

## ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

February 16, 2018 at 9:00 am  
1740 W Adams, Suite 4400  
Phoenix AZ 85007

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  
Brandy B. Wells, Public Member  
Vacant, Instructor

### **1. Call to Order**

### **2. Pledge of Allegiance**

### **3. Roll Call of Board Members**

Gary Begley  
Karla Clodfelter  
Melissa Porter  
Charlie Phan  
Thomas Rough  
Brandy Wells

## BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of January 19, 2018.

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

2. Board Member Declaration of Conflict of Interest.

Charlie Phan declared for 92452 no. 6 under Step 2. B. of the Agenda.

3. Report, Discussion and Possible Action on Proposed Legislation for 2018.

- Allow Students to Receive Credit for Hours Spent on Charitable and Special Cosmetology Events
  - ❖ A.R.S. § 32-506 (4) Non-applicability of Off Campus School-Sponsored Event
  - ❖ A.R.S. § 32-506 (14) Non-applicability of Nonprofit Organization
- Definition of Hairstyling A.R.S. § 32-501 (8) (C)
- Definition of Supervision/Laser/A.R.S. § 32-516

Karla Clodfelter stated that the Proposed Legislation for 2018 is moving forward and the Board will continue to work with all of the Legislators and follow all of the bills before us.

Karla Clodfelter stated that she wanted to reiterate to the Board and to the audience what the Board's purpose is. The Board's task is to protect the public. The Board is not industry motivated. The Board is here to enforce the infection control safety standards for salons to keep the public safe. Karla Clodfelter stated that the Legislators make the law; the Board does not. The Board is sworn in to abide by those laws that the Legislators have enacted and the Board cannot change those laws. The Legislators also mandates to the Board what our boundaries are regarding fines and penalties towards licensees.

Any Additional Pending 2018 Legislation Relating to the Arizona State Board of Cosmetology

- SB 1184 State Compact; Temporary Professional Licenses
- SB 1399 Board of Barbers; Cosmetology; Apprenticeships
- HB 2011 Cosmetology; Licensing Exceptions
- HB 2378 Cosmetic Laser Procedures; Direct Supervisions
- HB 2379 Hairstylist; Nail Technicians; Cosmetology Board
- HB 2405 Board of Barber; Repeal
- HB 2442 Physical Body Adornment; Establishment; Certification
- HB 2476 Barbers; Cosmetologists; Licensure; Apprenticeships

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

4. Report Assistant Attorney General Mona Baskin attended National Association of Attorneys General Opioid Abuse: Consumer Protection and Enforcement Conference

Assistant Attorney General Mona Baskin stated that she attended a conference in Fort Lauderdale on February 1<sup>st</sup> and 2<sup>nd</sup>, related to opioid abuse and the enforcement action going on across the country. Assistant Attorney General Mona Baskin stated that the Governor signed into law SB 10001 on January 26, 2018, which will hopefully have an impact on this issue within the state of Arizona.

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

Representatives and Student Instructor present from Empire Beauty School, Southwest Institute of Natural Aesthetics, Northland Pioneer College, Imaj Institute and Penrose Academy.

## **EXECUTIVE DIRECTOR'S REPORT**

1. Report and Discussion on Agency Departments.

- Financial
- Personnel, Board Membership and Appointments
  - Lisa Chavez
  - Megan Faust
  - Rosa Rodriguez
- Licensing
- Information Technology

Executive Director Donna Aune stated that the agency has made a couple of personnel changes. Lisa, the agency Inspector has moved into an Investigator position. Megan who has worked in compliance has moved into a combined IT and HR position and Rosa will now move into Compliance. Executive Director Donna Aune stated that the agency now will be able to hire an investigator for Tucson and two inspectors in Phoenix.

Executive Director Donna Aune stated that Linda Stroh is now retiring, although she officially retired three years ago. Linda has been very gracious in coming back and helping the agency out with investigations and will continue to help train new inspectors and investigators in the future. Linda has been an asset to the agency.

2. Report and Discussion on 90/10 Executive Directors' Meeting held on January 30, 2018.

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Executive Director Donna Aune stated that she attended the 90/10 Directors' meeting on January 30<sup>th</sup>, during which all relevant legislation was discussed. The director of Boards and Commissions, Emily Rajakovich was in attendance and spoke at the meeting.

3. Report and Discussion on Meeting with Representative Mosely held on January 30, 2018.

Executive Director Donna Aune stated that she had a meeting with Representative Mosely and Cathy Koluch with Studio Academy on January 30<sup>th</sup>, and discussed an amendment for HB 2476 that Representative Mosely is running and hopefully the Board will have an amendment to the bill.

4. Report and Discussion on Meeting with Judy Bontrager, MN, RN, from Board of Nursing held on January 30, 2018, on the Medical Esthetic Advisory Opinion.

Executive Director Donna Aune stated that she had a meeting with Judy Bontrager from the Board of Nursing on January 30<sup>th</sup>, regarding the Medical Esthetic Advisory Opinion and they have made all of the changes the Board recommended and are moving forward. The Board will receive a final copy.

5. Report on (PCS) Professional Credential Services on attending an upcoming Practical Exam Overview to be held on February 26, 2018, at Radisson Hotel Phoenix North.

School Liaison Theresa Bunch stated that Professional Credential Services will be presenting the Practical Exam Overview on February 26, 2018 at 9:00 a.m. and that Board Members are welcome to attend.

6. 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 Brandy Wells. MOTION CARRIED.**

- |             |  |  |
|-------------|--|--|
| 92107       | The Mountain Spa #SCOS24470<br>Black Buffalo Golf LLC, Owner<br>R. Steven Loy, Manager/Member<br>RSL Golf LLC, Member<br>PM Golf LLC, Member<br>Mary L Nordstrom #17011668, Licensee   | <i>(Found no evidence to support allegations)</i>  |
| 92412       | Beyond Nails & Spa by Trinity #SCOS26730<br>Trinity Vo #'s 51200357 & 31700350, Owner  | <i>(Found no evidence to support allegations)</i>  |
| 92413       | Nail Time #SNT13791<br>Kimmy Tran Nguyen #59500942, Owner/Manager  | <i>(Found no evidence to support allegations)</i>  |
| 92449       | Fantastic Sams #2 #SCOS24138<br>Artis Associates LLC, Owner<br>Monique Artis, Member/Manager<br>Carlos Lamar Artis, Member/Manager<br>Kara Willis #11200419, Manager<br>Kourtney B Wolfer #11600082, Licensee<br>Caley Crook #11700929, Licensee | <i>(Found no evidence to support allegations)</i>  |
| 92503       | Ulta Salon Cosmetics & Fragrances #SCOS15586<br>Ulta Salon Cosmetics & Fragrances Inc., Owner<br>Lyn Kirby, C.E.O.   | <i>(Found no evidence to support allegations)</i>  |
| 92515       | Stacey Argo, Unlicensed  | <i>(Observed no activity / Advertising on website "Stacey Argo Girls Gone Lashes" Refer to proper Authorities)</i> |
| 92521       | D'Image Beauty College #CSL92<br>D'Image Beauty College LLC, Owner<br>Luz Jaime #90600042, Manager/Member  | <i>(Found no evidence to support allegations)</i>  |
| 92524       | Noir Salon #SCOS25656<br>Regina Rael #11402274, Co-Owner<br>Candice Schwertfager #11500006, Co-Owner   | <i>(Found no evidence to support allegations)</i>  |
| 92532/92539 | Day Spa Treatment Foot Reflexology #'s SNT18689 & SAES20062<br>Helen Lam #'s 50500925 & 30500942, Owner<br>Dan Dien Van Nguyen #50401255, Manager  | <i>(Found no evidence to support allegations)</i>  |
| 92540       | The Studio Academy of Beauty #CSL172<br>The Studio Academy of Beauty LLC, Owner<br>Reed Jackson Holding Inc, Owner<br>Jeff Koluch, C.E.O./Director<br>Cathy Koulch, President/Director<br>Nancy Bautista #91300060, Director                     | <i>(Found no evidence to support allegations)</i>  |
| 92546       | Hollie Nails and Spa #SAES20126<br>Hoa Lam #50400078, Owner<br>Thu Ha Le #30560144, Manager  | <i>(Found no evidence to support allegations)</i>  |
| 92547       | Irene Toledo #19501105, Licensee   | <i>(Found no evidence of establishment residency)</i>  |
| 92549/92551 | LV Crystal Nails & Spa #'s SNT18402 & SAES19591<br>Yen-Nhi Do Hoang, #50200333, Owner  | <i>(Found no evidence to support allegations)</i>  |
| 92552       | G Skin & Beauty Institute #ASL30<br>United Investments of Illinois Inc., Owner<br>Carol Westphal-Testone, President<br>Grant Westphal, Secretary/Director<br>Denice Hoday #71500010, Director/Instructor in Charge                               | <i>(Found school's time clock in working order)</i>  |

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92559	Durstion Johnna #18800071	<i>(Found no evidence to support allegations)</i>
92564	Classic Nails & Spa #SNT18736 Classic Nails & Spa LLC, Owner Tracy Huynh #19700810, Member Tina Do #50401195, Member	<i>(Found no evidence to support allegations)</i>
92567	Century Nails #SAES20412 Tham Vo, Owner	<i>(Found no evidence to support allegations)</i>
92613	Golden Nails & Spa #SNT18649 Golden Nails & Spa Wax LLC, Owner Vu Nguyen, #50700076, Manager/Member	<i>(Found no evidence to support allegations)</i>
92621	Courtney Toth-Simpson #11300597, Licensee	<i>(Found no evidence to support allegations)</i>
92627/92628	Refined Nails & Spa #'s SNT18312 & SAES19438 AZ Nails LLC, Owner Lan Nguyen, Member	<i>(Found no evidence to support allegations)</i>
92630	Vidogi Salon #SCOS24538 Diamond Team LLC, Owner "Denise" Uyen S Le #'s 10400942 & 50023504 Member/Manager Byron A Tanigawa, Member/Manager Dioma Tanigawa, Member/Manager	<i>(Found no evidence to support allegations)</i>
92656	Olympus Beauty Academy #CSL00189 Olympus Inc., Corp., Owner Gerald D Jonson #97800591, President	<i>(Found no evidence to support allegations)</i>
92662	Mario Montoya #90500073, Director Le Hair #SCOS16779 Kyrene Castro #10225249, Owner	<i>(Found no evidence to support allegations)</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 Melissa Porter. MOTION CARRIED**

92201/92702	Happy Feet Nails & Spa #SNT18526 & SAES19798 Van Duy Ngo, Owner Vienanh Quoc Tran #51100073, Licensee Haley Nguyen #'s 31400293 & 50900080, Licensee	<i>(2/24 with Delinquent personal license/ personal license display)</i>
92212	Salon Sanctuary #SCOS23020 Barbara Woolston, Owner Rebecca Dewitt #59921325, Manager	<i>(Delinquent personal license)</i>
92217	Pure Elements Salon #SCOS16518 Pure Elements Salon LLC, Owner Jenny R Kauffman #50227986, Member	<i>(Delinquent personal license)</i>
92232/92233	Tuyet Royal Nails #'s SNT14995 & SAES15167 Royal Nails Inc, Owner Tuyet T Le #'s 50400067 & 30601070, Member/Manager	<i>(Delinquent personal licenses)</i>
92239	Au Reve Salon & Spa #SCOS20694 Tes Reves LLC, Owner Lisa Rimbey, Co-Owner/Manager Cathy L Messer #17718019, Co-Owner/Manager	<i>(Delinquent personal license)</i>
92494	Joyce A Booth #17617564	<i>(Advertising on social media an unlicensed establishment "Joyce Booth Hair Design / observed no activity at said location)</i>
92556	The Studio of Academy of Beauty #CSL74 Studio Academy of Beauty LLC, Owner Reed Jackson Holding Inc, Owner Jeff Koluch, C.E.O./Director Cathy Koulch, President/Director Amy C Czarniak, #90900022, Director	<i>(Wax buildup on floor in aesthetic room)</i>

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- 92562 18/8 Fine Men's Salon #SCOS25571 (Licensee working without personal license display)  
TL Kraemer Waterfront LLC, Owner  
Tammy Kraemer, Manager/Member
- 92565 Amansala #SCOS14823 (Advertising shall be the same as the name on establishment license)  
Benchmark Conference Resorts AZ Inc., Owner  
Burt Cabanas, Chairman/C.E.O  
R Dennis Blyshak, C.F.O/Treasurer  
Anne Swan #19200656, Manager
- 92631 Stasyss #SCOS27461 (Display of exterior establishment salon name)  
Stayss LLC, Owner  
Jeff Bluth, Managing Member
- 92709 Bashful Lash LLC #SAES19644 (Delinquent establishment license)  
Bashful Lash LLC, Owner  
Angela Vayda #31300576, Member/Manager
- 92710 Salon 84 #SCOS19639 (Delinquent personal license & 1/9 licensees w/  
sanitation violation)  
Mitra Delpazir #19900331, Owner
- 92712 Tabitha Black Salon Studio LLC #SCOS25116 (Delinquent personal license)  
Tabitha Black Salon Studio LLC, Owner  
Tabitha Black #19917607, Co-Member/Manager  
Robert Black, Co-Member

**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 Melissa Porter. MOTION CARRIED.**

1. 92271 Pure Relaxation Medspa LLC #SAES19855  
Pure Relaxation Medspa LLC, Owner  
Tysie Robinson, Member  
Scott Havens, M.D., Member  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
2. 92295 Lacey Storm #31500403, Licensee  
Lacey Storm Skin Cafè Mobile Service, UNLICENSED  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
3. 92325 Carlyn Packer, #10021715, Owner/Licensee  
A Sweet Escape #SCOS17350 (CLOSED)  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
4. 92483 One Nail Lounge #SCOS27537  
Huyen Minh Bui, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
5. 92484/92485 & Pink & White Nails & Spa #'s SNT17431 & SAES18082 (Closed)  
Thong Nguyen LLC, Owner  
92713 & Thong Nguyen #51200022, Member  
92714/92715 Pink & White Nails & Spa #'s SNT18890 & SAES20437  
BHN Nails Spa Inc., Owner  
Bang Hai Nguyen, Director

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Offer a consent agreement to assess \$1,500.00 civil penalty and Board costs, for Director Bang Hai Nguyen to attend the Infection Protection/Law Review class given by the Board and 6-month probation with early termination, see motion above.

6. 92499/92716 Mini Perfect Nails & Spa #'s SNT16956 & SAES14958  
Mini Thi Le #'s 50400563 & 30400326, Owner  
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, \$25.00 restitution, for Owner Mini Thi Le to attend the Infection Protection/Law Review class given by the Board and 1-year probation, see motion above.
7. 92529 Vitalize Med Spa #SAES19839  
Ehreema Nadir MD LLC, Owner  
Ehreema Nadir, Owner  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
8. 92563 Acute Nails Center # SNT18814  
Dominic Pham, Owner  
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, 6-month probation with early termination and to combine with case no. 92653 no. 12 on the agenda, see motion above.
9. 92622/92633 Higley Nails Spa #'s SNT18849 & SAES20369  
Trung Quoc Mai, Owner  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
10. 92632 Brandie Bowen, #11200279 Owner/Licensee  
Country Glamour #SCOS17462 (CLOSED)  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
11. 92638 Good Nails by Tony #SNT18181  
Tony Do #50331414, Owner  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, \$30.00 restitution, 6-month probation with early termination, for Owner Tony Do and Licensee Ann Luu license no. 50501502 to attend the Infection Protection/Law Review class given by the Board, see motion above.
12. 92653 Dominic Pham, Owner/Applicant  
Acute Nails Center #'s SNT18814 & SAES20313  
Combine with case no. 92563 no. 8 of the agenda, see motion above.
13. 92664 & Hieu Minh Le #50501572, Licensee  
Offer a consent agreement to assess \$50.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.  
92665 Ngoc M Van #50700782, Licensee  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
14. 92686/92687 VKL LLC #'S SNT18938 & SAES20507  
VKL LLC, Owner  
Ly Nguyen, Manager  
Vikas Korde, Member  
Linh Nguyen #50401193 (30330756), Licensee-in-Charge  
Thuy T Nguyen #51100660 (31300172), Licensee



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Offer a consent agreement to assess \$250.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.

15. 92694/92695 Palace Nails & Spa by Paula #'s SNT17478 & SAES18150  
Amy Lam #'s 59600460 & 30300107, Owner  
Thanh Thi Hoai Nguyen #'s 50900565 & 31400091, Manager  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs and 6-month probation without early termination, for Owner Amy Lam and Manager Thanh Thi Hoai Nguyen to attend the Infection Protection/Law Review class given by the Board, see motion above.
16. 92703 Susan at Salon Denmark #SNT11408  
Susan Barker #56750370, Owner/Manager  
Issue a Letter of Concern for delinquent establishment license, see motion above.
17. 92704 Nails by Denise #SNT11421  
Denise L Knudson #58402153, Owner/Manager  
Issue a Letter of Concern for delinquent establishment license, see motion above.
18. 92705 Anthony Tien Pham #50501100, New Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
19. 92706 Salon Blissful LLC #SCOS27312  
Salon Blissful LLC, Owner  
Linda S Zamoya (Awdisho) #10700820, Co-Member  
Steve Awdisho, Co-Member  
Gabrielle Ontiveros, Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
20. 92707/92708 T & L by Donna #'s SNT17335 & SAES17927  
Doan Trang T Vu #'s 50000154 & 30400430, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.
21. 92711 Glamour Nails-Peoria #SNT17726  
Son Thanh Vo #50900386, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and 6-month probation with early termination, see motion above.

**END OF CONSENT AGENDA**

**STEP 2: INFORMAL INTERVIEWS**

**A. Without Negotiation Options**

1. 92641 Cortiva Institute #ASL00039  
FCNH Inc, Owner  
Steiner Education Group Inc, Owner  
Pamela Denise Brown #71500016, Director  
**CONTINUED**

**9:45 a.m.**

Compliance Supervisor Irma Telles stated that she and Compliance Supervisor Theresa Bunch had spoken with the school regarding the issues, the school has corrected all issues and would ask the Board Members if they would consider issuing a Letter of Concern for advertising differently and the student file violation. Compliance Supervisor Irma Telles further stated that the school has permanent signs coming soon and student files have been corrected to indicate the new school name.

MOTION by Karla Clodfelter for case no. 92641 to issue a Letter of Concern for advertising differently and student file violation. MOTION SECONDED by Melissa Porter. MOTION CARRIED. Brandy Wells voted NAY.

**B. With Negotiation Options**

- 1. 91709 & Beebe' Academy of Beauty #CSL00190 **10:00 a.m.**  
 92073 & Beebe's Academy of Beauty LLC, Owner  
 92098 Denisse Romero # 91300024, Manager/Member  
 Gabriel Romero, Manager/Member  
 Continued from December's Board Meeting  
**NEGOTIATED \$1,000.00/2-YEAR PROBATION**

- 2. 92327 Michele F Weese #30900486, Licensee **10:00 a.m.**  
 Continued from December's Board meeting  
**No Show; to formal hearing**

- 3. 92373 Shelli Burnham #19400864, Licensee **10:00 a.m.**  
 Continued from December's Board Meeting

Shelli Burnham was sworn in and stated that she has a large family and she has done family and friends however, on the day the investigator came Shelli Burnham stated that she was doing her sister's hair. Shelli Burnham stated that she does not know who took the picture and posted them on Foursquare. Shelli Burnham stated that if she was going to advertise she would not have random pictures of peanut bottles I would have hairstyles. Shelli Burnham stated that she believes a neighbor is who made the complaint. Shelli Burnham stated that she is now working at Salon Boutique. Investigator Linda Stroh testified that the Board office received an anonymous complaint alleging Shelli Burnham was performing cosmetology services at her residence and advertises on Foursquare with Shelli Collins Hair Care. On September 5, 2017, Investigator searched social media and reviewed Foursquare which does indicate photos and a map of the location. On September 6<sup>th</sup> and 27<sup>th</sup>, Investigator went to said location and observed no activity. On October 2, 2017, Investigator stated that she returned to said location and noted two entrances to the home, through the glass door Investigator stated that she observed a fully set up salon with a woman sitting in the styling chair. Investigator spoke to Shelli Burnham regarding the complaint and inquired if she performed cosmetology services at the residence. Investigator stated Shelli Burnham said that she does family and friends.

MOTION by Karla Clodfelter to move for case no. 92373 all alleged violations cited the Investigation Report have been shown except A.R.S. § 32-572 (A)(5) . MOTION SECONDED by Melissa Porter. MOTION CARRIED. Brandy Wells voted NAY.

**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, 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. 92373 to issue a Letter of Concern for operating in an unlicensed establishment. MOTION SECONDED by Charlie Phan. MOTION CARRIED. Brandy Wells voted NAY.

- 4. 92375 Barbara Melchert-Lofgreen #10000384, Licensee  
 Continued from November's Board Meeting

RE-NOTICE – RETURN TO SENDER

5. 92391 Joya Salon #SCOS21065 10:00 a.m.  
MI Hotel Operating Co. Inc., Owner  
Michael Shannon, President  
Eddie Zrimsek, Assistant Director  
Continued from December's Board Meeting

Attorney Matt Anderson and Licensee Grace Alyea were sworn in and Grace Alyea stated that she was taught protocol by a lead aesthetician and made sure protocol was followed. Investigator Amber Bingham testified that Board office received a complaint from Carole Burns alleging that on September 1, 2017, she went to Joya Salon and received a facial and during the service complainant alleges that Glycolic Acid was applied to her face which caused her skin to burn. On September 7, 2017, Investigator spoke to complainant Carole Burns who stated that on September 1, 2017, she received a facial at Joya Salon and during the consultation she stated to the aesthetician not to use any type of chemical peel or any Glycolic Acid due to previous shingles and no extractions were to be performed. Carole Burns stated that during the facial her skin started to burn and requested that the aesthetician remove the cream from her face which the aesthetician did with a damp towel, no water and no neutralizer. Carole Burns stated that when she returned home she applied baking soda and water mixture to her face to neutralize any type of chemical peel and also applied a prescription cream to her face. Carole Burns stated that her face was red in color and swollen. On September 29, 2017, Investigator Amber Bingham stated that she went to Joya Salon and spoke to Stevie White, Spa Director who informed Investigator that the aesthetician Grace Alyea performed the Age Intervention Facial for Carole Burns. On October 25, 2017, Investigator Amber Bingham contacted Jan Marini corporate office and went through the Age Intervention Facial protocol with Jan Marini corporate office and was advised that there was no Glycolic Acid or chemical peel treatment in the protocol that Licensee Grace Alyea used and it was confirmed that Step 2. II of the Age Intervention Facial was not used on Carole Burns. Investigator Amber Bingham stated that on January 18, 2018, she had received additional information that complainant Carole Burns did sign a consent agreement on August 31, 2017, the day of the service, the complainant previously indicated to the Investigator that she had not signed any agreement.

MOTION by Karla Clodfelter for case no. 92391 to dismiss due to lack of evidence.  
MOTION SECONDED by Thomas Rough. MOTION CARRIED.

6. 92452 Turning Point Beauty College #CSL00198 10:00 a.m.  
5 Star Enterprise LLC, Owner  
Nhu Nui Holder, Member/Manager  
Thao Dinh Pham, Member/Manager  
Kimberly Hong Tran, Member/Manager  
Michael Anthony Crump #90700009, Instructor-in-Charge  
Continued from November's Board Meeting

Curtis Holder was sworn in. Lynne Adams Attorney appeared representing licensees. Lynne Adams stated these were students who had already purchased a kit and students who had transferred in from EVIT and already had the kit. Lynne Adams stated that the school will now put into the file a student kit list with "opt out" signed by the students.

Compliance Supervisor Theresa Bunch stated that there were issues with the student kits, there were students that opted not to have the student kits provided by the school so the school will put into student contracts stating that they are not purchasing student kit. Compliance Supervisor Theresa Bunch stated that the school has corrected the issue and would ask if the Board Members would consider issuing a Letter of Concern.

MOTION by Karla Clodfelter for case no. 92452 to issue a Letter of Concern due to student kit list not in the files. MOTION SECONDED by Melissa Porter. MOTION CARRIED.  
Brandy Wells voted NAY.

7. 92509 & San Tan Valley Nails & Spa #SNT17953 10:00 a.m.

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- 92591                    **NEGOTIATED \$250/6-MONTH PROBATION**  
Duc Thai, Owner  
**NEGOTIATED TO ATTEND BOARD CLASS**  
Thien Tran, Manager  
Continued from December's Board Meeting
8.            92338            Milano Nails Salon #SNT18413                    **10:00 a.m.**  
Tri Truong Tran #50601404, Co-Owner  
Tuyet Nhung Thi Tran #50800432, Co-Owner  
**No Show; to formal hearing**
9.            92419 &            Amazing Lash Studio #0152 #SAES19542                    **10:00 a.m.**  
92464            DSGS Management LLC, Owner  
Dione Schwartz, Manager/Member  
Gregory Schwartz, Member  
Compliance Supervisor Irma Telles stated that after further review of the case she would ask the Board members if they would consider rescinding the previous motion of \$500.00 and issue a Letter of Concern for not posting personal licenses.  
MOTION by Karla Clodfelter for case no.'s 92419 and 92464 to rescind previous motion of \$500.00 and to issue a Letter of Concern for not posting personal licenses. MOTION SECONDED by Melissa Porter. MOTION CARRIED.
10.           92488            Modern Love & Med Spa #SCOS26600                    **10:00 a.m.**  
Modern Love & Med Spa LLC, Owner  
Mahvush Hamid, Member  
Saqib Hamid, Member  
**NEGOTIATED \$250/PAID**
11.           92492/92493    Idol Nail & Spa #'s SAES20379 & SNT18855                    **10:00 a.m.**  
Viet Van Nguyen, #50600480, Owner  
  
Lan Kim Nguyen, #50600739, Licensee  
Compliance Supervisor Irma Telles stated that after further review of the case she would ask the Board if they would consider rescinding the prior motion of \$500.00 and issue a Letter of Concern for working without a license posted.  
MOTION by Karla Clodfelter for case no's. 92492 and 92493 to rescind prior motion of \$500.00 and issue a Letter of Concern for working without personal license posted. MOTION SECONDED by Melissa Porter. MOTION CARRIED.
12.           92495            Body Beautiful #SAES18623                    **10:00 a.m.**  
Body Beautiful LLC, Owner  
Marlene Krueger, Member  
**CONTINUANCE GRANTED**
13.           92513            Luxe Nails & Spa #SAES19645                    **10:00 a.m.**  
LuLu Salons LLC, Owner  
Erik Hao Vo #11601558, Member  
**NEGOTIATED \$250/PAID**
14.           92602            Regal Nails Salon & Spa #2777 #SAES15939                    **10:00 a.m.**  
Tina Banh, Owner  
Hoang Nguyen #51000513, Manager  
**NEGOTIATED \$150/PAID**
15.           92608            Donna Doan #10100295, Owner/Manager                    **10:00 a.m.**  
**No Show; to formal hearing**

**ARIZONA STATE BOARD OF COSMETOLOGY**

**FEBRUARY 16, 2018, BOARD MEETING**

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- |     |   |  |                   |
|-----|---|--|-------------------|
| 16. | 92637   | Smartstyle #1157 #SCOS22593<br>Minnesota Regis Corp, Owner<br>Dan Hanrahan, President<br>Brittany Tiasa-Lorel Ware #11001963, Manager<br><b>NEGOTIATED \$250</b>   | <b>10:00 a.m.</b> |
| 17. | 92639 &<br>92697 &<br>92698 &<br>92699 &<br>92700 | Golden Razor #SCOS8029<br>Harry Landos, Owner/Manager<br><b>NEGOTIATED \$250/PAID</b><br>Carrie L Reilly #16204529, Licensee<br><b>NEGOTIATED \$50/PAID/ SCHEDULED FOR BOARD CLASS 3.26.2018</b><br>Mary M Davies #18900612, Licensee<br><b>NEGOTIATED \$50/PAID/SCHEDULED FOR BOARD CLASS 3.26.2018</b><br>Helene J Julian #17819902, Licensee<br><b>NEGOTIATED \$50/PAID/SCHEDULED FOR BOARD CLASS 3.26.2018</b><br>Elizabeth Lewis #18900426, Licensee<br><b>NEGOTIATED \$50/NEGOTIATED TO ATTEND BOARD CLASS</b> | <b>10:00 a.m.</b> |
| 18. | 92666/92667                                       | Tina Thi Tran #'s 59800059 & 30400146, Owner/Manager<br><b>NEGOTIATED \$250/PAID</b>   | <b>10:00 a.m.</b> |
| 19. | 92678   | Pro Nails & Spa #SNT16951<br>Pro Nails & Spa LLC, Owner<br>Tina Tran #'s 10000674 & 59800019, Member/Manager<br><b>NEGOTIATED \$750</b>  | <b>10:00 a.m.</b> |

**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**

None

**B. Motion to Deem Allegations Admitted**

None

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

None

**D. Request for Reinstatement**

None

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.**

None

**F. Review, Discussion & Reconsideration of Denial of Application and Possible Action on Opening an Investigation Pursuant to A.R.S. § 32-573 (A).**

None

**ADJOURNMENT**

MOTION by Karla Clodfelter to adjourn the meeting at 10:44 a.m. MOTION SECONDED by Melissa Porter. 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.