

ARIZONA STATE BOARD OF COSMETOLOGY TELEPHONIC–VIRTURAL BOARD
MEETING MINUTES
April 17, 2020 at 9:00 a.m.
1740 W Adams, Suite 4400, Boardroom A
Phoenix AZ 85007

CALL IN INFORMATION
DIAL 1-515-512-9881
ENTER PASSWORD 264989926#

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
Brandy B. Wells, Public Member
Jenna M Bentley, Public Member
Amber Cepkauskas, Cosmetologist
Vacant, Instructor
Vacant, Nail Technician

1. Call to Order

2. Pledge of Allegiance

3. Roll Call of Board Members

Gary Begley
Thomas Rough
Brandy Wells
Jenna Bentley
Amber Cepkauskas

Also in Attendance:

Kim Scoplitte, Executive Director
 Theresa Bunch, Deputy Director
 Kari Watkins, Administrative Services Officer I
 Irma Telles, Investigative Supervisor
 Rosa Rodriguez, Compliance
 Lisa Chavez, Investigator
 Elizabeth Huffman, Inspector
 Cathy Bergeron, Inspector
 Maria Pelliccio, 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 Regular Board Minutes of January 17, 2020.

MOTION by Thomas Rough to approve minutes as written. MOTION SECONDED by Jenna Bentley.

Gary Begley asked if there was any further discussion, hearing none.

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.

2. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of February 21, 2020.

MOTION by Thomas Rough to approve minutes as written. MOTION SECONDED by Jenna Bentley.

Gary Begley asked if there was any further discussion, hearing none.

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.

3. Discussion, Consideration and Possible Action on Approval of Telephonic Board Minutes of March 31, 2020.

MOTION by Thomas Rough to approve minutes as written. MOTION SECONDED by Jenna Bentley.

Gary Begley asked if there was any further discussion, hearing none.

Roll Call:

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

MOTION CARRIED.

4. Discussion, Consideration and Possible Action on Approval of Telephonic Board Minutes of April 6, 2020.

MOTION by Thomas Rough to approve minutes as written. MOTION SECONDED by Jenna Bentley.

Gary Begley asked if there was any further discussion, hearing none.

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.

5. Board Member Declaration of Conflict of Interest.

Amber Cepkauskas declared for case no. 95243 under Step 1. B and case nos. 95639 and 95671 under Step 1. C. of the agenda.

Gary Begley declared for case no. 95613 under Step 1. B. of the agenda.

6. Update Regarding Rule Exemption Request Pursuant to Executive Order 2020-02 for Omnibus Board Rule Package and Protection Consumers Against Fraudulent Activities.

Kim Scoplitte, Executive Director stated that we will be having a rules committee today and that she has been in contact with Trista Guzman from the Governor's Office. We have been trying to get the rules package approved since January, and have had several contacts with the Governor's Office and obviously we know that these are crazy times and it has been difficult to make contact. Kim Scoplitte did make contact with Trista Guzman early in April and spoke with her on April 13, 2020. Trista Guzman stated that she is almost done going through some of the concerns they had but will need to get back with Emily Rajakovick, the prior Director of Boards and Commissions as these were her questions and concerns and would need her approval. Therefore, we have been in contact with the Governor's Office and are hoping to hear something soon.

7. Update Regarding Executive Order 2020-17 Continuity of Work 1.e.

Theresa Bunch, Deputy Director stated that this basically covers the Provisional License and we have been working diligently with the agency GL provider to get this in place, we should have this up and running by next week.

Theresa Bunch stated that we have designed a Provisional license for the candidates and we have this all set up. Once we get the approval from GL we will be sending those licenses out to each approved candidate.

Theresa Bunch stated that we have been given clarification that the Provisional license will be valid for 6-months. If a candidate fails any portion of the examination the Provisional license will expire. Once the candidates pass both portions of the examinations the

provisional license will expire and an email will go out to the candidate and their first license will be mailed out to them.

Theresa Bunch stated that all of the information will be sent out to the schools.

Kim Scoplitte, Executive Director stated that Trista Guzman from the Governor's Office has worked very diligently with staff to get this changed and this will be very beneficial for the candidates and there will no fee that the candidates have to pay for the provisional license.

8. Discussion, Consideration and Reconsideration on March 31, 2020, Board Decision regarding Waiver of Personal and Salon Renewal Fees.

Kim Scoplitte, Executive Director stated that the information received from Brittany Dettler, Agency Budget Analyst, OSPB was after review of the agency provided spreadsheet Brittany Dettler reported back to staff on her analysis of waiving fees and stated that OSPB is fine with the Board implementing a 90-day fee waiver and to feel free to move forward.

Kim Scoplitte stated that the information received from Angela Dillard, Acting CFO of General Accounting Office was that the GAO is currently monitoring and is unsure of the economic impact of the COVID-19 for the State of Arizona. GAO will be reviewing any information the Department of Revenue is able to provide. Angela Dillard suggested that Agencies may want to project any financial impact of loss revenue.

Kim Scoplitte stated that staff also provided information from JLBC, specifically the April 2020 Revenue and Budget Update which indicated they are projecting a 1.1 billion shortfall by the end of FY 2021, which staff felt was important information. The update indicated approaches on how to deal with this issue, one being fund transfers which we understand as funds being transferred from state agencies in which the Board experienced in 2008 and 2009 of almost 5 million dollars swept from the cosmetology fund, also an agency budget reductions could take place.

Kim Scoplitte stated that the Board's appropriations were decreased \$104,200.00 from FY20 to FY21. Staff also provided Board members with a chart indicating possible loss revenue of 867, thousands of dollars regarding waiving fees.

Kim Scoplitte stated that staff contacted Trista Guzman from the Governor's Office regarding whether the Board had the authority to waive fees beyond the stated time of the Executive Order. Trista Guzman indicated per the Executive Order it is at the board's discretion to waive fees however only until the Executive Order is repealed.

Board staff contacted Trista Guzman regarding the deferral of renewal fees as another option. Trista Guzman indicated that the agency does not qualify for payment deferrals as licensees can renew their licenses online. Kim Scoplitte stated that there is no requirements to renew licenses i.e. the Board does not require continuing education to renew their license. Board staff understood that deferrals were not what the Board was looking at, staff looked into deferrals as another possible option only.

Kim Scoplitte stated that Board staff has worked diligently gathering information and researching and wanted to thank the staff who worked on this, Theresa Bunch, Kari Watkins and Irma Telles who have spent 2-weeks from April 6th thru April 16th gathering this information for the Board members to consider.

- Agency Budget Analyst
- General Accounting Office
- Governor’s Office
- Professional Credential Services (PCS)

Board members discussed, considered and the following motions were made.

MOTION by Jenna Bentley to rescind previous motion made on March 31, 2020, of temporarily suspending personal and salon license renewals from April 1, 2020 thru September 30, 2020, so that we can adopt an unedited motion immediately after.

MOTION SECONDED by Brandy Wells.

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.

MOTION by Jenna Bentley that pursuant to the Governor’s Executive Order the Cosmetology Board temporarily waive collection of personal and establishment salon renewal fees and initial occupational license fees from April 1, 2020, until the Executive Order is withdrawn or the end of the Arizona State of Emergency. MOTION SECONDED by Brandy Wells.

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.

Kim Scoplitte, Executive Director asked the Board for clarification purposes that we have discussed prior to this meeting that we are doing no back refunds.

Gary Begley, Chair stated yes it is too expensive.

Kari Watkins, Administrative Services Officer I, stated that all payments have been processed thru April 3rd so does staff have to good back and process refunds.

Gary Begley, Chair stated that we have look into doing refunds and the cost of creating refunds is almost as much as the money was to start with and will actually be double the cost to the agency. Gary Begley recommends based on a stop process and start from where staff is currently at. Gary Begley asked the Board members if they are ok with this. Board members indicated that they were good with this.

Kari Watkins requested that the Board to clarify whether any checks we have now we would void the check and mail them back. Board indicated yes.

9. Report and Discussion of Proposed 2020 Legislation relating to the Arizona State Board of Cosmetology.

- SB 1274 Professional Regulatory Boards; Composition
- HB 2175 Occupational Licensure, Certification; Requirements, Residents
- HB 2184 Out-of-State Applicants, Residents, Military Spouses, Licensure, Certification, Exceptions Notification
- HB 2288 State Licensing; Fee Waiver
- HB 2740 Barbering, Cosmetology. Massage Therapy; Consolidation
- HB 2809 Professional Licensure Fees, Waiver; Reduction

Kim Scoplitte, Executive Director stated that the legislators were not in session and was not sure at this time when they will return.

Board member Jenna Bentley stated that tentatively they are to return on May 4th.

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

There were no students were in attendance.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Agency Departments.
 - Financial Update
 - Personnel, Board Membership and Appointments Update
 - ❖ Introduction of New Board Inspector Cathy Bergeron
 - Licensing Update
 - Information Technology Update

Kim Scoplitte, Executive Director introduced to the Board members Cathy Bergeron the agency's new Inspector who has thirty five years of industry experience, unfortunately she has not been able to do any training in the field do to the current situation however Irma Telles, Investigative Supervisor has kept her busy training her on inspection summaries and

all of the in-house work she will be doing along with her job. Cathy is doing a great job, she is catching on quickly and we are excited to get field training started. We have enjoyed working with her in the office and hopefully soon she will be out in the field.

Board member Brandy Wells asked what are the inspectors doing at this time.

Kim Scoplitte, Executive Director stated that they are telecommuting, assisting staff throughout the agency with busy work that can't get done on a regular basis due to no time and lack of staff, the inspectors have been able to go into the data base and closeout salons that have been closed for some time and that has needed to be done and we have been able to take advantage of this opportunity to get a lot of this busy work done and keep the inspectors busy and this has worked out very well.

2. Report on Governor's Regulatory Review Council (GRRC) Regarding Update Five Year Rule Report.

Kim Scoplitte, Executive Director stated that on March 3, 2020, Theresa Bunch, Deputy Director and Irma Telles, Investigative Supervisor along with the Executive Director attended a meeting held by the Governor's Regulatory Review Council. This meeting was to discuss whether to request a Five Year Review report from the Board of Cosmetology outside of the five year review report process. The Board was scheduled for October of this year for its five year review report.

Kim Scoplitte, Executive Director stated that the Governor's Regulatory Review Council voted to request a Five Year Review Report to be due on July 31, 2020.

3. Report on Professional Credential Services (PCS) and National Interstate Council (NIC) on attending Practical Exam School Overview held on February 24, 2020, at the Double Tree Hilton Phoenix Chandler in Chandler, Arizona.

- February 25th & 26th, 2020, 2-day re-certification training for 2020 Examiner Trainer held at the Double Tree Hilton Phoenix Chandler in Chandler, Arizona

Theresa Bunch, Deputy Director stated that we had our school overview and had a large turnout and were very happy about that. On Monday we went over the examination and we also have a new exam that was to start on May 1st and we have pushed it back to September 1st due to COVID-19, this was an aesthetician exam that NIC revised. Another large change out on the NIC is the way they are going to administer the exam is not allowing any sprays used in the exam and will have to use wipes.

Theresa Bunch stated that on the next two days we had training sessions and herself along with Suzi Thomas have been recertified as a National Examiner.

4. Future Board Meeting Telephonic Format during COVID-19 Emergency.

Kim Scoplitte, Executive Director stated that due to COVID-19 the Board agenda's will be smaller than what the Board is generally accustomed to during this time as staff is limited and wanted to ask the Board members what your thoughts were about this.

Board members understood the current situation and had no issues with this.

5. Summary of Current Events that Affect the Arizona State Board of Cosmetology, A.R.S. § 38-431.02 (K).

This is the time for the Chair or Executive Director to give a brief summary on current events that affect the Board. It is informational only and no discussion may occur.

CONSENT AGENDA

The Consent Agenda items may be considered for approval as a single action unless a Board Member or any other interested party wishes to remove the item for discussion.

The Board may vote to go into Executive Session to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information, or testimony that is confidential by State or Federal law on all agenda items under Steps 1, 2 & 3 pursuant to A.R.S. §38-431.03 (A) (2).

STEP 1: COMPLAINT REVIEW

A. Recommended Application Denials A.R.S. § 32-572.

Investigative Supervisor Irma Telles asked the Board for case no. 96029 to deny or grant licensure upon acceptance of offered Consent Agreement for \$250.00 within 30 days due to working prior to licensure.

MOTION by Thomas Rough for case no. 96029 to deny or grant licensure upon acceptance of CA/\$250 within 30 days due to working prior to licensure. MOTION SECONDED by Amber Cepkauskas.

Gary Begley asked if there was any further discussion. Hearing none.

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.

96029

Michael Hanh Thanh Le, Nail Reciprocity Applicant
acceptance of CA/\$250 within 30 days; working prior to licensure)

(Deny or grant licensure upon

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

Investigative Supervisor Irma Telles asked the Board to accept staff recommendations for recommend Dismissals or take Non-Disciplinary Action except for case nos. 95243 and 95613.

MOTION by Thomas Rough to accept staff recommendations except for case nos. 95243 and 95613 listed below Step 1 B. MOTION SECONDED by Amber Cepkauskas.

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.

MOTION by Gary Begley to accept staff recommendations except for case no. 95613 listed below Step 1 B. MOTION SECONDED by Thomas Rough.

Roll Call:

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

MOTION CARRIED.

- | | | |
|-------|---|--|
| 93881 | Sweetcheeks Wax Parlor #SAES20756
Kelly Bo LLC, Owner | (No evidence found to support allegations) |
| 94500 | Kelly Bowen #39921287, Manager/Member
Aspire Body Contouring & Med Spa #SAES20549
Wendy Ann Weisflog, Owner | (Salon is no longer in operation) |
| 95243 | Great Clips #SCOS24262
Kula Inc., Owner | (Salon is closed) |
| 95390 | Mike Dicarlo, President
Style America #60046 #SCOS15060
Minnesota Regis Corporation, Owner | (Salon is closed) |
| 95613 | Paul Finkerstein, President
Imaj Institute School #ASL24
Phoenix Photonix Inc. | (No evidence found to support allegations) |

Gary Begley #31400143, President/C.E.O.
 Peggy "Margaret" Begley #'s 71200016 & 31000609, Secretary/Director

CONTINUE – LACK OF QUORUM

- 95684/95685 Kim Loan Thi Huynh #59700618 & 30100044 *(Salon is closed – ownership change)*
- 95862 Jill M Cole #11700175, Licensee *(Location is licensed #SCOS27691 "Super Sun Salon")*
- 95863/95864 Cuccio Nail Spa #'s SNT18645 & SAES19984 *(No evidence found to support allegations)*
 Cuccio Nail Spa LLC, Owner
 Son Tang, Member
- 95885 Don Villa Beauty #CSL209 *(No evidence found to support allegations)*
 Don Villa Beauty School LLC, Owner
 Donny D. Pham, Member
 Barbara Sanchez #91200005, Instructor
 Maria Campos #90118572, Instructor
- 95895 Define Permanent Makeup Academy & Studio #SAES20675 *(No evidence found to support allegations)*
 Define Permanent Makeup Academy & Studio LLC, Owner
 Jennifer Van Kirk, Member

**C. Recommended Non-Disciplinary Letter of Concern A.R.S. § 32-573 (B)(2).
 Investigative Supervisor Irma Telles asked the Board to accept staff
 recommendations for all cases for Letter of Concern or take Non-Disciplinary Action
 except for case nos. 95639 and 95671.**

**MOTION by Thomas Rough to accept staff recommendations for all those listed
 below Step 1 C. except for case nos. 95639 and 95671. MOTION SECONDED by Brandy
 Wells.**

Roll Call:

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

MOTION CARRIED.

- 95324 La Lune Salon #SCOS25887 *(Inactive establishment license)*
 Taryn Gibson #11300586, Owner
- 95348 Jennifer Lai Sau Yi #10000007, Owner *(Found operating in an unlicensed establishment)*
- 95353 Karine @L'image LLC #SCOS24550 *(Inactive establishment license)*
 Karine @L'Image LLC, Owner
 Karine Elias #10400851, Member
- 95354 Tease Salon #SCOS28881 *(Inactive personal license)*
 Chelsea Walden #11401494, Owner
- 95432 Suite 6 Beauty Bar #SCOS25205 *(Required display of license)*
 Suite 6 Beauty Bar LLC, Owner
 Angelica Jimenez, Member
 Bernadette Paulino, Member
- 95433 Healthy Nails & Spa #SNT18812 *(Inactive personal license)*
 Phuong T Luu #50800247 & 30800334, Owner
- 95442 Vion Vinez Eubanks #11400273, Owner *(Found operating an unlicensed establishment)*
- 95444 The Salon on Broadway #SCOS20681 *(Inactive establishment license)*

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	Broadway Proper Retirement Community I LP, Co-Owner Broadway Proper GP Inc., Co-Owner Charles S. Lythe, Officer Karen E. Lythe, Officer	
95445	Images Salon Spa #SCOS25151 CNJR Enterprises, Owner	<i>(Inactive personal license)</i>
	Castiel Jaxx #10225325, President Naomi Rivas #10224168, Vice-President Albert Rivas, Secretary/Treasurer	
95447	Hair By MSMO #SCOS21905	<i>(Inactive establishment license)</i>
	Martha C. Santa Maria #16405900, Owner	
95448	Glam Lash & Beauty #SCOS28261 Glam Lash & Beauty LLC, Owner	<i>(Inactive establishment license)</i>
	Hillary Hicks #11600371, Manager	
95458	Root of All Beauty #SCOS24857	<i>(Inactive establishment license)</i>
	Rebecca Jimenez #10224419, Owner	
95477	KS Hair #SCOS27178 KS Hair LLC, Owner	<i>(Did not notify Board of suite change)</i>
	Maureen K. Sepulveda #11500227, Manager	
95490	La La Lash Couture Boutique #SAES19909 La La Lash Couture Boutique LLC, Owner	<i>(No tuberculocidal and display of personal license)</i>
	Tina Adams, Member	
95498	Great Waves Salon #SCOS23605 TM & HM LLC, Owner	<i>(Inactive establishment license)</i>
	Teresa Monteverde, President Humberto Monteverde, Vice-President	
	Rugina Monteverde #19700399, Manager	
95500	Apollo Hair Systems #SCOS29269	<i>(Advertising differently than salon name)</i>
	Susan Cutlip #11701009, Owner	
95501	Classy Nails by Le #SAES12786 Quan Le, Owner	<i>(Inactive establishment license)</i>
95502	Nina's Salon #SCOS22676	<i>(Inactive establishment license)</i>
	Tenishea K. Portela-Congress #10020655, Owner	
95504	Shear Envy Salon #SCOS20795	<i>(Inactive personal license)</i>
	Joan & Jeffrey Wright Corporation, Owner	
95530	Cost Cutters #62007 #SCOS13166 Minnesota Regis Corporation, Owner	<i>(Required display of license)</i>
	Paul Finkerstein, President	
95531	Studio 110 #SCOS24544 Studio 110 LLC, Owner	<i>(Inactive personal license)</i>
	Vanessa Luna Baird #10901816, Member Sean Baird, Member	
95532	Immortelle #SAES16130 Immortelle Inc., Owner	<i>(Inactive establishment license)</i>
	Laura Ott, President	
95533	MidValley Salon #SCOS22099	<i>(Inactive establishment license)</i>
	Carolyn A. Le Cocq, Owner	
95534	Canvas Beauty Studio #SCOS29208 Ivette Medina #11202100, Owner	<i>(Required display of outside sign)</i>
95543/95544	Tam's Nails Spa #'s SAES20493 & SNT18926 Mai Phan Salon LLC, Owner	<i>(Advertising different salon name & inactive personal licenses)</i>
	Hung Phan, Manager	
	Mai Vy #'s 50400553 & 30400314, Manager	
95545	Life Care Center of Sierra Vista #SCOS3371 Life Care Center of Sierra Vista, Owner	<i>(Inactive establishment license)</i>

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95548	Tannia Flory #11101623, Owner/Manager	<i>(Found operating an unlicensed establishment)</i>
95549	Lindsey Nicole Gramann #11201820, Owner	<i>(Found operating an unlicensed establishment)</i>
95555	Crowns Hair Salon #SCOS27677 Crowns Hair Salon LLC, Owner	<i>(Inactive establishment license)</i>
95563	Sarah M. Sheffield #11200863, Manager Results at Salon Studios #SCOS23234	<i>(Inactive establishment license)</i>
95564	Tonka Quni #10800031, Owner In Style Salon #SCOS22893	<i>(Inactive establishment license)</i>
95637	Linda Wojciechowski #19200558, Owner 20 Volume Salon & Spa #SCOS22356 20 Volume Salon LLC, Owner	<i>(Inactive personal license)</i>
95639	Stacey Harris, Member Helena Sorum, Director Great Clips Kula #SCOS26129 Kula Inc., Owner	<i>(Inactive establishment license and display of personal license required)</i>
95641 & 95642	Michael Dicarolo, Member Erica Felker #10801690, Licensee Garrett S. Dunton #11300741, Licensee	<i>(Found operating an unlicensed establishment)</i>
95652/95653	Tipsy Nails #'s SNT19101 & SAES20794 LY Enterprise LLC, Owner	<i>(Inactive establishment license)</i>
95654	Dien Ly #51200454, Member Thanh Lan Nguyen, Member The Nail Lounge of Tucson By Heather #SNT19407 Heather Ngoc Thi Do #50401229, Owner	<i>(Advertising differently than salon)</i>
95655/95656	Royal Nail and Spa #'s SNT19378 & SAES21388 Royal Nail and Spa INC, Owner	<i>(Advertising differently than salon)</i>
95661/95662	Diana Dang #'s 59900075 & 30300103, Director/President Pink and White Nails and Spa #'s SNT18890 & SAES20407	<i>(Advertising differently than salon)</i>
95667/95668	BHN Nails Spa Inc., Owner Bang Hai Nguen, Director Nail Trix 2 #'s SNT15049 & SAES15027 Thien An LLC, Owner	<i>(Advertising differently than salon)</i>
95671	Chinh Quoc Tran, Member Lan Tran, Member Great Clips #SCOS9637 Tucson Great Clips LLC	<i>(Establishment display)</i>
95672	Edward Meumayr, Chief Executive Officer Willaim Goodheart, Chief Financial Office Smart Style 471 #SCOS13220 Minnesota Regis Corp	<i>(Inactive personal license)</i>
95675	Abstrax #SCOS2925 DJ Specialites, Owner	<i>(Inactive personal license)</i>
95676	Kimberly Kuhlemer Nagulge #17920854, President Sweet Cheeks Wax Parlor # SAES20756 Kelly Bo LLC, Owner	<i>(Inactive establishment license)</i>
95677	Kelly Bowen #39921287, Manager Gelish Nail Salon #SNT19287 Gelish Nail Salon LLC	<i>(Inactive personal license)</i>
95678	Hung T Huynh #50501048, Member Han Jay Huynh, Member The Final Cut LLC #SCOS26814 The Final Cut LLC, Owner	<i>(Advertising differently than salon)</i>
95686	Gene Mapanoo, Member Studio 2000 Hair Nails Trejo LLC #SCOS24995 Studio 2000 Hair Nails Trejo LLC, Owner	<i>(Advertising differently than salon name)</i>

95866/95525 Ubaldina R. Trejo, Member
MP Paulene's Nails Inc., #SNT19137 & SAES20855 (Inactive personal license, display of
MP Paulene's Nails Inc., Owner licenses & admission to not disinfecting or disposing of
Micheal Lee Pitkin, Director Nailbrush that dropped on floor during service)

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS A.R+.S. § 32-573 (C) (D).

Irma Telles, Investigative Supervisor stated that under Step 2. A. with Negotiation Options all cases 1-17 have negotiated in lieu of Formal Hearing.

A. With Negotiation Options

1. 95920 T & Y Nails Spa Inc. #SNT16585 9:45 a.m.
T & Y Nails Spa Inc., Owner
David Nguyen, Director
Continued from February Board Meeting
NEGOTIATED \$350/PAID
2. 94929/94930 Award Nails & Spa #'s SNT17766 & SAES18588 9:45 a.m.
Award Nails & Spa TL Corp, Owner
Thanh Le, Director
NEGOTIATED \$250/PAID
3. 95014 Platinum Nails & Spa #SNT18271 9:45 a.m.
Thanh Tat #50200070, Owner
NEGOTIATED \$250/PAID
4. 95042 Floyds 99 Barbershop #SCOS6200 9:45 a.m.
Floyds 99 Arizona LLC, Owner
Paul O'Brien, Member
William O'Brien, Member
Robert O'Brien, Member
NEGOTIATED \$250/PAID
5. 95142 D & T L'Posh Nails LLC #SNT18395 9:45 a.m.
D & T L'Posh Nails LLC, Owner
Michelle Tran, Member
Steven Dang, Member
NEGOTIATED \$500/PAID
6. 95167 Fresh Hair Salon #SCOS16745 9:45 a.m.
Renee Belvich, Owner
NEGOTIATED \$250/PAID
7. 95169 Mi Dama Beauty #SCOS23760 9:45 a.m.
Evelyna LLC, Owner
Evelyn S Aguilar #10800616, Member
Lucia Acosta #11500937, Licensee
Marina Montijor #11001404, Licensee
NEGOTIATED \$500/PAID

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8. 95175/95176 Model Nails by Dung Tran #'s SNT18827 & SAES20333
Mary Tran #'s 51000485 & 31300376, Owner
NEGOTIATED \$500/PAID 9:45 a.m.
9. 95180 Supercuts #81404 #SCOS25313
JW Management Group Inc., Owner
Jared B Hepworth, Director
Wendy A Hepworth, Director
NEGOTIATED \$250/PAID 9:45 a.m.
10. 95183 Talk of the Town Beauty Salon #SCOS19308
Salon of Beauty Inc., Owner
Socorro M Velasco #18123703, President
Timothy J Bunch, V-President
NEGOTIATED \$250/PAID 9:45 a.m.
11. 95204 NC Hair Salon #SCOS29166
NC Hair Salon LLC, Owner
Jose Abraham Cedeno, Member
Nataly Valdez #11300316, Member
NEGOTIATED \$250/1ST Payment of \$50 9:45 a.m.
12. 95205 Blush Hair & Makeup #SCOS25575
Kathy Dow #18326708, Co-Owner
Elizabeth Crawford #10401715, Co-Owner
NEGOTIATED \$250 9:45 a.m.
13. 95936 Orchid Nails and Spa #SNT18356
Doan H Nguyen #51405116, Owner
NEGOTIATED \$250/PAID 9:45 a.m.
14. 95956/95957 Nails Unlimited #'s SNT18529 & SAES9802
Thao Mai Do #51600591, Owner
NEGOTIATED \$400/6-MONTH PROBATION/1ST PAYMENT \$100 9:45 a.m.
15. 95959 Rubies Nails and Spa LLC #SNT18852
Rubies Nails and Spa LLC, Owner
David Nguyen, Manager
NEGOTIATED \$250/PAID 9:45 a.m.
16. 96001/96006 Thanh Huong Le Nguyen #'s 50700990 & 31300264, Licensee
NEGOTIATED \$750 9:45 a.m.
17. 96010/96011 Van Thi Huynh #51600525, Member
NEGOTIATED \$350/PAID 9:45 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).

93686 Beauty Brands LLC #SCOS24283 9:15 a.m.
 Beauty Brands LLC, Owner
 Rich Bos. Member/Manager
 Charolotte Kerner, Member/Manager
 Bambie Saldana, Assistant Manager

Assistant Attorney General, Mona Baskin, appeared representing the State in this matter. Licensee is not present.

Assistant Attorney General, Mona Baskin stated that the agency mailed out a Compliant and Notice of Hearing to the last two addresses on file with the Board on October 2, 2019, by certified mail and first class mail and the certified mail was signed for at one address and the regular mail was not returned. Therefore indicating that the complaint was received and the licensee had actual notice of the complaint. To date the Board has not received any communication from the respondent and in fact the license has not been renewed for a year. Based on the sanitation violations found at the time of the inspection the Board does has the authority to impose disciplinary sanctions on licenses that are now longer active.

Therefore the state requests that the Board would grant the Motion to Deem the Allegations Admitted, adopt findings of facts and conclusion of law and the state would ask that the license be revoked and no further monetary sanctions be imposed.

MOTION by Thomas Rough to grant MOTION TO DEEM ALLEGATIONS ADMITTED and to adopt the factual allegations in the Complaint and Notice of Hearing as Findings of Fact and the alleged violations in the Complaint and Notice of Hearing as Conclusions of Law. MOTION SECONDED by Amber Cepkauskas.

Roll Call:

Vote	Mr. Begley	Mr. Rough	Ms. Wells	Ms. Bentley	Ms. Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

MOTION by Thomas Rough for case no. 94566 to accept the signed consent agreement for voluntary revocation of salon license SCOS25501. MOTION SECONDED by Brandy Wells

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.

D. Review, Discussion and Possible Action on Request for Reinstatement of License.

None

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

None

F. 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

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

Irma Telles, Investigative Supervisor stated that the license’s probation ended on March 31, 2020. He was ordered to provide to the Board with written proof of his successful completion of probation in the state of Pennsylvania prior to the Board’s consideration of terminating the order of probation. Licensee is unable to retrieve website proof of completion from Pennsylvania website due to the COVID-19.

Irma Telles, Investigative Supervisor asked the Board if they would consider extending licensee’s probation period until July1st.

MOTION by Brandy Wells for case no. 95416 to extend licensee probation to July 1, 2020. MOTION SECONDED by Jenna Bentley

ROLL CALL

Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x

Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

95416

Robert E Labarre #11901079

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

None

I. Review, Discussion and Possible Action on Board Ordered 1-year Probation beginning June 4, 2019 and ending June 4, 2020 with Terms to include Random Monthly Inspections.

Irma Telles, Investigative Supervisor stated that there is no information to report at this time.

93855 & 93876

Don Villa Beauty School #CSL00209
 Don Villa Beauty School, LLC, Owner
 Donny D. Pham, Member

J. Report, Discussion and Possible Action and Denial on the Matter of Application for Reactivating an Inactive License Pursuant to A.R.S. § 32-518 (C) and A.A.C. R4-10-110 (C) or in the Alternative Grant a Provisional License Pursuant to Executive Order 2020-17 Continuity of Work 1.e.

Kristen McArthur, License No. 10120763

Kim Scoplitte, Executive Director stated that she did speak with Kristen McArthur on several occasions and she was a pleasure speaking to. Kristen explain her situation with her license being inactive since 2014, I went over the current law and rules regarding an inactive license and explained that at this time she would be required to take the exam. I did discuss with Kristen that we are currently working on rules regarding this issue but they have not been approved yet and still going through the process and at this time she would currently be required to take the exam. Kristen stated that she understood that, it would not be her preference but if she had to she would. Kristen has completed the Infection Protection/Law Review class and paid her back fees. Kristen has also sent in her exam application so she has complied with all of the requirements. I asked Kristen if she would write a letter to the Board regarding her situation as this is our normal process as Kristen does not have a case against her personal license and that this is part of our process. Kristen did send in an email which I accepted, it is normally a written letter to the Board however Kristen did follow up with a letter to the Board. We have remained in contact throughout this time and I believe Kristen is here which was her objective was to be able to speak to the Board members.

Kim Scoplitte stated that Kristen currently does not qualify without taking the exam however she could qualify for the provisional license and at this point I will turn this over to the Chair.

Gary Begley, Chair stated that she does qualify for the provisional license which is in place to make that happen. (1) She is trying to comply. (2) She will get a provisional license and (3) Does she have to go through the circumstances of having to re-test or do we move her forward into a license.

Board member Jenna Bentley stated it was her preference to allow her to get her full occupational license.

Kristen McArthur stated that she was thankful that the Board is hearing her case. Kristen stated that she has been keeping her skill cutting hair while incarcerated and did staff barbering and she believes that this would eliminate the criteria for the 5-years. Kristen stated she was unable physically or financially able to renew her license fees. To renew my license, it was hard for me to come up with the back fees but it is a financial hardship to have to re-take the exams. Kristen stated that she loves doing hair and just wants to get back to work.

Board members discussed as to what discretion the Board has regarding rules.

Mona Baskin, Assistant Attorney General, stated that the Board is required to apply the law as it is presently written. The Board cannot apply a draft rule that has not gone through the rule making process and been official approved. The current Board licensing requirements regarding reactivation of an inactive license are set forth in A.A.C. R4-10-110. The Applicant is required to meet the specific requirements for licensure under A.A.C. R4-10-110 (C).

Ms. Baskin distinguished the difference between the Board's authority with respect to licensure decisions versus complaint/inspection adjudication. Should the applicant submit a completed application for reactivation of her inactive license, the Board could consider issuing a provisional license based on Executive Order 2020-17, Continuity of Work.

Gary Begley, Chair stated that we are in a rule change that would have eliminated this all together.

Kim Scoplitte stated that Kristen would have to schedule her exam which would be 177.00 dollars and that is an issue and we are unable to waive the fee as the exam provider is a third party.

Gary Begley, Chair stated that Kristen could contact the exam providers to see if they would be able to waive the fee.

Theresa Bunch stated that the exam providers are accepting exam application as it is done online and as soon as they re-open they will be scheduling these candidates out.

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

Irma Telles, Investigative Supervisor stated that the three cases involve Non-Compliance with consent agreements which licensees have not paid in full a civil penalty within a deadline of the consent agreement. Board staff has made repeated efforts to contact the licensees and there has been no communication from the licensees. The Board may consider moving these cases to a Formal Hearing for non-compliance or refer them to the Attorney General's Office for collection of the civil penalty

MOTION by Gary Begley for case nos. 92978, 94918/95224 & 95224/95427 & 95554/95492/95690 and 94097 & 95177 to move to a Formal Hearing due to lack of compliance. MOTION SECONDED by Jenna Bentley

Roll Call

**ARIZONA STATE BOARD OF COSMETOLOGY
 APRIL 17, 2020, TELEPHONIC BOARD MEETING
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Vote	Gary Begley	Thomas Rough	Brandy Wells	Jenna Bentley	Amber Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

92978 Generaciones Beauty Salon #SCOS25908
 Generaciones Beauty Salon LLC, Owner
 Yuriana Ramirez Castor, Member

94918/95224 & Beauty Nation Academy #CSL00214
 95224/95427 & Beauty Nation Academy LLC, Owner
 95554/95492/95690 Yuriana Ramirez Castor, Member

94097 & Royal Hair Designs and Beauty Supplies #SCOS24815
 95177 Rebecca Tiah #11200179, Owner

ADJOURNMENT

MOTION by Thomas Rough to adjourn the meeting at 11:35 a.m. MOTION SECONDED by Amber Cepkauskas.

Roll Call:

Vote	Mr. Begley	Mr. Rough	Ms. Wells	Ms. Bentley	Ms. Cepkauskas
Aye	x	x	x	x	x
Nay					
Recused					
Abstained					
Absent					

MOTION CARRIED.

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