



Arizona State
Board of Cosmetology

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ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES

March 17, 2017 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
Jessica M Stall-Rainbow
Melissa C Porter
Charlie C Phan
Thomas Rough

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of February 17, 2017.

MOTION by Jessica Rainbow to approve minutes as written. MOTION
SECONDED by Melissa Porter. MOTION CARRIED.

2. Declaration of Conflict of Interest.

None.

3. Discussion, Consideration and Possible Action on Executive Order 2017-02.

- Internal Review of Administrative Rules; Moratorium to Promote Job Creation and Customer-Services-Oriented Agencies

Executive Director Donna Aune stated this is the Executive Order 2017-02 from the Governor that we discussed last month, asking agencies to eliminate rules that are redundant or no longer necessary. Executive Director Donna Aune stated we have posted the Executive Order on our website asking the industry for their input. We will also submit a report to the Governor's Office by September 1, 2017.

4. Discussion, Consideration and Possible Action on Proposed Legislation – Senate Bill 1130:

- Hairstyling License
- Instructor License A.R.S. §32-531
- Required Inspection of Proposed Salon A.R.S. §32-542
- Application Time Frames A.R.S. §32-551 (B)

Karla Clodfelter stated Senate Bill 1130 has passed through the House and that the Governor has signed the bill.

Executive Director Donna Aune stated Senate Bill 1130 will go into effect December 30, 2017.

Any Additional Pending 2017 Legislation Relating to the Arizona State Board of Cosmetology

5. Discussion, Consideration and Possible Action on Revising Disciplinary Parameters.

- Additions to Board's Disciplinary Parameters

Board Members discussed the Disciplinary Parameters and will review over the next month and will bring this back next month for discussion on any changes.

6. Discussion, Consideration and Possible Action on Cosmetology School Lockouts/Reporting of Student Hours

Board Members discussed Cosmetology School Lockouts/Reporting of Student Hours to explore ways to make the schools more responsible and discuss this next month.

Executive Director Donna Aune stated Aesthetics Institute & Laser Sciences was one of the schools we had brought up before the Board on several occasions for not providing student hours and when the school was locked out/closed, Theresa had to go through boxes to retrieve hours for students and found hours for (15) students only.

7. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

No students were in attendance today.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.

- Financial
- Personnel, Board Membership and Appointments
- Licensing
- Information Technology

2. Report on National Interstate Council (NIC) and Professional Credential Services (PCS) on attending an upcoming Practical Exam Overview to be held on May 8th thru 10th, 2017, at Embassy Suites Phoenix-Scottsdale.

Executive Director Donna Aune stated National Interstate Council (NIC) and Professional Credential Services (PCS) will be on May 8th thru 10th, at the Embassy Suites. Executive Director Donna Aune extended the invitation to all Board Members.

Theresa Bunch School Liaison stated Registration is at 8:30, Board Presentation of Changes Affecting Schools is at 9:00 and the NIC Presentation will start at 10:00.

Executive Director Donna Aune stated that NIC is making changes to the Instructors Exam and would like to have an effective date to start administering the examination and we suggested September 1, 2017. Board Members had no issues with the effective start date.

3. Report and Discussion on Closure of Aesthetics Institute & Laser Sciences, Aesthetician School License No. ASL00036

See no. 6 under Board Business.

4. Summary of Current Events that Affect the Arizona State Board of Cosmetology

Executive Director Donna Aune stated on March 16, 2017, we had visitors from ADOA they had floor plans of our move, we will be on the fourth floor at 1740 W. Adams and we will be moving January 30, 2018.

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

- 91793 Lily Chan (*Deny & accept w/\$500 negotiation terms; working prior to licensure & act of fraud; deceit*)
91794 Chi Ngoc Nguyen (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)

**MOTION by Melissa Porter to deny and accept with negotiation terms.
MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.**

B. Recommend Dismissals

MOTION by Melissa Porter to accept staff recommendations for all those listed below Step 1 B & C. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

- 91087 Cynthia Z Annis #19401204, Licensee (*Found no evidence to support allegations*)
91094 Talk of the Town-A Salon #SCOS24883 (*Found no evidence to support allegations*)
Jennifer D Nash, Owner
Krista Causey #10401548, Licensee
91109 Clancy Montgomery #59500506, Licensee (*Denied allegations – ad on website no longer active*)
91125 Beauty by Alicia #SAES19676 (*Found no evidence to support allegations*)
Skin Vitale LLC, Owner
Alicia Neal #30700392, Owner
91365 Cami Shreeve, UNLICENSED (*Refer to proper authorities*)
91521 Great Cut LLC #SCOS23423 (*Licensee is a barber*)
Great Cut LLC, Owner
Adnan A Amro, Member
91539 Tiffany's Nail & Hair Salon #SCOS15553 (*No response from complainant*)
Linda Giau Duong #'s 30200063 & 59920691
91556 Z Nails & Spa #SNT18393 (*Found no evidence of unlicensed practice*)
Nho Quang Nguyen #51405282, Owner
91560 Jessica Lopes, Unlicensed (*Insufficient evidence*)
91562 Hair in Motion #SCOS15522 (*Found no violations*)
Hair in Motion Inc, Owner
Joe Edward Chavez #16204443, President
Brenda J Chavez #17819472, Secretary/Manager
91572 Nails by Yen #SNT17340 (*Found no evidence to support allegations*)
Nails by Yen LLC, Owner
Tung thanh Lam #50100215, Member
91577 B.J.'s Shear Class Salon #SCOS9602 (*Found no evidence to support allegations*)
Babett Enterprises Inc., Owner

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91582	Betty Weber, Member Sandra Street, Member Elle's Nails #SNT13313	(Incompliance with Board's building standards - ventilation)
91594	Thuy Anh Nguyen, Owner Best Clips #SCOS21775	(Found no evidence of unlicensed practice)
91595	Enrique Salinas #19800136, Owner Best Clips #SCOS23443	(Found no evidence of unlicensed practice)
91596	Enrique Salinas #19800136, Owner Best Clips #SCOS25878	(Found no evidence of unlicensed practice)
91797	Enrique Salinas #19800136, Owner Hair Theory #SCOS24102 Hair Theory LLC, Owner Lindsey Frances Sacco #10600085, Member/Manager	(Found no violations)

C. Recommend Letter of Concern

See motion above.

91468/91469	Shayna's Nails & Spa LLC, #'s SAES18498 & SNT17698 Shayna's Nails & Spa LLC, Owner Alan Nguyen, #51200276, Member Thu Nguyen, Member Tha Thi Anh Nguyen, #10601934, Licensee	(Delinquent personal license & all personal license posted at front - not at individual at workstations)
91550	Comely Nails #SNT12522 Thanh Nhut Ngo, #50000231, Co-Owner My Trang T Tran, #50000366, Co-Owner	(Eleven personal licenses posted on wall - not at individual workstations)
91756	Z Nails & Spa #SAES19576 Nho Quang Nguyen #51405282, Owner	(Aesthetic Establishment License not posted)
91566	Beauford's Beauty & Barber #SCOS2651 Leo Dominguez, Co-Owner	(Personal license display)
91583	Peggy Dominuguez #98100678, Co-Owner Vol Salon #SCOS24706 J. M. Hair LLC, Owner	(Advertising issues)
91586	Jennifer Mena #10332006, Member/Manager Shear Pleasure Haircutters #SCOS1898	(Delinquent establishment license)
91591	Deborah J Hyland, Owner Noels #SCOS23207 Noels LLC, Owner	(No tuberculocidal)
91593	Alexia Ornelas, Co-Member Renee Morrow, Co-Member Eva J Shimp #18801331, Manager Nova Organic Wellness Spa LLC #SAES19039 Nova Organic Wellness Spa LLC, Owner	(No tuberculocidal)
91607	Linda Martin #30800197, Member/Manager Pro Nails & Spa #SNT16951 Pro Nails & Spa LLC, Owner	(Delinquent establishment license)
91608	Tina Tran #'s 10000674 & 59800019, Member/Manager Fleurish #SCOS22841 Deborah Burns #18500613, Co-Owner/Manager	(Delinquent establishment license)

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91609	Lauren M Sichrovsky #59500933, Co-Member/Manager @ Lash #SCOS21737	<i>(Delinquent personal license)</i>
91610/91611	Theresa Fuentes #19500934, Owner/Manager Top Nails #'s SNT17924 & SAES18823	<i>(Delinquent establishment license)</i>
91613	Tammie K Luu #'s 50123779 & 31600229, Owner Vicky K Luu #50601179, Manager Aspire Salon & Spa #SCOS22639	<i>(Delinquent establishment license)</i>
91614	Aspire Salon & Spa LLC, Owner Goldy L Boyer #19001199, Co-Member/Manager Jeff Orrell, Co-Member/Manager	<i>(Delinquent establishment license)</i>
91621	Shears to You #SCOS24585 Sherry L Paris #18701661, Owner	<i>(Delinquent personal license)</i>
91622	The Salon at La Camarilla #SCOS16895 Henry O McAdams #19001395, Owner	<i>(Incomplete first-aid kit)</i>
91623	Hair by Jay #SCOS26780 Jennifer Bond #10901311, Owner	<i>(Delinquent establishment license)</i>
91635	Le's Exotic Nailz & Spa #SAES16225 Loan Thi Thuy Nguyen #'s 50500963 & 30800475, Owner/Manager	<i>(Delinquent establishment license & advertising differently)</i>
	Alla's Barber Shop #SCOS16809 Alla Isakova, Owner/Manager	

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 Melissa Porter. MOTION CARRIED.

1. 91503 Keny's Last Stop Haircuts & Salon #SCOS26563
Keny Angulo, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
2. 91505 Veronica Chabolla #18701646, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
3. 91506 Salon 221 #SCOS22906
Kathryne L Wright #10702041, Owner
Issue a Letter of Concern for wet disinfectant not large enough for complete immersion, see motion above.
4. 91509 Jovangy's Beauty Salon #SCOS18562
Maria A Gonzalez #10801076, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
5. 91510 Sunee's Therapeutic Spa #SCOS13242
Sunee Paul #30200004, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
6. 91512 Lucky Nails & Spa #SNT17475
Vu Ngoc Lam, Owner
Lena Vu #'s 50400489 & 31500795, Manager

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
7. 91516 Naturally You Hair Studio #SCOS26343
Kay Bodude, Owner
Shayla Bess, Manager
Issue a Letter of Concern for no first aid kit and no blood spill kit, see motion above.
 8. 91517 Sonia Montalvo #11500014, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
 9. 91518 Heather L Grasis #10225944, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
 10. 91519 Noelle M Nickerson #10400142, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
 11. 91523 Nails & Spa by Vanna Inc., #SNT18383,
Nails & Spa by Vanna Inc., Owner
Vanna Tuyet Le, #50300190, Director
Continue, see motion above.
 12. 91531 Cody's Nails #SNT18228
Ashlee Nicole Myers #11301686, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
 13. 91533 & Hair by Melody & Friends #SCOS24462
Melody A Plotner Lamon #10902285, Owner/Manager
Issue a Letter of Concern for allowing licensee to advertise differently from the salon name, see motion above.
91708 Angela Palumbo #50328351, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
 14. 91537 Nail's Club by K. J. #SNT16614
Huong Thi Pham #'s 59800370 & 30601054, Owner
Jimmy Nguyen #59800423, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
 15. 91554 Nail'ish #SNT18533
Ynhi Nguyen, Owner
Minh Ho #50600620, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
 16. 91555 Luxury's Nails Bar #SNT18515
Ty T Thi Le #50900051, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

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17. 91563 Nails by Bobbie #SCOS14921
Ngoc Bich T Nguyen #'s 50000316 & 30400332, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
18. 91564/91565 Herbal Nail Bar LLC #SNT17201 & SAES17724
Herbal Nail Bar LLC, Owner
Nga Thi Ngoc Nguyen #'s 51100339 & 31200285, Member/Manager
Thao Thi Nguyen #'s 50900149 & 31000409, Member
Quyên Huu Dinh #51100561, Manager
Issue a Letter of Concern for soiled implements, see motion above.
19. 91567 Estilo Salon #SCOS26338
Estilo Salon LLC, Owner
Martina R Meza #19700758, Co-Member/Manager
Carlos E Meza, Co-Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
20. 91568 Seva Beauty #5190 #SAES19750
Beauty to Arizona LLC, Owner
Martin S Ellertson, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
21. 91574/91575 Sunshine Nails & Spa #'s SNT18404 & SAES19593
Ngan B Nguyen, #11200117, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
22. 91584/91585 Madison Taylor Le #'s 59800137 & 30300026, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner Madison Taylor Le to attend the Infection Protection/Law Review class given by the Board, see motion above.
23. 91587 Salon Sanctuary #SCOS23020
Barbara Woolston, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
24. 91588/91589 Le Beverly Nails and Spa #'s SNT18567 & SAES19859
Khanh-Trang Thi Vu #50000114, Owner
Offer a consent agreement to Owner Khanh-Trang Thi Vu to attend the Infection Protection/Law Review class given by the Board, see motion above.
25. 91590 Twisted Inc #SCOS26320
Twisted Inc, Owner
Brooke L Procter Smith #19500531, President
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
26. 91592 Megan Boothe #31300249, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

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27. 91612 Herbal Nails & Spa 2 #SNT18099
Herbal Nails & Spa 2 LLC, Owner
Jennifer Tran, Member
Rinal Patel, Manager
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs, see motion above.
28. 91619/91620 2 V-K Elle Nails #'s SNT17618 & SAES18382
2 V-K Elle Nails Inc, Owner
Duy Q Tong #50100431, Director
Thanh Thuy T Tran #'s 50023502 & 30601165, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
29. 91624 Kist by Mist Tanning LLC #SAES19099
Kist by Mist Tanning LLC, Owner
Charles Scott, Member/Manager
Floris Gloria, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
30. 91636 Tam L Luc #19900114, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
31. 91637/91638 Nail En-V #'s SNT17012 & SAES17467
Shawn Dieu Chi Tran #50300021, Owner
Trang Thuy Nguyen #'s 50330989 & 30500334, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
32. 91640 Spa & Nails Creations #SNT15429
Thang Khac Phan #50100642, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
33. 91641 Head Hunters a Full Service Salon #SCOS17044
Head Hunters a Full Service Salon LLC, Owner
Mark Brumfield, Member
Eileen Brumfield, Member
Issue a Letter of Concern for delinquent personal license, see motion above.
34. 91645/91646 Pacific Nail #'s SNT16544 & SAES16838
Ken Van Nguyen #50500170, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
35. 91647/91648 Luxury Nails #'s SNT16401 & SAES16672
Phung Thi Vo #'s 50300068 & 30500347, Owner/Manager
Informal Interview without consent, see motion above.
36. 91649 Jannette L Lomeli #19200016, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.

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37. 91525 Full Spectrum Hair Salon #SCOS19520
Denise S Petersen #10902072, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs to Owner Denise Pertersen, see motion above.
38. 91549 XTYLO Beauty College LLC #CSL00183
XTYLO Beauty College LLC, Owner
Maria Arroyo Mosqueda #11600684, Co-Member
Aaron Guiza, Co-Member
Senia Goytia #90900054, Director/Instructor in Charge
Dismiss due to unsubstantiated allegations, see motion above.
39. 91559 & Belle Starr Salon SCOS26001
Cassie Jo Griggs #11302351, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
91741 Christy Noelle Johnson #31500609, Licensee
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
40. 91578 & Hair by Yahtzee, Unlicensed
91843 Linda Yauchzy #18901272, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs to Owner Linda Yauchzy, see motion above.
41. 91726 Nail Trix & Spa #SCOS25959
Dat Pham #50500442, Owner
Continue, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

NONE

B. With Negotiation Options

1. 91165 Pink & Polish Mani-Pedi Spa #SNT17148 **10:00 a.m.**
T & Tod LLC, Owner
Tammi Do #'s 50200765 & 30300002, Member/Manager
Thai Thanh Nguyen #59700517, Member
Continued from February's Board Meeting
NEGOTIATED TO PAY RESTITUTION \$40
2. 91171/91172 Best Nails & Spa #'s SNT15747 & SAES15824 **10:00 a.m.**
Hai Van Tran #50600922, Owner
Continued from February's Board Meeting
NEGOTIATED \$250

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3. 91192 Sigma Cuts School of Beauty #CSL00194 10:00 a.m.
World Media Entertainment Enterprises Inc., Owner
Will Mitchell, C.E.O.
Laura Stone #90500065, Director
Erica Padilla #10801861, Student
Continued from February's Board Meeting
NEGOTIATED \$1,000.00/6-MONTH PROBATION/1ST PAYMENT SUBMITTED
4. 91210 & Amazing Lash Studio Arcadia #SCOS26458 10:00 a.m.
Desert Lash Arcadia LLC, Owner
Johnathan Brovitz, President
Erica Sanchez #31300463, Manager
Continued from January's Board Meeting
CONTINUED TO APRIL'S BOARD MEETING
91432 Melissa Cano #11502101, Licensee
Continued from January's Board Meeting
CONTINUED TO APRIL'S BOARD MEETING
5. 91231 Lovely Nails #SNT17643 10:00 a.m.
Kim Tuyen Thi Nguyen #50701073, Owner
Andy Van Ngo #50500011, Licensee
Continued from February's Board Meet
Kim Tuyen Thi Nguyen and Andy Van Ngo were sworn in and stated that she has a reoccurring condition with the ingrown toenail and the polish was removed but the ingrown nail was not cut out. Investigator Linda Stroh testified this was an investigation that BarbaraAnn Morris conducted regarding the licensee clipping out an ingrown toenail, complainant provided photos, did not seek out medical attention. Investigator went to the salon on November 10, 2016, regarding the complaint and spoke to the owner Kim Tuyen Thi Nguyen who identified licensee Andy Van Ngo as the individual who performed the pedicure service however, was not at the salon that day. On this day the investigator did find towels that were not enclosed.
MOTION by Jessica Rainbow to move that for case no. 91231 all alleged violations cited in the Investigation Report have been shown except A.R.S. § 32-572 (A)(4) Incompetence/Malpractice . MOTION SECONDED by Melissa Porter. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(3) Infection Control/Safety Standards
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Jessica Rainbow to move that for case no. 91231 impose the following discipline to issue a Letter of Concern for towels not being enclosed. MOTION SECONDED by Charlie Phan. MOTION CARRIED.
6. 91291 Bidegains Beauty Bizzare #SCOS22363 10:00 a.m.
Monica C Bidegain #18501390, Owner
Continued from February's Board Meeting
NEGOTIATED \$500/ 6-MONTH PROBATION
7. 91305 Amazing Nails Spa LLC #SNT18354 10:00 a.m.
Amazing Nails Spa LLC, Owner
Hung T Pham #50400171, Member
Kristine Nguyen, Member
Continued from February's Board Meeting
NEGOTIATED \$500/PAID
8. 91309 The Lash Lounge #SAES19244 10:00 a.m.
The Lash Lounge LLC, Owner

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Zully Greer #30400689, Member/Manager

Trevan Harrison, Member

Continued from February's Board Meeting

Zully Greer was sworn in and stated there was only three cleaning items which have been moved, the wet disinfectant is now completely full, jars are labeled, wax pots all have covers and the establishment license has been renewed.

MOTION by Melissa Porter to move that for case no. 91309 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-551/A.A.C. R4-10-112 (A)(4)(a)(B)(C)(L)(1)(3)(4)(S)(5) Infection Control/Safety Standards

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

A.A.C. R4-10-111 (E) IFP Guidelines

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

STAFF REPORTED NO HISTORY

MOTION by Melissa Porter to move for case no. 91309 to impose the following discipline to issue a Letter of Concern for a delinquent establishment license and not following proper infection control/safety standards. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

- | | | | |
|-----|-------------|--|-------------------|
| 9. | 91378 | Kim T Vong #50401343, Owner
Continued from February's Board Meeting
NEGOTIATED \$500 | 10:00 a.m. |
| 10. | 91394 | Tin Hung Le #10000151, Owner
Continued from February's Board Meeting
No Show; to formal hearing | 10:00 a.m. |
| 11. | 90912 | Charles of Italy Beauty College #CSL27
Charles of Italy Beauty College of Massage Therapy LLC, Owner
Charles Bartolomeo #98200720, Co-Owner/Director
Lee Bartolomeo #98500009, Co-Owner/Director
Steve Colarusso #98600013, Instructor
See Step 3 F. on the agenda | 10:00 a.m. |
| 12. | 91166/91167 | Honey Go Nails by H & C LLC #'s SNT18371 & SAES19537
Honey Go Nails by H & C LLC, Owner
Hien Cao #11302122, Member
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 13. | 91169/91170 | Pro Ten Nails #'s SNT18443 & SAES19653
Thanh Tran #50800321, Owner
CONTINUANCE GRANTED | 10:00 a.m. |
| 14. | 91202 | For Nails Only #SNT17310
Lnn Inc., Owner
Thu M Nguyen #'s 59500445 & 3010111, Member
Khan Ly #'s 50022418 & 30500627, Member
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 15. | 91219 | Great Clips #1568 #SCOS24072
Southwest Styles Inc., Owner
John Trower, President
Leslie Trower, V-P | 10:00 a.m. |

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Melissa Jones #11301032, Manager
NEGOTIATED \$500/PAID

16. 91239 Chris L Mulder #10602087 **10:00 a.m.**
NEGOTIATED \$500/PAID
17. 91243 Blooming Nails LLC #SAES18740 **10:00 a.m.**
Blooming Nails LLC, Owner
Tung V #50601323, Member
La Vo, Member
NEGOTIATED \$250
18. 91273/91274 Jen's Nails #'s SNT18042 & SAES19013 **10:00 a.m.**
Bich Tuyen Tran, Owner
No Show; to formal hearing
19. 91304/91831 STV Nails & Spa #SNT18188 & SAES19247 **10:00 a.m.**
Duc Thai, Owner/Manager
"Jenny" Phoung Y Tran #50481018, Licensee/Manager
NEGOTIATED \$750/\$15 RESTITUTION/6-MONTH PROBATION
20. 91375 Rafaela Meda #10326853 (*Revoked*), Owner/Manager **10:00 a.m.**
See Step 3 F. on the agenda
21. 91400 Aileen Chu (Fung) #19601054, Owner/Manager **10:00 a.m.**
Aileen Chu Fung was sworn in and stated before I dissolved Facial Pro Inc. in 2012, I started Face & Body in 2011 so I was never without a license, and my mistake was I did not change it with the Board. Aileen Chu Fung stated she took care the license right away when Linda came in. Investigator Linda Stroh testified this was an office generated complaint, she had seen a sign "Face & Body" advertising Facials, Waxing & Face Peels, and determined there was no license issued for that name. Investigator searched the internet and found that Aileen Chu Fung doing facials, determined Aileen Chu Fung holds a cosmetology license, checked with the Arizona Corporation Commission and found a listing for Aileen Lai Wa Chu LLC listing Aileen Chu- Aileen Fung as manager/member. Investigator checked the name "Facial Pro Inc. with the Arizona Corporation Commission which lists Aileen Chu as owner/agent and was dissolved 10.31.12. On 1/5/17 Investigator went to Face and Body and spoke to Aileen Chu Fung and asked to see the salon license which indicated SAES16136 Facial Pro Inc., Investigator went over the complaint and explained to Aileen what she needed to do.
MOTION by Melissa Porter to move that for case no. 91400 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Thomas Rough.
MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
A.R.S. § 32-545 Ownership Change
A.R.S. § 32-543.1/A.A.C. R4-10-111 (C) Display of salon license
A.A.C. R4-10-111 (F) A salon shall prominently post a notice of salon services that are not regulated by the Board
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Melissa Porter to move that for case no. 91400 impose the following discipline Offer a Consent Agreement with the following new terms \$250.00 civil penalty and Board costs with six months to pay fine. MOTION SECONDED by Jessica Rainbow.
MOTION CARRIED.
22. 91404 Unix Nails & Spa #SNT18377 **10:00 a.m.**
Nhung Hong Do #'s 50500030 & 30500591, Owner

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- Hung Viet Vo #59700448, Licensee
NEGOTIATED \$500/\$25 RESTITUTION
23. 91410 Jolie's Nail & Spa #SNT17359 **10:00 a.m.**
Tuan C Pham, Owner
NEGOTIATED \$250/PAID
24. 91411 Jeanne L Stewart #59300529, Owner **10:00 a.m.**
NEGOTIATED \$500/6-MONTH PROBATION
25. 91418/91419 20 Lounge Scottsdale Quarter LLC #'s SNT17540 & SAES18250 **10:00 a.m.**
20 Lounge Scottsdale Quarter LLC, Owner
Valerie Griggs, CEO
Brittany Dominique Garza #51500418, Manager
No Show; to formal hearing
26. 91422 Carolynes Salon Complete #SCOS11383 **10:00 a.m.**
Carolynes Salon Complete Inc, Owner
Carole Rubin #39800025, President/Manager
NEGOTIATED \$250/PAID
27. 91423/91424 Allure Nails #'s SNT17195 & SAES17916 **10:00 a.m.**
R & R Nail Salon LLC, Owner
Roberta Eldred, Co-Member/Manager
Russ Seekatz, Co-Member
CONTINUANCE GRANTED
28. 91426 Linda Le #50501347, Co-Owner **10:00 a.m.**
NEGOTIATED \$500
29. 91429 Face Facts by Pamela Hardwick LLC #SAES17954 **10:00 a.m.**
Pamela Hardwick LLC, Owner
Pamela Hardwick #39816895, Member
CONTINUANCE GRANTED
30. 91441 Allure Permanent Cosmetics, Electrolysis & Skin Care #SAES10043 **10:00 a.m.**
Joseph Roe, Co-Owner
Debra Roe #30500264, Co-Owner
Brittany Roe #30500265, Licensee
NEGOTIATED \$500/6-MONTH PROBATION
31. 91444/91448 Nails Studio by T & T #'s SNT15455 & SAES15470 **10:00 a.m.**
Thao Thuy M Nguyen #'s 59713987 & 30400717, Member/Manager
NEGOTIATED \$750/6-MONTH PROBATION/1ST PAYMENT SUBMITTED
32. 91445/91446 Nail Gallery #'s SNT17501 & SAES18180 **10:00 a.m.**
Francine Ngoc Quynh Doan #'s 59700547 & 30500692, Owner/Manager
NEGOTIATED \$250/
33. 91451 XTYLO Beauty College LLC #CSL00183 **10:00 a.m.**
XTYLO Beauty College LLC, Owner
Maria Arroyo Mosqueda #11600684, Co-Member
Aaron Guiza, Co-Member
Senia Goytia #90900054, Director/Instructor in Charge
CONTINUED

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34. 91458 Noelle Davies #31200759 **10:00 a.m.**
CONTINUANCE GRANTED UNTIL MAY'S BOARD MEETING
35. 91459 Scottsdale Lavish Nails #SNT17663 **10:00 a.m.**
Chuong V Tran #50300045, Owner
Cynthia Brown, Manager
RE-NOTICE
36. 91460 Zolton's #SCOS12233 **10:00 a.m.**
Q Corp, Owner
Robert J Quinn #19301501, President
Meghan Good #10900346, Lead Stylist
NEGOTIATED \$250
37. 91467 Laila Elham #51600369, Licensee **10:00 a.m.**
NEGOTIATED \$50
38. 91472/91473 Geney T To #'s 51100401 & 31100422, Owner **10:00 a.m.**
NEGOTIATED \$500
39. 91475 Golden Razor #SCOS8029 **10:00 a.m.**
Harry Landos, Owner/Manager
NEGOTIATED \$250/PAID
40. 91476 Icon Hair Architexture #SCOS19370 **10:00 a.m.**
Gorgeous LLC, Owner
Radhika Lily #10600706, Co-Member
James Barucs, Co-Member
NEGOTIATED \$250
41. 91477 & Kelly's Nail Spa #SNT14795 **10:00 a.m.**
NEGOTIATED \$500
91734 Kelvin Ngo #50500110, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS
42. 91478 Hair 2000 Beauty Salon #SCOS9287 **10:00 a.m.**
Karen E Graham #18225236, Owner
NEGOTIATED \$250
43. 91479 Super Cuts #SCOS19046 **10:00 a.m.**
Terrace Management LLC, Owner
Mike Hanson, Member
Laura Ashley Bruck #11100982, Manager
NEGOTIATED \$250
44. 91485 Tony & Phuong Nails of the World Salon #SNT16403 **10:00 a.m.**
Tony and Phuong LLC, Owner
Tony Linh Chambers #50501194, President/Manager
NEGOTIATED \$250
45. 91486 New Romantic Nail & Spa #SNT15476 **10:00 a.m.**
Van Tuyet Huynh #'s 50500390 & 30500235, Co-Owner/Manager
Johnny Viet Tran #50500393, Co-Owner/Manager

NEGOTIATED \$250

46. 91491 Great Clips #SCOS17554 **10:00 a.m.**
Waddell Clips Inc., Owner
David E Oliverio, President
Danielle Biondo #19401295, Manager
Andrea DiMaio #11002989, Licensee
NEGOTIATED \$250 & \$11.00 RESTITUTION/PAID

47. 91492 Centre Pointe Nail & Spa #SNT17019 **10:00 a.m.**
Phong Nguyen, Owner
NEGOTIATED \$250/PAID

48. 91493 TT Nails Salon and Spa by SL, LLC #SCOS26045 **10:00 a.m.**
TT Nails Salon and Spa by SL, LLC, Owner
Thuy Tien Thi Tran #59716107, Member

Thuy Tien Thi Tran was sworn in and stated this was an employee that was fired for stealing money, we started receiving text messages from the individual, the report was made about no one having license, we had no one on our sign in sheet by the name of Maya and we don't reuse pumice blocks, we put our soiled blocks in the top draw and empty at the end of the day and store our clean blocks in the bottom draw. Investigator Linda Stroh testified that investigator Amber Moore attempted to contact complainant and was unable to make contact. On January 10, 2017, Investigator Amber Moore went to salon and spoke to owner Thuy Tien Thi Tran regarding the complaint who stated it was an employee, investigator found no unlicensed individuals however, investigator found three pedicure carts with used pumice blocks.

MOTION by Melissa Porter to move that for case no. 91493 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

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

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

STAFF REPORTED NO HISTORY

MOTION by Melissa Porter to move that for case no. 91493 impose the following discipline to issue a Letter of Concern not following proper health and safety regulations and recommend that Thuy Tien Thi Tran take the Infection Protection/Law Review class given by the Board. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

49. 91494 Nails by Design LLC #SNT18453 **10:00 a.m.**
Nails by Design LLC, Owner
Jeff A Elliott, Member
Kim Elliott, Member
NEGOTIATED \$250

50. 91495 Denise E Rogers #30023665, Owner/Manager **10:00 a.m.**
CONTINUANCE GRANTED

51. 91496/91497 Liz's Nail Spa #'s SNT16829 & SAES17220 **10:00 a.m.**
Phong Thanh Nguyen #51100106, Owner/Manager
NEGOTIATED \$250

52. 91501 Elegant Nails & Spa #SNT17298 **10:00 a.m.**
Tam Duc Nguyen #51100040, Owner
Thao Dhuong Le #51100342, Manager
NEGOTIATED \$250

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|-----|---|---|------------|
| 53. | 91527 | Nail Trix & Spa #SCOS25959
Dat Pham #50500442, Owner
CONTINUED | 10:00 a.m. |
| 54. | 91528 | Graciela G Acosta #10225150, Owner
NEGOTIATED \$500 | 10:00 a.m. |
| 55. | 91542 | Best Clips #SCOS21775
Enrique Salinas #19800136, Owner
CONTINUED – RETURN TO SENDER | 10:00 a.m. |
| 56. | 91625 &
91626 &
91627 &
91628 &
91629 &
91630 &
91787 | Chau Thi Land Pham #50600966, Licensee
NEGOTIATED \$50/PAID
Ngoc Tran #50400646, Licensee
NEGOTIATED \$50/PAID
Hao T Dinh #11601834, Licensee
NEGOTIATED \$50/PAID
Hong Tranh Nguyen #51300528, Licensee
NEGOTIATED \$50
Huong T Vuong #50300356, Licensee
NEGOTIATED \$50/PAID
Phong Thanh Pham #51000373, Licensee
NEGOTIATED \$50/PAID
Hoa Tran #50331038, Licensee
NEGOTIATED \$50/PAID | 10:00 a.m. |
| 57. | 91639 | Villeda Hair Styling LLC #SCOS25564
Villeda Hair Styling LLC, Owner
Maria Villeda Quiroz #11000065, Member
NEGOTIATED \$250 | 10:00 a.m. |
| 58. | 91732 | Hien Luong #10500144, Member/Manager
Seven's Nails & Spa LLC #'s SNT18573 & SAES19869
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 59. | 91733 | Calvin S Tran #50225694, Member/Manager
CL Nail Boutique LLC #SNT17384
NEGOTIATED TO ATTEND BOARD CLASS | 10:00 a.m. |
| 60. | 91778 | Daniel Nguyen, Owner/Manager
Prestige Nails & Spa of Scottsdale #SNT15742
NEGOTIATED TO ATTEND BOARD CLASS | 10:00 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. Denial Appeals

None

B. Motion to Deem Allegations Admitted

None

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

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

None

E. Appeal Board Orders

None

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

90912 Charles of Italy Beauty College #CSL27
Charles of Italy Beauty College of Massage Therapy LLC, Owner
Charles Bartolomeo #98200720, Co-Owner/Director
Lee Bartolomeo #98500009, Co-Owner/Director
Steve Colarusso #98600013, Instructor

Deputy Director Kim Scoplitte asked the Board Members if they would consider rescinding the previous consent agreement of \$250 civil penalty and Board costs and dismiss, the violation of this case was failing to submit student hours, after further investigation it was found that the student in question had already graduated.

MOTION by Karla Clodfelter for case no. 90912 to rescind previous consent agreement of \$250 civil penalty and Board costs and to dismiss due to student had graduated. MOTION SECONDED by Jessica Rainbow. MOTION CARRIED.

91375 Rafaela Meda #10326853 (Revoked), Owner/Manager

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Deputy Director Kim Scoplitte asked the Board Members if they would consider rescinding the previous consent agreement of \$1,000 civil penalty and Board costs and dismiss without prejudice, due to there is no license to discipline as licensees license has already been revoked.

MOTION by Melissa Porter for case no. 91375 to rescind previous consent agreement of \$1,000 civil penalty and Board costs and to dismiss without prejudice due to licensees license is already revoked. MOTION SECONDED by Charlie Phan. MOTION CARRIED.

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Melissa Porter to adjourn the meeting at 11:35 a.m. MOTION SECONDED by Jessica Rainbow. 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.