

**ARIZONA STATE BOARD OF COSMETOLOGY TELEPHONIC BOARD MEETING
MINUTES**

February 19, 2021 at 9:00 a.m.
1740 W Adams, Suite 4400, Boardroom A
Phoenix AZ 85007

CALL IN INFORMATION
DIAL: 1-669-238-0096
PIN NUMBER: 696 798 292#

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
 Irma Telles, Investigative Supervisor
 Rosa Rodriguez, Compliance
 Lisa Chavez, Investigator
 Cathy Bergeron, Inspector
 Helen Bordelon, Investigator
 Mona Baskin, 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 December 11, 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
Nay					
Recused					
Abstained			x		
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.

Amber Cepkauskas declared for case no. 96395 under Step 1.B of the agenda.

3. Report and Discussion on Executive Order 2021-02 Moratorium on Rulemaking to Promote Job Creation and Economic Development; Internal Review of Administrative Rules.

Kim Scoplitte Executive Director stated that this Executive Order requires the review of rules to reduce burdensome regulations and with any additional rule requested three existing rules must be eliminated. In 2020, the state eliminated or improved 462 burdensome regulations. Agencies must track veteran and military spouse status of applications, Universal Recognition applications and before an agency denies a professional/occupational license the agency must submit the application and justification for denial to the Office of the Governor for review before any official action is taken by the agency.

4. Report and Discussion of Proposed 2021 Legislation relating to the Arizona State Board of Cosmetology.

- HB 2029 Consolidation Barber Board/Cosmetology Board

Kim Scoplitte Executive Director stated that it appears this bill is moving forward and was sent to the Senate on January 28, 2021.

- HB 2128 State Licensing; Fee Waiver

Kim Scoplitte Executive Director stated that there does not appear that any activity has happened since January 21, 2021. This bill states that an agency shall waive any fee charged for an initial license for any of the following individuals if the individual is applying for that specific license in this state for the first time:

Any individual applicant whose family income does not exceed two hundred percent of the federal poverty guidelines. Any active duty military service member and the member's spouse and any veteran.

- HB 2433 State Agencies; Cash Payment; Acceptance

Kim Scoplitte Executive Director stated that this bill was transmitted to the Senate on February 12, 2021. This bill will require each state agency or authorized agent of a state agency must accept cash, checks and money orders to pay any amount due to that agency or agent or this state.

Kim Scoplitte Executive Director stated that this agency has not accepted cash since 2012, the agency has put everything online so that individuals now have to submit applications, renewals online and submit payments online. We have also heard that other agencies are frustrated with this bill as a lot of them have made the same changes and feel like we are moving backwards instead of moving forward.

- SB 1149 Occupational and Professional Licensure; Notice

Kim Scoplitte Executive Director stated that this bill has passed and the Governor signed this on February 12, 2021. This bill requires the agency to print the following notice on all license and certificate applications and regulating entity websites which reads:

A person shall be granted an occupational or professional license or certificate if the person has been licensed or certified in another state for at least twelve months. The license or certificate is in the same discipline and at the same practice level as the license or certificate for which the person is applying in this state and the person meets other conditions prescribed by 32-4302, Arizona revised statutes.

5. Report on Professional Credential Services (PCS) and National-Interstate Council of State Boards of Cosmetology (NIC) on NIC Nail Technology Theory and Practical Examinations Update for Remote School Overview scheduled for March 22, 2021.
 - Remote Examiner Training scheduled for March 23 – 24, 2021

Kim Scoplitte Executive Director stated that PCS has scheduled a remote School Overview and Examiner Training for all states. The School Overview for Arizona has been scheduled for March 22, 2021, and the Examiner Training will be held on March 23rd and 24th, 2021.

PCS (Professional Credential Services) and NIC (National-Interstate Council) of State Boards of Cosmetology have announced the NIC Nail Technology theory and practical examination have been updated to reflect current professional practices. It is the understanding that the Board determines a start date for the exam which is typically 60-90 days after the school overview and examiner training. Please know that any Board members are welcome to attend the school overview however the agency would need to know who will be attending so the agency can post a courtesy notice that Board Members will be attending however no Board business will be conducted.

Does the Board wish to set a start date for the examination?

Gary Begley stated that this will be brought back before the Board next month so the Board can accept the changes to the Nail Technology examination and to set a date to start the new exam 90-days after the School Overview and Examiner Training which would be after July 1st, 2021.

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

There were no students in attendance today.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.
 - Financial Update
 - Personnel, Board Membership and Appointments Update
 - ❖ "Departure of Ashley Atkinson, Board Investigator/Inspector"
 - Licensing Update
 - Information Technology Update

Kim Scoplitte Executive Director stated that Board Investigator Ashley Atkins is no longer with the agency her last day was February 10, 2021, and that the agency thanks her for her service and wishes her the best.

2. Discussion, Consideration and Possible Action on Approval of the Provisional License and Examination Information.

Kim Scoplitte Executive Director stated that this is the information Theresa Bunch Deputy Director had put together regarding Provisional License and Examination Information in which the agency would like to send to the schools and at the last Board meeting the Board wanted to get the Governor’s Office approval on this.

Staff sent this information to Trista Guzman from the Governor’s Office and the agency received Trista Guzman’s approval on January 4, 2021.

MOTION by Gary Begley to accept the pamphlet for publication. 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.

3. 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.

The application was before the Board to grant the license or offer the applicant a Consent Agreement that would grant licensure and a \$500 civil penalty & costs to be signed within 30-days and if the Consent Agreement is not accepted to deny the license. The Consent Agreement for a \$500 civil penalty is based on the Board’s parameters for recommended discipline for fraud. The applicant has a history in 2018 for providing fraudulent documentation to the Board to obtain licensure by reciprocity. The applicant has since successfully completed nail technology school.

MOTION by Jenna Bentley for case no. 96425 to issue a Disciplinary Letter of Concern and grant licensure. MOTION SECONDED by Thomas Rough.

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.

1. 96425 Amy Duong, 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)*

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

Investigative Supervisor Irma Telles stated we would like to pull case no. 96395 Great Clips and take it separately. All other cases listed 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 cases listed below Step 1 B. except case no.96395. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

Abstained					
Absent			x		

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. 96275 Kristy DiSabato #11301957, Licensee *(No evidence found to support allegations)*
3. 96353/96355 The Nail Lounge of Tucson #'s SNT19161 & SAES20904 *(No evidence found to support allegations)*
 Sid Tuong Nguyen #51900052, Owner
4. 96382 Northside Barbers #SCOS30166 *(No evidence found to support allegations)*
 Christopher Barker, Owner
5. 96395 Great Clips #SCOS17545 *(No evidence found to support allegations)*
 Cave Creek Clips Inc, Owner
CONTINUE

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

Investigative Supervisor Irma Telles stated that we would like to pull case nos. 96367 & 96368 Mimosa Nails and continue these. All other cases listed have been reviewed according to the Board's parameters and we would ask the Board to consider staff recommendations except case nos. 96367 & 96368.

MOTION by Thomas Rough to accept staff recommendations for all those listed below Step 1 C. except case nos. 96367 & 96368. **MOTION SECONDED** by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

1. 96205 Myken E Swaites #31900887, Licensee *(Advertising Medical Aesthetician)*
2. 96325 Giti Ghanbari #11402427, Licensee *(Failing to post out services not regulated)*
3. 96357 Gloria Fisch #10502270 *(Practicing in an Unlicensed Establishment)*
4. 96358 Lindsey Ritchie #11401324 *(Practicing in an Unlicensed Establishment)*
5. 96360/96361 Today's Nails #'s SNT17016 & SAES17472 *(Inactive Establishment License)*
 Luong T Nguyen #59900178, Owner
6. 96367/96368 Mimosa Nails #'s SNT18306 & SAES19430 *(Inactive Establishment License)*
 Mimosa Nails LLC, Owner
 Le Vuong #59919921, Member
CONTINUE
7. 96373/96374 T & L By Donna #'s SNT17335 & SAES17927 *(Inactive Establishment License)*
 Doan Vu #'s 30400430 & 50000154

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- 8. 96375 Amazing Lash Studio 350 #SCOS29574 *(Display of current personal license)*
 Four Horseman Enterprises LLC, Owner
 The Four Horseman Family, Trust
 Angela L Toth, Owner, Trustee
 John D Toth, Owner, Trustee
- 9. 96377 Selina Villalobos #11700158, Member *(Inactive Personal License)*
 Love & Passion Beauty Salon LLC #SCOS30977
 Love & Passion Beauty Salon LLC, Owner
- 10. 96380 I Touch II LLC #SCOS30447 *(Inactive Personal License)*
 I Touch II LLC, Owner
 Minh V Pham #50800352, Manager/Member
- 11. 96389 Vividity Aesthetic #SAES21272 *(Display of Licenses and Signs)*
 Vividity Inc, Owner
 Vi Ha Phan #31700141, President
- 12. 96408 Lash & Laser LLC #SAES21126 *(Display of current personal license)*
 Lash & Laser LLC, Owner
 Katie Cassidy #31700048, Manager/Member
 Alyssa Scott, Member
- 13. 96411 Kelsey Rose Hair Stylist #SCOS29954 *(Inactive Establishment License)*
 Kelsey Rose Harris #11600640, Owner
- 14. 96413 Le Anna's Nails #SNT15145 *(Inactive Establishment License)*
 Kelly T. Diep # 50600177, Owner/Manager
- 15. 96415 Laura Stewart #18327776, Owner/Manager *(Inactive Establishment License)*
 Hair Architect Salon Suite #SCOS20619
- 16. 96417 Total E Clips #SCOS22718 *(Inactive Establishment License)*
 Melissa Gallozzi #10121637, Owner/Manager
- 17. 96428 Express Beauty Salon #SCOS16675 *(Inactive Personal License)*
 Express Beauty Salon LLC, Owner
 Liliana C Byrd-Dominguez #10200246, Member
- 18. 96432 HairDimension #SCOS27751 *(Inactive Establishment License)*
 Carlos Alberto Vasquez #11401610, Owner/Manager

D. Recommended Informal Interview or Negotiation Terms A.R.S. § 32-573 (C) (D).
 Investigative Supervisor Irma Telles stated that all cases 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 cases 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
Nay					
Recused					
Abstained					
Absent			x		

MOTION CARRIED.

- 1. 95186 Taglio Salon #SCOS26482

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RC Salon Systems LTD, Owner
Thomas Rough #19501024, Director/President
Lisa Rough, Director/President

CONTINUE – LACK OF QUORUM

2. 95508 Thao Thi Bich Tran #'s 51400005 & 31400670, Licensee
Thi Kim Oanh Tran #52000199, Licensee
Thanh Tai Tran #12000819, Licensee
Dismiss due to insufficient evidence, see motion above.
3. 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
4. 96246 & Arte Y Creacion Beauty Salon #SCOS14797
Ramon Chavarria, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
96352 Rosalinda Honne #11400573, Licensee
Dismiss due to insufficient evidence, see motion above.
5. 96253 Brazilian Blow dry Boutique LLC #SCOS30396
No action taken against salon, see motion above.
Kristy DiSabato #11301957, Owner
Offer a consent agreement to Owner Kristy DiSabato and assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
6. 96257 DaviNails1928 #SNT19717
Davinails1928 LLC, Owner
Linda Burgo #51200209, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
7. 96274 Brazilian Blow dry Boutique LLC #SCOS30396
No action taken against salon, see motion above.
Kristy DiSabato #11301957, Licensee/Member
Offer a consent agreement to Licensee/Member Kristy DiSabato and assess \$500.00 civil penalty and Board costs, \$205.00 in restitution, 12-months' probation with early termination see motion above.
8. 96297 Stephanie M Alderete #10224558, Licensee/Member
High Mane' Tenance SCOS22120
High Mane' Tenance LLC, Owner
Offer a consent agreement to Licensee/Member Stephanie Alderete and assess \$600.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
Casey Blakeman #10225307, Member
Non-Disciplinary Letter of Concern to Member Casey Blakeman for failing to notifying the Board of an ownership change, see motion above.
9. 96338 Body Beautiful #SAES18623
Body Beautiful LLC, Owner
Marlena L Krueger, Member

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- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
10. 96342 Cult Hair Studio & Spa #SCOS26569
Cult Hair Studio & Spa LLC, Owner
Brady McKay, Member
Offer a consent agreement to assess \$150.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
11. 96363 Cleo Beauty Salon #SCOS19092
Jom Global LLC, Owner
Bong Ju Kim #11001952, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
12. 96365 Sky Nails and Spa #SNT17915
Tony O Nguyen #51300545, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
13. 96366 Ivy Nail and Spa #SNT19027
Hai Anh Nguyen, Owner
Loan Thi Minh Nguyen #51600254, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
14. 96369 Envy Nails By Thao #SNT17972
Thao Tran #'s 31701068 & 51700672, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
15. 96370 Hollywood Nails & Spa #SAES19626
Hollywood Nails & Spa LLC, Owner
Binh Bai Nguyen #50200608, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
16. 96371/96372 Serafina Nails & Spa Inc #'s SNT18290 & SAES19408
Serafina Nails & Spa Inc, Owner
Louis Giang Vinh #50500027, Member
Offer a consent agreement to assess \$400.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
17. 96381 Nails Rap #SNT16628
Hong Diep #50400254, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
18. 96390 Dulce Borboa #10602469
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
19. 96393/96394 Cute.Icle Nails Spa by Lemi #'s SNT18767 & SAES20231
Hung Dinh Nguyen, Owner, License No. 59918710

Offer a consent agreement to assess \$750.00 civil penalty and Board costs, Risk Based, 12-months' probation with early termination see motion above.

20. 96396 AZ 3D Nails & Spa #SNT18028
Richard Van Thu Hoang #50401081, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
21. 96397 Savannah Chesleigh #10601486, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
22. 96406/96417 Fendi Nails #'s SNT15508 & SAES15537
Thanh Le #50000455, Owner
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
23. 96410 Nail En-V #SNT19061
Nail En-V LLC, Owner
Jenny Q Phan #'s 50331214 & 30330705, Manager/Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, 12-months' probation with early termination see motion above.
24. 96461 Stephanie M Alderete #10224558, Licensee
Offer a consent agreement to assess \$500.00 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. 95600/96300 QNail Bar LLC #'s SNT18272 & SAES19388 **9:30 a.m.**
QNail Bar LLC, Owner
Huyen T Nguyen #'s 50700850 & 31600763, Member
"Logan" Giang H Ta #50700903, Member
Continued from January's Board meeting
Investigative Supervisor Irma Telles stated that she just learned late yesterday that the LLC retained counsel for representation and is requesting a continuance for preparation for the hearing.
2. 96084 AK Nails Spa #SNT18557 **9:30 a.m.**
An Xuan Le #50600363 Owner
(Amy) Nhu Hoa Nguyen #50600143, Manager
NEGOTIATED \$1,250/12-MONTH PROBATION/1ST PYMENT SUBMITTED
3. 96203 Primp and Blow Waterfront #SCOS21307 **9:30 a.m.**
Primp and Blow Waterfront LLC, Owner

Melodi Harmon, Member
 Vivian J. Lopez #11002178, Manager
 Continued from January's Board meeting
NEGOTIATED \$650

4. 96247 Alba Salon #SCOS27354 9:30 a.m.
 Albana Lika #11302430, Owner
 Continued from January's Board meeting

Investigative Supervisor Irma Telles stated that this case was moved to a Formal Hearing at the December Board meeting. However the owner called the office stating that she called in for the scheduled informal interview but was having difficulties unmuting the call and requested to be heard for the next scheduled Board meeting. Therefore, we would ask the Board to rescind previous motion.

MOTION by Gary Begley to withdraw prior motion to move to Formal Hearing as licensee is present. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

Albana Lika was sworn in and stated that she believes this complaint was from a previous stylist that had worked in the salon. Albana Lika stated that she was not aware that stylists renting stations in her salon need to have their names on the business door, they fixed the license issue, we now have two containers one for Barbicide and one for Ship Shape, she had no idea that the drawers were soiled, she contacted the landlord and a plumber regarding the hot water issue. Albana Lika stated that she had a meeting with staff regarding these issues and stated that she has been in business for 6-years and has never had any issues.

Investigator Lisa Chavez testified that on August 31, 2020, Board office received an anonymous online complaint against Albana Lika of Alba Salon located in Fountain Hills Arizona, alleging the following: Salon name not on door, licenses are not displayed at work stations, restroom door does not fully close, no hot and running water in back room sink, toilet does not stop running, towels and capes smell, no bandages or antiseptic on hand and dirty Barbicide in the back room.

On October 13, 2020, Investigator Lisa Chavez went to the salon and explained the complaint to the respondent who denied the allegations, and conducted an inspection and found the following: Licensee Teodoro Pellicano, no current license posted, station drawers with contaminates in with implements, brushes have hair, not cleaning and disinfecting implements correctly. Licensee Albana Lika clipper guards contaminated with hair in the drawer, hair was found with neck trimmers in the drawer. No signage for the salon within salon, contaminated wet disinfectant and not covered (respondent told investigator that she mixes Barbicide and Ship Shape and also puts color brushes with color on them into the disinfectant), restroom storage, contaminated hooded dyer color left on the chair, wax sticks left in wax – reusing wax stick and wax implements not enclosed.

MOTION by Thomas Rough for case no. 96247 to adopt the Findings of Fact contained in the Investigation Report. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

STAFF REPORTED NO HISTORY

MOTION by Thomas Rough for case no. 96247 to issue a new Consent Agreement for \$250 civil penalty and costs, for Licensee Albana Lika to attend the Infection Protection/Law Review Class given by the Board within 90-days. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

- | | | | |
|----|-------------|--|------------------|
| 5. | 96255 | Fantastic Sams #SCOS16167
D&E Concepts LLC
Douglas Buchanan, Member
Elizabeth Buchanan, Member
Continued from December's Board meeting
NEGOTIATED \$600/PAID | 9:30 a.m. |
| 6. | 96276/96282 | Always Nails #'s SNT18694 & SAES20068
Hoang Le Nguyen #51700225, Owner
Continued from January's Board meeting
NEGOTIATED | 9:30 a.m. |
| 7. | 96277 | Lashes By Dena #SAES21078
Lashes By Dena LLC, Owner
Trang T Le #11302124, Member
Tung Tran, Member
NEGOTIATED \$150/PAID | 9:30 a.m. |
| 8. | 96287/96288 | Bella Nail Bar Mesa LLC #'s SNT19241 & SAES21058
Bella Nail Bar Mesa LLC, Owner
Hien N Nguyen #'s 50300393 & 31400888, Member | 9:30 a.m. |

Duy Duc Duong, Member
 Continued from January's Board meeting
NEGOTIATED

9. 96292 Paris Nail Lounge #SNT19443 9:30 a.m.
 A & H Paris Nail Salon, LLC Owner
 Cindy Le #11800806, Member
 Continued from January's Board meeting

MOTION by Gary Begley to move case no. 96292 to Formal Hearing or in the Alternative Accept the Signed Consent Agreement Previously Offered 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
Nay					
Recused					
Abstained					
Absent			x		

MOTION CARRIED.

10. 96294 Hair Transformation LLC #SCOS27186 9:30 a.m.
 Hair Transformation LLC, Owner
 Michelle Denise Knowles #10900526, Member
NEGOTIATED \$500/12-MONTH PROBATION

11. 96326 Jessica M Crampton #51405381, Owner/Manager 9:30 a.m.
 Continued from January's Board meeting

Jessica Crampton was sworn in and stated that she had her application in the Board office prior to October 4th, to have the fee waived and that she never received a send-back regarding the fee not being in the office before October 4th. Jessica Crampton stated that the Inspector explained what she needed to do and has applied and has received a license.

Inspector Cathy Bergeron testified that on September 22, 2020, she conducted an inspection of Dip'd Life located in Lake Havasu, Arizona, and found the following: Jessica Crampton operating an unlicensed establishment Dip'd Life.

MOTION by Jenna Bentley for case no. 96326 to dismiss. MOTION SECONDED by Thomas Rough.

Roll Call:

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

MOTION CARRIED.

- | | | | |
|-----|------------------|--|-----------|
| 12. | 96345 | Precious Nails Spa # SNT17013
Hoang Vo #59817551 Owner/Manager
NEGOTIATED \$250/PAID | 9:30 a.m. |
| 13. | 96348 &
96391 | UR Nails & Spa #SNT15728
NEGOTIATED \$250/PAID
Tina Tuan Huynh #50400982, Owner/Manager
NEGOTIATED TO REVIEW AZBOC LAWS & RULES | 9:30 a.m. |
| 14. | 96349 | Panda Nail & Spa #SNT19636
NEGOTIATED \$250/PAID
Di Tran, Owner/Manager
NEGOTIATED TO REVIEW AZBOC LAWS & RULES/COMPLETED | 9:30 a.m. |
| 15. | 96354 &
96392 | K Pretty Nails & Spa Inc, #SNT19289
K Pretty Nails & Spa Inc, Owner
NEGOTIATED \$250/PAID
Luc Vo #50000145, Director
NEGOTIATED TO REVIEW AZBOC LAWS & RULES/COMPLETED | 9:30 a.m. |
| 16. | 96359 | Capello Salon Suite #25 #SCO22135
Anthony Tumolo #19501227, Owner/Manager
NEGOTIATED \$500/PAID | 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. | 95145/95146 | The Nail Lounge Gilbert #SNT18734 & SAES20155 (<i>Settled</i>)
The Nail Lounge Gilbert LLC, Owner
Binh Lam #59600678, Member
Assistant Attorney General, Mona Baskin, appeared representing the State in this matter. | 9:15 a.m. |
|----|-------------|--|-----------|

Assistant Attorney General, Mona Baskin stated that the licensee has entered into the consent agreement previously offered to the licensee and therefore the State would withdraw their motion to deem allegations admitted because the disciplinary case has been resolved.

2. 95319 Regis N456 #SCOS28065 **9:15 a.m.**
 The Beautiful Group Management LLC, Owner
 Michael Reinstein, Member
 Jon Alt, Authorized Signer
 Jeri Wheeler, Authorized Signer

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 signed for. As an update the establishment is currently closed and no longer operating.

On behalf of the State the State respectfully requests that the Board grant the Motion to Deem Allegations Admitted, adopt the Findings of Facts and Conclusions of Law in the complaint, regarding discipline the State would recommend revocation of the license and cost and fees per A.R.S. § 32-573 (G).

**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. 95319 to impose the following discipline as our Order in this matter to revoke the salon license and impose cost and fees per A.R.S. § 32-573 (G). MOTION SECONDED by Amber Cepkauskas.

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. 95386 VIP Nails 1 #SNT19091 (**Settled**) **9:15 a.m.**
 Quoc T. Nguyen #50200252, Owner

Assistant Attorney General, Mona Baskin, appeared representing the State in this matter.

Assistant Attorney General, Mona Baskin stated that the licensee has entered into the consent agreement previously offered to the licensee and therefore the State would withdraw their motion to deem allegations admitted because the disciplinary case has been resolved.

4. 95666 Nati's Beauty Salon #SCOS10960 **9:15 a.m.**
 Martha P. Silva #10000032, 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, the certified mail was signed for and the first-class mail has not been returned and is presumed to have been delivered. To date, the Board nor the state has received any communication from Respondent. On behalf of the State the State respectfully requests that the Board grant the Motion to Deem Allegations Admitted, adopt the Findings of Facts and Conclusions of Law in the complaint, regarding discipline the State would recommend revocation of the license, impose a \$500 civil penalty to be paid within 6-months and to impose cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply with the \$500 civil penalty 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. 95666 to impose the following discipline as our Order in this matter to revoke license, impose \$500 civil penalty to be paid within 6-months and impose all cost and fees per A.R.S. § 32-573 (G). Should the licensee not comply with the \$500 civil penalty within 6-months the license would be revoked. MOTION SECONDED by Amber Cepkauskas.

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. | 95724/96210 & | Sigma Cuts School of Beauty #CSL00217
Sigma Cuts of School of Beauty Corporation, Owner
World Media Entertainment Inc., Owner
Will (Blu) Mitchell, President
Erica Padilla #91700021
Bonnie Duran, Director | 9:15 a.m. |
| | 96211 | Marissa Morris #91900020, Director | 9:15 a.m. |

**ARIZONA STATE BOARD OF COSMETOLOGY
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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 Will (Blu) Mitchell present

The Board clarified with Ms. Williams the requirement that a licensed corporation may appear before the Board only through an attorney. Assistant Attorney General Mona Baskin stated that Mr. Mitchell is aware that Sigma Cuts School of Beauty needs to retain counsel.

The Board proceeded with the State's presentation of the Motions to Deem Allegations Admitted. Ms. Baskin presented the State's Motion to Deem Allegations Admitted in Case No. 95724. Ms. Baskin stated that a Complaint and Notice of Hearing was issued in this case, the licensee was properly notified the certified mail was signed for and the first-class mail has not been returned to the Board and is presumed to have been delivered. To date, the Board has not received any communication from Respondents. On behalf of the State the State respectfully requests that the Board grant the Motion to Deem Allegations Admitted, adopt the Findings of Facts and Conclusions of Law in the complaint against the corporation, and regarding discipline in this case the conduct is extremely serious and the State would recommend revocation of the license and all cost and fees per A.R.S. § 32-573 (G).

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

Mr. Mitchell stated his concerns with the Board's process and the requirement for legal counsel to represent the corporation. Mr. Mitchell requested the Board allow Sigma Cuts School of Beauty a continuance of the case for 45 days to allow it to retain an attorney.

Jenna Bentley and Brandy Flores spoke in support of a continuance.

9:55 a.m. Brandy Flores stepped out of the meeting

Thomas Rough withdrew his motion to grant State's Motion to Deem Allegations Admitted.

In response to a question from Board member Amber Cepkauskas, Ms. Baskin informed the Board that the original complaint against Sigma Cuts School of Beauty was filed in July of 2019.

Gary Begley stated that two members have shown interest in giving Mr. Mitchell more time to obtain counsel and requested the opinion of the other two members.

Thomas Rough and Amber Cepkauskas spoke against a continuance given the length of time the case has been pending.

Gary Begley agreed and stated that the Board will compromise and will give Mr. Mitchell until the next meeting to obtain counsel and that there will be no more extensions.

MOTION by Gary Begley to continue case nos. 95724/96210 & 96277 for 30-days to the next Board meeting to allow time for adequate representation. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

MOTION CARRIED.

C. Report, Discussion and Possible Action on Opening a Complaint Pursuant to A.R.S. § 32-572 (A) (2) (6) (B) (C) (2) (D) and A.R.S. § 32-573 (A).

None

D. 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.

1. 95421 Sun Nails #SNT18873

9:15 a.m.

Michael Tiep Hai Duong #51800161, Owner

Investigative Supervisor Irma Telles stated that the Board issued the complaint to the address on file with the Board. Complaint was mailed by regular and certified mail which were both returned as “undeliverable”. Therefore, we were not able to properly notice the respondent, The Board has 2 options, to notice by personal service and/or publication and the Board may consider to administratively close the case and reissue the complaint in the event the respondent contacts the Board or renew their license.

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. 95421 to administratively close the case until the licensee contacts the Board and/or renews their license and then reissue the complaint. 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.

E. Update on Administrative Closed Case – Matter Settled.

Investigative Supervisor Irma Telles stated that the respondent Ashley Leiby Mixan fulfilled the online requirements for the Infection Protection & Law Class.

MOTION by Gary Begley for case no. 95511 to close this case. 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.

1. 95511 Ashley J. Leiby Mixan #10327480

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 Thomas Rough to adjourn the meeting at 10:50 a.m. MOTION SECONDED by Jenna Bentley.

Roll Call:

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

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.