction was provided to you to review and decide whether to open up a complaint pursuant to A.R.S. § 32-572 (A)(2)(B)(C)(D) and A.R.S. § 32-573 (A)

Board took no action.

E. Review, Discussion and Possible Action on Cases Pending Formal Hearing and Issues Related to Service of the Board Complaint Pursuant to A.R.S. § 41-1092.04.

- 95105 Roi Van Nguyen #51500475, Licensee
 Mona Baskin Assistant Attorney General stated that the Board issued the complaint on September 14, 2020, to both addresses on file with the Board however the licensee never received the complaint and therefore was not properly noticed. Staff made every effort to contact licensee.
 Mona Baskin stated the Board may consider these options. To notice by personal service or publication and the Board may consider to administratively close the case and reissue the complaint in the event the licensee contacts the board or renews their license.

MOTION by Gary Begley for case no. 95105 to administratively close the case until the licensee contacts the Board and/or renews their license and then reissue the complaint. 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.

- 95511 Ashley Mixan #10327480, Licensee
 Mona Baskin Assistant Attorney General stated that the Board issued the complaint on September 30, 2020, to address on file with the Board however the licensee never received the complaint and therefore was not properly noticed.

MOTION by Gary Begley for case no. 95511 to administratively close the case until the licensee contacts the Board and/or renews their license and then reissue the complaint. 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.

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

None

G. 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

H. 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

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

None

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

None

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

None

ADJOURNMENT

MOTION by Jenna Bentley to adjourn the meeting at 10:51 a.m. 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					

**ARIZONA STATE BOARD OF COSMETOLOGY
NOVEMBER 20, 2020, TELEPHONIC BOARD MEETING
PAGE 20**

Absent					

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 Mimi Ahmetovic the ADA Coordinator at (480) 825-7002.