



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

December 11, 2015 at 9:00 am

1721 East Broadway

Tempe, Arizona 85282-1611

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

The Board may go into Executive Session for the purpose of obtaining legal advice from the Board's attorney on any of the agenda items pursuant to A.R.S. § 38.431.03 (A)(3).

The Board makes every attempt to hear all matters timely. However, due to the number of items scheduled on any particular agenda, the Board may find it necessary to hear some items out of order and/or later than the time originally scheduled.

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL

Gary Begley
Karla Clodfelter - Absent
Jessica M Stall-Rainbow
Joe Verdugo
Tammy L Acton
Melissa C Porter - Absent
Martha P Ramsey

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of November 13, 2015.

MOTION by Joe Verdugo to approve minutes as written. MOTION
SECONDED by Tammy Acton. MOTION CARRIED.

2. Declaration of Conflict of Interest.

Martha Ramsey declared for 89609 & no. 8 and 89728 no. 9 under Step 2. B. of the Agenda.

3. Discussion, Consideration and Possible Action on Administering Licensing Exam in Languages in Addition to English.

Board Members discussed the issue and will refer to Rules Committee to review.

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 and A.R.S. § 32-532 Instructor Reciprocity
- 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+

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

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

Jessica Rainbow reported that there were no new updates from last month.

5. Report and Discussion on Status of Proposed 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 reported she attended a Committee Study with GRRC on November 24, 2015 and on December 1, 2015, our Rule for the two-year license passed.

6. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

No Students in attendance.

EXECUTIVE DIRECTOR'S REPORT

1. Welcome and Introduction to John Thomas, Marisol Tovar, Rosa Rodriguez, and Esmeralda Valles Quinonez.

Executive Director Donna Aune, reported that we have been able to hire (4) position which were temps that have been with us for several years and we have also hire a new inspector Trisha Petrak who is a licensed Instructor and will be starting January 4, 2016.

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

Executive Director Donna Aune, reported that in the last 9-months we have been able to get 80% of our staff a substantial raise and 20% of the staff did not qualify at the time however, we were able to give a \$1,000.00 incentives. We have been working very hard for our staff, we have a wonderful staff and we are getting the work out.

Theresa Bunch reported that the e-mail renewal notices which will go out to the salons and individuals should be going out by the end of the month.

2. Summary of Current Events.

See above.

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 Joe Verdugo to accept staff recommendations for all those listed below Step 1 B & C except 90114. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

89664	Violetta Demoney #30800578	<i>(Refer to proper authorities)</i>
89702	AK Nails Spa #SNT17480 & SAES18155	<i>(Insufficient evidence to support allegations)</i>
	Hanh Ngoc Thi Tran #SNT10801971 & 50331166, Owner	
89731 &	Elizabeth Younadim #31300628	<i>(No evidence to support allegations)</i>
89732	Nadia Hassan, Unlicensed	<i>(No evidence to support allegations)</i>
89844	Mimi Berry, Unlicensed	<i>(Unable to substantiate allegations)</i>
89889	Iveth Savinon, Unlicensed	<i>(No evidence to support allegations)</i>
89926	Tootie+Daeqnoninque Rayford Student file #9087702	<i>(No proof of violations)</i>
	Styles by Tootie Unlicensed	
89928	Shyla Wheatley Unlicensed	<i>(No evidence to support allegations)</i>
89952	Arizona Academy of Beauty #CSL6	<i>(No evidence to support allegations)</i>
	Arizona Academy of Beauty Inc., Owner	
	Stewart White, President	
89964	Salon Armetta LLC, #SCOS24834	<i>(Insufficient evidence to support allegations)</i>
	Salon Armetta LLC, Owner	
	Vincenzo Armetta, #19401502, Member	
	Francesco Armetta, Member	
89969	Great Clips #1137 #SCOS22964	<i>(Found no evidence to support allegations)</i>
	Shear Quality Inc., Owner	
	Paul E Neumayr, C.E.O./President	
	John A Meyer, Secretary	
	Michael Richards #11401251	
	Stephen Garcia #11301239, Licensee	
89976	Illusion Real Salon Day Spa & Gallery #SCOS23408	<i>(No evidence of unlicensed individual)</i>
	Natalia G Ortiz, Owner	
90018	Michael Alexander Salon & Spa #SCOS23386	<i>(No evidence to support allegations)</i>
	C & T Salon Enterprises LLC, Owner	
	Crystal Fyke LLC, Manager	
	Timothy Fyke LLC, Manager	
	Kellie, Licensee	
90023	Tucson College of Beauty #CSL44	<i>(No evidence to support allegations)</i>
	Transwest Properties Inc/Behind The Chair School of Design LLC, Owner	
	Michael Hanson	
	Rochelle Carr #90229186, Director/Instructor-in-charge	
	Jensen Carr-Tripp #11101106	
90025	Rebecca Lynn Torres-Hallinan	<i>(No evidence to support allegations)</i>
90032	International Academy of Hair Design #CSL68	<i>(Insufficient evidence to support allegations)</i>
	IABC Inc., Owner	
	Gerald Johnson, President	
	Michele Leon V-P	
	Jessica Wolman, Secretary	
90037	Anna Nails #SNT14882	<i>(No evidence to support allegations)</i>
	Nhung Nguyen #50401260, Owner	
	Anna Anh Ngoc Tran #501001237, Manager	
90040	Salon Estique #SCOS5899	<i>(No evidence to support allegations)</i>
	Cheryl Finn #18327083, President/Manager	
	Brenda Barby, V-P	
	Kathy Boudreau #18256014, Secretary/Treasurer	
	Adrienne Brees #11400893, Manager	
90062/90063	Pink & White Nails & Spa #SNT17431 & SAES18082	<i>(No evidence to support)</i>

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- | | | |
|-------------|---|---|
| | Thong Nguyen LLC, Owner | <i>allegations)</i> |
| | Thong Nguyen #51200022, Member | |
| 90064 | Great Clips #SCOS9973 | <i>(No evidence to support allegations)</i> |
| | Shear Quality Inc., Owner | |
| | Sarah E Jones #11000946 | |
| 90065/90069 | Beautiful Skin & Nails #SCOS22437 | <i>(No evidence to support allegations)</i> |
| | Victoria A Denero # 5 59300132 & 31100559 | <i>(Fees have been paid in full)</i> |
| 90085/90086 | Hannah Nails & Spa # 5 SNT17733 & SAES18547 | <i>(No evidence to support allegations)</i> |
| | Hanh Thi Cao # 5 50800435 J& 31500139, Owner | |

C. Recommend Letter of Concern

See above motion.

- | | | |
|-------------|---|--|
| 89939 | Anh-Phuong T Nguyen #10901295, Owner | <i>(Salon licensed not posted)</i> |
| 89991 | Sportclips AZ206 #SCOS24286 | <i>(Personal license display)</i> |
| | Wyofun LLC, Owner | |
| | James Anderson, Member | |
| | Jacqueline Jones, Member | |
| 89992/89993 | A Lasting Touch Salon LLC # 5 SNT15244 & SAES15597 | <i>(Delinquent personal license)</i> |
| | A Lasting Touch Salon LLC, Owner | |
| | Yvette Dwornik #59000727, Member/Manager | |
| | Selina Parham #59300600, Member/Manager | |
| 89994/89995 | Voulez-Vous Nails # 5 SNT17374 & SAES17993 | <i>(Delinquent personal license)</i> |
| | Lan Thi Pham # 5 50401347 & 30500592, Owner | |
| 90000 | TA Nails & Spa #SCOS21358 | <i>(Clean linens not enclosed & del. establishment license)</i> |
| | Dany Ta Bank #59921352, Owner/Manager | |
| 90004/90006 | AZ Nail & Spa 101 # 5 SNT16007 & SAES16140 | <i>(Delinquent personal licenses)</i> |
| | Mimi Nguyen # 5 50100227 & 30400331, Owner/Manager | |
| 90030 | J Salon LLC #SCOS25153 | <i>(Current establishment license display & delinquent personal license)</i> |
| | J Salon LLC, Owner | |
| | Phuong H Le #10100445, Member/Manager | |
| | Julian Luna #10100356, Member/Manager | |
| 90034 | Mario 5 Hair Co #SCOS10007 | <i>(Delinquent establishment license)</i> |
| | Young Generation Co, Owner | |
| | Angel Young #18327540, President | |
| | Dolores M Ruiz #19200559, Manager | |
| 90039 | United Simply Unique #SCOS24265 | <i>(Misleading the public - advertising issue)</i> |
| | Dominican Hair Salon Be Melania LLC, Owner | |
| | Melania Penzo #10400779, Member | |
| 90041 | Vintage Vanity . Full service Salon #SCOS25179 | <i>(Advertising differently)</i> |
| | Vintage Vanity . Full service Salon LLC, Owner | |
| | Linda L Palmer #18700930, Member | |
| 90044 | Vittorio Studio Salon LLC #SCOS20086 | <i>(Delinquent establishment license)</i> |
| | Vittorio Studio Salon LLC, Owner | |
| | Vittorio Mariano #10300030, Member/Manager | |
| 90049 | Kieu Tran Nails #SNT17896 | <i>(Delinquent personal license)</i> |
| | Thien Kieu Thi Ho # 5 50600820 & 31200479, Owner/Manager | |
| 90050 | Tuf-Act to Follow Company #SCOS24197 | <i>(Delinquent establishment license)</i> |
| | John Gonzales #17515696, Owner/Manager | |
| 90059 | Maricopa Skill Center-Northwest Skill Campus #CSL165 | <i>(Provided docs w/n timely manner)</i> |
| | Maricopa Community College District, Owner | |
| | Lisa K Hemming #90100009, Instructor in Charge | |
| 90079 | Shear Terror #SCOS25105 | <i>(Delinquent personal license)</i> |
| | Tiffany Crocenzi #10220557, Owner/Manager | |

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- 90112 Rosa Beauty Salon #SCOS21508 (Delinquent personal license)
Alfred Alvidrez, Owner
Rosa Contreras #10400624, Manager
- 90114 U. S. Nails Salon #SNT17438 (Wet not large enough for complete tool immersion)
Hieu Thi Cao #~~q~~ 50401393 & 30500516, Owner/Manager
- MOTION by Tammy Acton to accept staff recommendation for \$250.00 civil penalty and Board cost. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

D. Recommend Informal Interview or Negotiation Terms

MOTION by Jessica Rainbow to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

1. 89968 MK Nova #SCOS24551
New Fashion by Bertein LLC, Owner
Basil Nona, Member
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
2. 89974/89975 Adiva Nails #~~q~~ SNT17071 & SAES17549
Thanh Chu #10100221, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
3. 89977 Nu Image Salon & Spa #SCOS24063
Susanna Spector, Co-Owner
Paul Hipworth, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
4. 89983 Color Bar Salon #SCOS14893
Color Bar Salon LLC, Owner
Judy A Loucks-Murphy #10100799, Member/Manager
Wendy M Seifert #19700456, Member/Manager
Marilyn D Cloward #10400786, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
5. 89984/89985 Tango Nails #~~q~~ SNT14418 & SAES14388
The Tran, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
6. 89986 Super Cuts #SCOS19561
HF Consulting LLC, Owner
Michael Hanson, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
7. 89987 Cynthia Rodriguez #10332468, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
8. 89988 Botanicals Salon & Spa #SCOS16638
Botanicals Salon & Spa LLC, Owner
Patricia K Welch #10225714, Member
Tara Marie Romero #10401101, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
9. 89989 Perfect Look #113 #SCOS11713
Beauty Management LLC, Owner

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- Michael Clark, President
Jack Holewa, Vice-President
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
10. 89997 Procuts #SCOS15339
Epoch Enterprises
Chris Serrano, President/Director
Nathan Serrano, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
11. 90001/90002 Thanh Lan Thi Le #~~cs~~ 50600776 & 30900552
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
12. 90009 & Beautiful Skin & Nails, Unlicensed
90130/90131 & Vicky DeNero #~~cs~~ 59300132 & 31100559, Owner
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
90132 & Nita Whitney #31500328, Licensee
90133 & Lindsay Cavola #11001071, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
90134 & Rebecca Logan #10701956, Licensee
90135 & Maggie Truby #31400353, Licensee
90136 & Alexandria Best #31400491, Licensee
90137 Uliana Ivanova, Unlicensed
13. 90010 Shokufeh Eshani #19200673, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
14. 90011 Notorious Hair and Nails #SCOS23601
Manuel G Romero, Owner
Kerry Knox. Unlicensed
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
15. 90012/90013 Regal Nails #2113 #~~cs~~ SNT15972 & SAES16088
Ut Van Thai #~~cs~~ 11400055 & 50000241, Owner
Dam Thai Linh Tran #51100087, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, \$27.00 restitution, for Owner Ut Van Thai and Licensee Dam Thai Linh Tran to attend the Infection Protection/Law Review class given by the Board, see motion above.
16. 90015 Megan Bingham Wright #11401338
Issue a Letter of Concern for performing eyelash extensions in an unlicensed establishment, see motion above.
17. 90026/90027 Amy Nails LLC #~~cs~~ SNT18049 & SAES19027
Amy Nails LLC, Owner
Ha Thi Ta #~~cs~~ 51200680 & 31500775, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
18. 90028/90029 Pro Nails by Andy #~~cs~~ SNT17796 & SAES18626
Andy N Nguyen #50700701, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner/Manager Andy Nguyen to attend the Infection Protection/Law Review class given by the Board, see motion above.
19. 90031 Voluptuous Nails & Spa LLC #SCOS25276
Voluptuous Nails & Spa LLC, Owner
Gricela Garcia, Member

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
20. 90033 Aesthetics Institute & Laser Sciences #ASL36
Fernando Gonzalez, Owner/Director
Isabel C Calleros #99200002, Instructor in Charge
Offer a consent agreement to assess \$2,000.00 civil penalty and Board costs, see motion above.
21. 90035 Jeretta Hair Care Center #SCOS22114
Jeretta S Douglas #16204544, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
22. 90043 Marios Hair Co #SCOS944
Young Generation Co, Owner
Angel Young #18327540, President
Sandra K Douglas #19800473, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
23. 90045 Sol Beauty #SCOS23248
Chloe Zungia #~~5~~ 50800632 & 30400040, Owner/Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
24. 90046 Regal Nails by Hue #SNT17077
Hue Bach Lai #~~5~~ 50401250 & 31200481, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
25. 90058 Island Nails & Spa #~~5~~ SNT17469 & SAES18137
Phu Le, Owner
Kim Thanh Nguyen #~~5~~ 51002237 & 31000274, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
26. 90068 Marios Hair Co #SCOS9444
Young Generations Co, Owner
Angie Brock #18327540, President
Issue Letter of Concern for delinquent establishment license, see motion above.
27. 90047/90048 ~~W~~R+Nails & Spa #~~5~~ SNT15728 & SAES15797
Tina Tu An Huynh #~~5~~ 50400982 & 30600652, Owner
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
28. 90080 Magic Touch Beauty Salon #SCOS21316
Ramona Cisneros #18326619, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
29. 90081 ~~D~~amage Beauty College Avondale #CSL162
~~D~~amage Beauty College LLC, Owner
Luz Jaime #~~5~~ 90600042 & 10500314, Member/Director
Gladys A Melgar #~~5~~ 91400016 & 11102676, Instructor in Charge
Offer a consent agreement to assess \$1,500.00 civil penalty and Board costs, see motion above.
30. 90082/90083 Belle Nails #~~5~~ SNT18156 & SAES19202
Phuong D Nguyen, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 90084 Deborah Marie Henson #11401121, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.

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32. 90087/90088 Hi-Tech Nails #~~CS~~ SNT17513 & SAES18200
Nga Thi Nguyen #51300284, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
33. 90094/90095 Angel Nails by Ann #~~CS~~ SNT18135 & SAES19155
Nghia Phan #50501508, Owner
Van Anh T Luong #~~CS~~ 50500507 & 30600848, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
34. 90096/90097 Regal Nails Salon & Spa #3241 #~~CS~~ SNT17433 & SAES18086
Phung Thi Ngoc Nguyen #50331188, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
35. 90113 Letha K Dixon #17921690, Manager
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
36. 90115/90116 Vina Nails #~~CS~~ SNT16042 & SAES16226
Hay Thi Be Nguyen #50400274, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
37. 90117/90118 Da-Vi Nails #1533 #~~CS~~ SNT16317 & SAES16551
Viet Hong Vo #50700166, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
38. 90119 Great Clips #1503 #SCOS16253
Bella Hair LLC, Owner
Tino Rigio, Member
Diane Rigio, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
39. 90120 Uni Nails of Glendale #SNT15489
Dong Van Nguyen #10332076, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
40. 90121/90122 LaBelle Nails & Spa Salon #~~CS~~ SNT16932 & SAES17354
Michael Truong #50600003, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
41. 90123 The Skin & Makeup Institute of Arizona #ASL35
TJ Bryant Inc, Owner
Thomas Bryant, Co-Director
Mary Bryant, Co-Director
Jacqueline Bryant #71100005, Instructor-in-Charge
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. 89630 Denise Rosa Dunlap #19500618 9:45 a.m.
Continued from October 6 Board Meeting
Denise Dunlap appeared was sworn in and stated she purchased a mobile home and lives in an age controlled community where she turned the laundry room into a salon. Denise Dunlap stated the park informed her she could not have a business so she stated she uses for her personal use. Denise Dunlap stated she can no longer do hair anymore as she had a heart attack and was recently released from the hospital, she has no recollection of the phone call and the person does not know and has never been in her home. Investigator Amber Moore testified to contacting Denise Dunlap and scheduling a haircut appointment for her mother on July 15, 2015, Denise Dunlap states she just got out of the hospital and would prefer to do the haircut tomorrow around 2 p.m. Investigator stated Denise Dunlap asked how she heard she was doing services, she said from the other ladies in the park and they provided her space number.
MOTION by Joe Verdugo to dismiss due to no violation. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

2. 89812 Marie L Kiebert #19500353 9:45 a.m.
Continued from November 3 Board Meeting
Marie Kiebert appeared was sworn in and stated she cuts her sons hair who is Autistic and her cousins hair and stated she did no way she could not cut her sons hair. Investigator Amber Moore testified that Marie Kiebert stated she has provided services to her family along with one other person.
MOTION by Tammy Acton to move that for case no. 89812 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 licensed & operate a salon or school without being licensed
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Tammy Acton to dismiss case no. 89812 due to A.R.S. § 32-506 (9). MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

3. 89820 Yoli Sala De Belleza #SCOS12163 9:45 a.m.
M Yolanda Arredondo #19200341, Owner
Continued from November 3 Board Meeting
NEGOTIATED

4. 89854 & Kelly L Burns #10601304, Co-Owner 9:45 a.m.
Continued from November 3 Board Meeting
NEGOTIATED \$375/
89855 Kayla Stacker #11201242, Co-Owner
Continued from November 3 Board Meeting
NEGOTIATED \$375/

5. 89860 Kristy Rahkola #11301957, Owner/Manager 9:45 a.m.
No Show; to formal hearing

6. 89231 & Stylist Rock Salon #SCOS19741 9:45 a.m.
89900 Veronica Baca #10800840, Owner
No Show; to formal hearing

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7. 89449 Marni L Thornton #18700655, Licensee **9:45 a.m.**
NEGOTIATED \$500/PAID
8. 89609 Aesthetic Institute & Laser Science #ASL34 **9:45 a.m.**
Fernando Gonzalez, Owner
Isabel Calleros #99200002, Director
No Show; to formal hearing
9. 89728 Aesthetic Institute & Laser Science #ASL34 **9:45 a.m.**
Fernando Gonzalez, Owner
Isabel Calleros #99200002, Director
No Show; to formal hearing
10. 89636 Erica Rodarte #30900816 **9:45 a.m.**
No Show; to formal hearing
11. 89695/89696 T & Ti Nails # SNT17783 & SAES18606 **9:45 a.m.**
Kathy K Huynh # 59600858 & 30400072
NEGOTIATED \$250/PAID
12. 89705 Ichulas Salon and Spa #SCOS23101 **9:45 a.m.**
Ichulas Salon and Spa LLC, Owner
Louisa Salcido, Member
Roque Octavio Garcia Salcido, Member
Louisa Salcido appeared was sworn in and stated she has been in the business for three years and is job shadowing girls who come to the salon and prepare clients for fills, the girls assist, clean up after services and no girls touch the clients. Louisa Salcido stated she does not know why the girls names are in the appointment book. Investigator Amber Moore testified that there were two unlicensed individuals providing services and allowed to remove polish, the individual had completed school however, did not know if they had tested as of yet. Investigator Amber Moore testified that the unlicensed individual names were listed in the appointment book as far back as July.
MOTION by Tammy Acton to move that for case no. 89705 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
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. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Tammy Acton to move that for case no. 89705 to impose the following discipline to offer a Consent Agreement with the following new terms of \$500.00 civil penalty and Board costs. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
13. 89712/89713 Premier Nails & Spa # SNT17941 & SAES18848 **9:45 a.m.**
Arizona Desert Enterprise LLC, Owner
Thanh Nguyen # 50500724 & 30600445, LLC Manager
Hieu Nguyen, LLC Manager
No Show; to formal hearing
14. 89747/89748 Charming Nails # SNT15199 & SAES15190 **9:45 a.m.**
Christina Dong, # 59800115 & 30400771, Owner
NEGOTIATED \$250/PAID

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15. 89757 @Lash #SCOS21737 9:45 a.m.
At Lash LLC, Owner
Theresa Fuentes #19500934, Member
CONTINUANCE GRANTED
16. 89835 & Elizabeth Crawford #10401715, Licensee 9:45 a.m.
89836 Kathy A. Dow #18326708, Licensee
No Show; to formal hearing
17. 89848/89849 & Laveen Nails & Day Spa #SAES18817 & SNT17918 9:45 a.m.
Laveen Nails & Day Spa JP LLC, Owner
90098/90099 & Julie Pham #50116478 & 30400567, Member
90100 Tu V Tran #59800153
Continue to January Board
18. 89876 Margarita Nails & Spa # SNT16557 9:45 a.m.
Margarita Nails & Spa LLC, Owner
Tuan A. Nguyen #59900335, Member/Manager
My Dung Pham #50331164 & 30330587, Licensee in charge
NEGOTIATED \$250/PAID
19. 89882 ZA Nails #SNT17552 9:45 a.m.
Hoa C Giang #51300215, Owner
CONTINUANCE GRANTED
20. 89884 Mary Lynn Massage & Day #SAES18697 9:45 a.m.
Mary Lynn Rana #30700273, Owner
Mary Lynn Rana appeared was sworn in and stated she had sent in everything regarding licenses, has been to the Board three times, the Board messed up and sent her seven licenses, finally issued the right licenses however, with the wrong expiration year. Mary Lynn Rana stated she came back into the office to show the licenses and went ahead and paid again, and would like to be refunded the additional money she paid if possible.
MOTION by Tammy Acton to dismiss due to no violation. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.
21. 89887/89978 A Cindy Nail & Spa #SNT17094 & SAES17572 9:45 a.m.
Kathy Ngo #50700720 & 31200694, Owner
CONTINUED
22. 89888 Andrea Hodson #19815628 & 91300001 9:45 a.m.
Andrea Hodson appeared was sworn in and stated that someone reported she was doing business out of her home, she stated that she has not been released from her doctor to work at a school or a licensed facility. Andrea Hodson stated she does her own hair in the back area of her house and she has done her mothers and nieces hair. Investigator Amber Moore testified that Andrea Hodson stated to her that she has an art studio set up and she does experiment with cosmetology services on models at no charge. Investigator Amber Moore also stated that Andrea Hodson's personal license and instructor licenses were both delinquent.
MOTION by Martha Ramsey to move that for case no. 89888 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS

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

A.R.S. § 32-517/A.A.C. R4-10-107 (A) Delinquent Personal License

A.R.S. § 32-535/A.A.C. R4-10-107 (A) Delinquent Instructor License

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

STAFF REPORTED NO HISTORY

MOTION by Martha Ramsey to move that for case no. 89888 to impose the following discipline to adopt a Board Order Board for Licensee Andrea Hodson to attend the Infection Protection/Law Review class given by the Board within 90-days.

The investigative findings on or about October 5, 2015, Board Investigator found that Licensee was performing services in an unlicensed establishment along with two delinquent licenses, which is a violation of the statutes A.R.S. § 32-574 (A)(5)(8), A.R.S. § 32-517/A.A.C. R4-10-107 (A) and A.R.S. § 32-535/A.A.C. R4-10-107 (A). MOTION SECONDED by Tammy Acton. MOTION CARRIED.

23. 89894/89895 Mystic Nails & Spa #~~q~~ SNT16531 & SAES15617 **9:45 a.m.**
Mystic Nails & Spa LLC, Owner
Linh Duy Vu #50500948, Member/Manager

Linh Duy Vu appeared was sworn in and stated he did not know he could not reuse pumice stones, and he has never heard of Barbicide Plus, he has always used Barbicide and has never had any problems. Inspector Takejah Lambert testified to the reusing of pedicure pumice stones and no tuberculocidal/HIV-1 disinfectant.

MOTION by Tammy Acton to move that for case nos. 89894 & 89895 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)(6)(E)(1) Infection Control/Safety Standards

A.R.S. § 32-543.3/A.A.C. R4-10-113 (A)(1) Required Latest Inspection Sheet Display

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

HISTORY

88558 . 7/30/14 . Consent Agreement/\$500/Civil Penalties & Costs . Health & Safety (soiled paraffin wax, wet disinfectant not large enough for complete tool immersion, no blood spill kit, soiled implements in dry sterilizer, clean linens not enclosed, ¾ licensees with soiled files & soiled dry storages with money)/Salon Application Deficiencies (salon licenses had different ownerships)/Required Establishment License Display.

88560 . 7/30/14 . Reference to Complaint No. 88558

MOTION by Tammy Acton to move that for case nos. 89894 & 89895, we should impose the following discipline and Offer a Consent Agreement with the following new terms of \$250.00 civil penalty and Board costs and for Member/Manager Linh Duy Vu to attend the Infection Protection/Law Review class given by the Board within 90-days. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

24. 89896 Great Clips #6326 #SCOS14373 **9:45 a.m.**
Shear Quality Inc, Owner
Paul E Neumayr, President/CEO
John A Meyer, Secretary
Deborah Kelly #19200136, Manager
NEGOTIATED \$500/PAID
25. 89898 Sheynna S Gatewood #10602208 **9:45 a.m.**
NEGOTIATED \$250/PAID
26. 89906 Hair by Dianna #SCOS21874 **9:45 a.m.**

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- Dianna at Vivaldi Salon Suites LLC, Owner
Dianna Garcia #19500683, Member
NEGOTIATED \$250/6-Month Probation/1st Payment Submitted
27. 89909 Avanti Salon #SCOS21424 **9:45 a.m.**
Avanti Salon Corporation, Owner
Shine Saiti #10902018, Member
NEGOTIATED
28. 89910/89911 LV Nail & Spa #SNT17804 & SAES18640 **9:45 a.m.**
Amy Tran #51400030, Owner/Manager
NEGOTIATED \$250/PAID
29. 89912/89913 Ismile Nails & Spa #SNT17334 & SAES17926 **9:45 a.m.**
Ismile Nails & Spa LLC, Owner
Jenny T Ngo #50500051 & 30601066, Member
NEGOTIATED \$250
30. 89915 Mastercuts #SCOS8064 **9:45 a.m.**
Regis Corp, Owner
Dan Hanrahan, President
Steve Spiegel, Vice-President
Eric Bakken, Secretary
Monique Mata #11202495, Manager
NEGOTIATED \$250
31. 89916 J.C. Penney Styling Salon #19984 #SCOS2572 **9:45 a.m.**
J.C. Penney Corporation Inc, Owner
Myron E Ullman, CEO
Edward Record, Director
Kendra Hosack, Manager
NEGOTIATED \$250/PAID
32. 89917 Hair After #SCOS1068 **9:45 a.m.**
Belinda Cochran-Wells #18500129, Owner/Manager
NEGOTIATED \$250
33. 89919 Avalon School of Cosmetology #CSL126 **9:45 a.m.**
EA Education Inc., Owner
Branden Pobiak, Member
Don Pobiak, Member
Clint Tryon, Member
Rebecca Hastings #90126377, Director
NEGOTIATED \$250/PAID
34. 89921 The Coterie #SCOS21655 **9:45 a.m.**
Amphaphone Souvannarin #50022911, Co-Owner/Manager
Linda Souvannarin, Co-Owner/Manager
Salina Rogers #10120943, Co-Owner/Manager
No Show; to formal hearing
35. 89925 & Madison Avenue International Salon & Day Spa #SCOS20298 **9:45 a.m.**
Madison Avenue International Salon & Day Spa Inc., Owner
Sean Larusso, President/Director
NEGOTIATED TO PAY RESTITUTION \$100.00

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90101 Elizabeth Stout, #11200027, Licensee
NEGOTIATED TO ATTEND A 3-HOUR HAIR LIGHTENER CLASS

36. 89931 PR Nails #SCOS25255 **9:45 a.m.**
Be T Nguyen #50800183, Owner
Hong Y Thi Nguyen #11400982, Licensee

Be Nguyen appeared was sworn in and stated the customer came into the salon and asked to have cut an ingrown toenail the customer was told they can't cut ingrown toenails. Be Nguyen stated a nail technician went ahead and did the service, the next day the customer came in and asked for \$300 for doctors and Be Nguyen stated she gave the customer \$100 for medicine. Be Nguyen stated that Hoang Thien V was not working on a client he was cleaning the tub next the lady, he comes in to help clean. Be Nguyen stated she marked the wrong type of salon when filling out the application, her sister forgot to renew license and the implements in the dry sterilizing machine that the Inspector showed her were soiled. Investigator Amber Moore testified that she observed Hoang Thien V unlicensed providing a pedicure service and went to the restroom and later denied doing the service and said he was cleaning. Investigator Amber Moore asked the client she observed Hoang Thien V working on if he was working on her and the client shook her head yes. Investigator Amber Moore testified that the salon holds a cosmetology establishment license with no shampoo bowl and soiled implements in dry sterilizing machine. Investigator Amber Moore testified that she did not speak to the complainant due to an agreement that had been reached between the complainant and salon.

MOTION by Tammy Acton to move that for case no. 89931 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)(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.A.C. R4-10-403 (C)(2) Salon Requirements & Minimum Equipment

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

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

STAFF REPORTED NO HISTORY

MOTION by Tammy Acton to move that for case no. 89931 to impose the following discipline to offer a Consent Agreement with the following new terms of \$250.00 civil penalty and Board costs. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

37. 89935 Nail Logic The Institute of Nails #NSL4 **9:45 a.m.**
Nail Logic LLC, Owner
Melinda Morgan #81100001, Member/Director
NEGOTIATED \$250/PAID

38. 89940/90051 & Glamour Nail Bar #SNT17664 & SAES18460 **9:45 a.m.**
Glamour Nails Bar LLC, Owner
Tyler Nguyen Huu, #50500614, Owner
Laressa Moreno #11301950, Manager

Tyler Nguyen appeared was sworn in and stated he took care of the licenses and stated that skin is sensitive and it happens sometimes with callus removal. Investigator Linda Stroh testified complainant stated licensee used an implement to remove calluses causing an injury no blood was drawn. Investigator Linda Stroh testified complainant sought medical attention was told she had an infection and placed on medication. Investigator Linda Stroh identified the licensee as Long Van Pham who performed the pedicure service. Investigator Linda Stroh also found six pedicure rasp which were not enclosed in a dry storage and both establishment licenses were delinquent.

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MOTION by Tammy Acton to move that for case nos. 89940 & 90051 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

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

A.R.S. § 32-544/A.A.C. R4-10-107 (B) Delinquent Establishment License

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

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

STAFF REPORTED NO HISTORY

MOTION by Tammy Acton to move that for case nos. 89940 & 90051 to impose the following discipline to maintain Consent Agreement terms previously offered to the Licensee. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

90102 Long Van Pham #51405388, Licensee
NEGOTIATED TO ATTEND BOARD'S CLASS

39. 89963 Best Nails #SAES17761 **9:45 a.m.**
Kenneth Tran #11202441, Owner
NEGOTIATED \$500 & TO PAY RESTITUTION \$70.00

40. 89936 Heat-A Blow Dry Lounge #SCOS21604 **9:45 a.m.**
Heat-A Blow Dry Lounge LLC, Owner
Roya Mohajeri, Member
Babashay Universal Exports LLC, Member
No Show; to formal hearing

41. 89937 M Salon #SCOS17520 **9:45 a.m.**
M Salon LLC, Owner
Michael L Danielson #10000447, Member
Elizabeth White, Manager
NEGOTIATED \$500

42. 89943 PR Nails #SCOS25255 **9:45 a.m.**
Be T Nguyen #50800183, Owner
My N Nguyen #50600843 & 31200442, Manager
Be Nguyen appeared was sworn in and stated she knows how to disinfect pedicure chairs, she was on vacation at the time.

MOTION by Tammy Acton to move that for case no. 89943 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

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

A.R.S. § 32-517/A.A.C. R4-10-107(A) Delinquent Personal License

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

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

STAFF REPORTED NO HISTORY

MOTION by Tammy Acton to dismiss due to same issue addressed in #89931. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

43. 89944 Sara Yadira Ortega #11402089 **9:45 a.m.**
No Show; to formal hearing

44. 89945 KOR Beauty Academy #CSL158 **9:45 a.m.**

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KOR Beauty Academy Inc, Owner
Tammy M Fuller #91100099 & 19900093, President/Director
Ramona Land #90700036, Instructor in Charge
NEGOTIATED \$500

45. 89946 Myhanh Hair Designs #SCOS712 **9:45 a.m.**
Myhan Le #19200345, Owner/Manager
NEGOTIATED \$250/PAID

46. 89948/89949 Paint Me Pretty Nails #SNT18162 & SAES19210 **9:45 a.m.**
Loan Phi Lam #51405178, Owner/Manager

Loan Phi Lam and Talc To translator appeared was sworn in and stated that he helped Loan Phi Lam to apply for licenses and Loan Phi Lam did not received the letter from the Board, the salon is licensed now. Talc To stated that on the day the Inspector came to the salon it was not open and Loan Phi Lam was just doing service for neighbors before the holiday and not for money. Inspector Takejah Lambert testified that the establishment was unlicensed and Loan Phi Lam stated she was just doing friends nails and not open. Inspector Takejah Lambert testified that on the next day she went by the salon and observed the salon opened with clients.

MOTION by Tammy Acton to move that for case nos. 89948 & 89949 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

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

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

STAFF REPORTED NO HISTORY

MOTION by Tammy Acton to issue a Letter of Concern for operating an unlicensed establishment prior to proper licensure. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

47. 89956/89957 Extreme Nails #SNT12597 & SAES16125 **9:45 a.m.**
Tuyet Thi Do #50226077 & 30900841, Owner/Manager
NEGOTIATED \$250/PAID

48. 89958 D Marys Beauty & Barber Shop #SCOS21600 **9:45 a.m.**
Maria De Los Angeles Castillo #10332622, Owner
NEGOTIATED \$500/6-Month Probation

49. 89960 Brow Studio Professional Makeup #SCOS22669 **9:45 a.m.**
Brow Studio LLC, Owner
Kristina Qadri, Member
CONTINUED

50. 89962 International Academy of Hair Design #CSL186 **9:45 a.m.**
IABC Inc, Owner
Gerald Johnson #97800591 & 16405787, President
Felicia Borunda #91300010, Instructor in Charge

No Show; to formal hearing

51. 89970 & Nekendra Alethea Ware #11100330, Licensee **9:45 a.m.**
89971 Antaneish Audreail Jones #10901766, Licensee

Nekendra Ware and Antaneisha Jones appeared was sworn in, Nekendra Ware stated that she no longer works there, when she found out they had no license she left. Investigator Amber Moore testified that the establishment was unlicensed with appointments

schedules on the books, she had spoken to the owner who told her they do natural braiding services. Investigator Amber Moore testified that the salon is now licensed.

MOTION by Joe Verdugo to dismiss case nos 89970 & 89971 due to a misunderstanding of salon licensure. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

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|-----|-------------|---|------------------|
| 52. | 89979 | Tung M Tran #50601102
NEGOTIATED \$500/PAID | 9:45 a.m. |
| 53. | 89980 | 8 Pretty Nails & Spa by DD #SNT18083
Donna Doan #10100295, Owner
NEGOTIATED \$250/PAID | 9:45 a.m. |
| 54. | 89981/89982 | Estrella Nails & Spa by Thuy D Giang #SNT16292/SAES16522
Thuy Duong Giang #50900294 & 30900363, Owner
NEGOTIATED | 9:45 a.m. |

STEP 3: HEARINGS

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

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

None

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

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

- | | |
|-------|---|
| 89675 | New Serenity Spa / LLC #SCOS23610
New Serenity Spa LLC, Owner
Stacy LeClair #30900526, Member |
|-------|---|

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Compliance Supervisor Joanne Ayotte asked the Board if they would rescind prior motion of Letter of Concern and Dismiss, due expired products which have been since discarded and therefore, no evidence.

MOTION by Tammy Acton for case 89675 to dismiss due to no evidence. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

89939 Nails 09 & Spa #~~q~~ SNT18192 & SAES19254
 Anh-Phuong T Nguyen #10901295

Compliance Supervisor Joanne Ayotte asked the Board if they would rescind the Letter of Concern that was issued to the salon and issue the Letter of Concern to Licensee Anh-Phuong Nguyen, as this was a clerical error.

MOTION by Tammy Acton to rescind the Letter of Concern against the salon and issue the Letter of Concern to Licensee Anh-Phuong Nguyen. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Tammy Acton to adjourn the meeting at 12:08 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.