



Arizona State
Board of Cosmetology

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ARIZONA STATE BOARD OF COSMETOLOGY MEETING MINUTES
May 20, 2016, 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 ~~an~~ 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
Tammy L. Acton
Melissa C. Porter
Martha P. Ramsey
Charlie C. Phan

BOARD BUSINESS

1. Discussion, Consideration and Possible Action on Approval of Regular Board Minutes of April 15, 2016.

MOTION by Karla Clodfelter to approve minutes as written. MOTION
SECONDED by Melissa Porter. MOTION CARRIED.

2. Discussion, Consideration and Possible Action on Approval of Executive Session Minutes of April 15, 2016.

MOTION by Karla Clodfelter to approve minutes as written pending adding the end time of the second executive session. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

3. Declaration of Conflict of Interest.

Martha Ramsey declared for 90297 no. 9 under Step 2. B. of the Agenda.

4. Discussion, Consideration & Possible Action on Proposed Rulemaking Administering Licensing Exam in Languages in Addition to English.

- A.A.C. R4-10-108 (P) Licensing Examinations
- Opening Rule Docket

MOTION by Karla Clodfelter to open the Docket for Rulemaking on A.A.C. R4-108 (P) Licensing Examinations in languages in addition to English. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

5. Report and Discussion on Rules Committee Meeting Held on April 27, 2016.

Martha Ramsey stated that the Rules Committee worked on Article I. updating language to be current and consistent with statutes.

6. Discussion, Consideration and Possible Action on Proposed Legislation for 2016 Legislative Session.

Board Proposed Legislation HB2035:

***Board Membership A.R.S. §32-502 and Proposing Legislative Change**

- Removing Public Educator Member and Adding Second Public Member

***Age Limit for Proof of Education Requirement**

- A.R.S. §32-510 Aesthetician; Applications; Qualifications
- A.R.S. §32-511 Cosmetologist; Applications; Qualifications
- A.R.S. §32-512 Nail Technician; Applications; Qualifications
- A.R.S. §32-531 Instructor; Applications; Qualifications and A.R.S. § 32-532 Instructor Reciprocity
- A.A.C. R4-10-204 (C) (3) (c) Proof of Education Requirement
- A.A.C. R4-10-101 (14) Definition of %High School Equivalency+

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

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

Jessica Rainbow stated that our HB 2035: was signed by the Governor on May 17, 2016, and it will be effective on August 6, 2016.

7. Cosmetology Students on Field Trip.
 - Questions and answers regarding Board authority and process

Students from Aveda Institute and Jj Beauty Institute were in Attendance.

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 23, 2016, at Embassy Suites Phoenix-Scottsdale.

Deputy Director Kim Scoplitte stated on behalf of the Executive Director Donna Aune to remind all of the Board Members that the School Overview is to be held this Monday May 23rd, at the Embassy Suites in Phoenix, all Board Members are welcome to attend and a Courtesy Notice has been posted on the Board's website as well as in the Board's office lobby.

3. Summary of Current Events.

See above.

CONSENT AGENDA

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

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

STEP 1: COMPLAINT REVIEW

A. Recommend Application Denials

90566 Trinh Thi Tuyet Nguyen (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)

90587 Bao Duy Nguyen (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)

90589 Stephanie Ilia Perez (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)

**MOTION by Karla Clodfelter to deny and accept with negotiation terms.
MOTION SECONDED by Tammy Acton. MOTION CARRIED.**

B. Recommend Dismissals

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

90232	Susy Nails, Unlicensed	<i>(Insufficient evidence to support allegations)</i>
90298 &	Kathy L Imes #50125305	<i>(Not affiliated with Kathy Lashes LLC)</i>
90552	Kathy Lashes LLC., Unlicensed	<i>(Refer to proper authorities)</i>
90308	Mary Lynn Massage & Day Spa #SAES18697	<i>(Found no evidence to support allegations)</i>
	Mary Lynn Rana #30700273, Owner	
90342 &	Johnathan Clarke #11200574	<i>(Said location is licensed SCOS24148)</i>
90395	Anthony M Starks #19401040	
90351	Top 4 Nails #SNT15527	<i>(Found no evidence to support allegations)</i>
	Mong Hoang Thi Le, Owner, # 50700290 & 30700254	
90357	Prestige Nails & Spa #2512 #SNT17266	<i>(Found no evidence to support allegations)</i>
	Prestige Nails & Spa #2512 LLC, Owner	
	Derek Tien Ho, Member	
	Phuong Anh Thi Vo, Member	
	Harry Le #51500456, Licensee	
90380	Magdalena Podlesiecki, Unlicensed	<i>(Found no evidence to support allegations)</i>
90385	Shampoo Ink #SCOS19918	<i>(Found no evidence to support allegations)</i>
	Shampoo Ink LLC, Owner	
	Abel Escoto #10600906, Member/Manager	
90404	Mary Lynn Massage & Day Spa #SAES18697	<i>(Found no evidence to support allegations)</i>
	Mary Lynn Rana #30700273, Owner	
90423	Jodi Andondie #11300678, Licensee	<i>(Found no evidence to support allegations)</i>
90429	True Nails #SNT6755	<i>(Salon in Compliance)</i>
	Ho V Duong, Owner, #59700018	
90432	CAVIT Academy of Cosmetology #CSL143	<i>(No violations found – Change resulted in SB1525)</i>
	Cavit Academy of Cosmetology/Central AZ Valley Institute of Technology, Owner	
	Elizabeth Anna Turner #90330925, Director/Instructor	
	Mike Glover, Superintendent	
90433	Dolce Salon & Spa #SCOS12122	<i>(Client satisfaction)</i>
	SQ Salon LLC, Owner	
	Brandi Nuttall #19916150, Member	
	Sarah Combs, Manager	
	Leslie Renew Leach #11200724, Licensee	
90436	A & K Nails #SAES15781	<i>(Compliance with posting of signs)</i>
	Nhu Mai Thi Tran # 30500349 & 50329004, Co-Owner	
	Mai Trin Tan # 31100028 & 5033155, Co-Owner	
90453	International Academy of Hair Design, #CSL00193	<i>(Insufficient evidence)</i>
	Olympus Inc., Owner	
	Gerald D Johnson, President, # 97800591 & 16405787	
	Mario Montoya, Director, # 90500073 & 10122646	
	Rachel	
90457	Cost Cutters #SCOS17258	<i>(Found no evidence to support allegations)</i>
	Minnesota Regis Corp., Owner	
	Paul Finkelstein, President	

C. Recommend Letter of Concern

See above motion.

- 90323/90324 New World Nails & Spa #SNT15750 & SAES15826 *(Display of personal license)*
New World Nails & Spa LLC, Owner
Duc Quang Huynh #59716321, Owner
Linda Le #50501347, Licensee
- 90392 Great Clips #SCOS7035 *(Faulty Faucet)*
Hand Shear Magic Inc., Owner
Tammy Wilson, Manager
Magaly Orozco Grand Granados #10601365, Assistant Manager
- 90446 Cristy Nails #SNT17921 *(Display of exterior sign)*
Lenin Gonzalez, Owner
Christina Yanez Zavala #51300640, Licensee
- 90495 Prestige Nails & Spa LLC #SNT17966 *(Personal license display)*
Prestige Nails & Spa LLC, Owner
Tan Van Huynh #10602306, Member
Thu Nguyen, Member
Cong Q Nguyen #50601089, Manager
- 90522 Hair by Sara @ Blossom Spa #SCOS23934 *(Delinquent personal license)*
Sara L Scott Jones #19100386, Owner/Manager
- 90523 Taglio Salon #SCOS14710 *(Delinquent establishment license)*
RC Salon Systems Ltd, Owner
Thomas E Rough #19501024, President/Manager
- 90529/90530 Seacret Nail & Spa LLC #SNT18222 & SAES19308 *(Advertising differently)*
Seacret Nail & Spa LLC, Owner
Timothy C Newman, Member
Julie Newman #10401276, Member/Manager
- 90531 Regency Beauty Institute #CSL116 *(School using outdated itemized kit list – did not correspond w/ current contracts)*
Regency Corp, Owner
Joseph Gaylord, President/CEO
J. Hayes Batson, Director
Carrie Sue Armstrong #91300046, Instructor in Charge
- 90532 Regency Beauty Institute #CSL115 *(School using outdated itemized kit list – did not correspond w/ current contracts)*
Regency Corp, Owner
Joseph Gaylord, President/CEO
J. Hayes Batson, Director
Jecika D Kellogg #91300020, Instructor in Charge
- 90534 Lorayne Beauty Salon #SCOS24353 *(Delinquent personal license)*
Lorena Lopez, Owner
- 90543 Pro Nails by Vy #SNT17003 *(Wet disinfectant not large enough for complete tool immersion)*
Pro Nails by Vy LLC, Owner
Dinh Vy N Tran #50500524 & 30800895, Member/Manager

D. Recommend Informal Interview or Negotiation Terms

MOTION by Tammy Acton to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

1. 90189 Deluxe Nails & Spa #SNT14447
Trisha Le #50400377, Owner

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2. 90219 Offer a consent agreement to assess \$750.00 civil penalty, \$27.00 restitution and Board costs, see motion above.
Supercuts Salon #SCOS22736
Supercuts Corporate Shop Inc., Owner
Sara Johnson #11302068, Manager
Oceana Begay #11402356, Licensee
3. 90299 Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
Natasha Boyd #31501049
4. 90332 Issue a Letter of Concern for attempt to practice, see motion above.
Floyd #99 Arizona LLC #SCOS25425
Floyd #99 Arizona LLC., Owner
Paul O'Brien, Manager of LLC
Robert O'Brien, Manager of LLC
Sidney Mobley #11202211, Licensee
5. 90354 Issue a Letter of Concern for advertising issues and improper blood spill procedure, see motion above.
Creativtouch Nails & Spa SNT17978
My Thi Tran #51100622 & 31200651, Owner
6. 90396 Offer a consent agreement to assess \$250.00 civil penalty, \$25.00 restitution and Board costs, see motion above.
T Nail #SNT18149
Hong Thanh Nguyen #51300528, Owner/Licensee
Tan V Tram #50600704, Manager
7. 90403 Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
Total E Clips Salon SCOS22718
Melissa Gallozzi #10121637, Owner
8. 90412 Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
Life Spa & Life Time Fitness #SCOS22135
Lifetime Fitness Inc, Owner
Bahram Akradi, President/CEO
Eric Buss, Vice-President
Cheryl Gordon, Manager
9. 90417 Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
Sun Nails & Spa #SNT17793
Hong Van Che #50401275, Owner/Manager
Ann+Dung N Thi Ky #5020002, Licensee
10. 90419/90420 Offer a consent agreement to assess \$250.00 civil penalty, \$45.00 restitution and Board costs, see motion above.
Top Spa Nails #SNT16975 & SAES17408
Top Spa Nails LLC, Owner
Kim Thoa Thi Tahi #50600356 & 30700065, Member
Tony+Tuan Au #50600357, Licensee
11. 90435 Offer a consent agreement to assess \$250.00 civil penalty, \$12.00 restitution and Board costs, see motion above.
Great Clips #9522 #SCOS17631
Bell Hair Inc., Owner
Paul Neumayr, President
Renee Foshee #1901271, General Manager
Guadalupe Favela #10701613, Manager
Sandra R Martin #10701103, Assistant Manager

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
12. 90440 Pretty Nails & Spa LLC #SAES18570
Pretty Nails & Spa LLC, Owner
Kevin Truc Vu #50900412, Member
Truc Pham #30900556, Member
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
13. 90442 European Nails & Spa #SNT16629
Don D Tran #10000259, Co-Owner/Manager
Mindy Pham #508006553 & 31200540, Co-Owner/Manager
- Offer a consent agreement to assess \$26.00 restitution, see motion above.
14. 90488 Arizona Academy of Beauty North Inc., #CSL43
Arizona Academy of Beauty North Inc., Owner
Stewart L White, President/C.E.O.
Carry Ann white, V-President
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
15. 90489/90554 K-SA Nailspa #SNT17412 & SAES18056
Phuc Hong Tran #51300102, Owner
Rina Thi Bui #11300385, Licensee
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
16. 90496 Alex the Salon at Ocotillo #SCOS23942
Alex Nguyen #11300087, Owner
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
17. 90497 Fantastic Sam #SCOS15555
Team T & C LLC, Owner
Travis Fick, Member
Christy Fick, Member
Christine Joanne Tillman #11201912, Manager
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs. Add Rebecca S. Johnson #90600015 & #19800246 and issue a Letter of Concern for providing false information and working without license posted, see motion above.
18. 90509 Salon 302 #SCOS21426
Robert Mattison LLC, Owner
Robert A Mattison #19900205, Member/Manager
- Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
19. 90510 Rosalynn Cano #11500292, Owner/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
20. 90511 Samantha Lynn Domingues #51100026, Owner/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
21. 90512 Inya Lythesia Williams #10502036, Owner/Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
22. 90514 Hair-Do #SCOS20145
Suzanne R Bell #19500102, Member
Paulsen Healey, Manager
- Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

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23. 90516/90517 & 90518 Trang Thi Huyen Nguyen #~~5~~ 51100228 & 31300439, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
Giang-John T Vu #50226824, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
24. 90519 Nails Unlimited #SNT17581
Thu Thi Phong Le #~~5~~ 50400013 & 31400699, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
25. 90520 Habit Salon #SCOS23241
Habit Salon LLC, Owner
Richard Rasmussen, Member/LLC Manager
Christine M Rasmussen #19501082, Member/LLC Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Member/Manger Christine Rasmussen to attend the Infection Protection/Law Review Class given by the Board, see motion above.
26. 90521 Salon PS Arizona LLC #SCOS22621
Salon PS Arizona LLC, Owner
John Polatz, CEO
Susan Polatz, Vice-President
Georgina Beberly Caffacus #11401065, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
27. 90524 Haircity Salon #SCOS25780
Elizabeth Perez Rocha #50228222 (*Inactive*), Owner
Offer a consent agreement to Owner Elizabeth Perez Rocha to attend the Infection Protection/Law Review class given by the Board, see motion above.
28. 90525/90526 #2 Sunshine Nails & Spa #~~5~~ SNT17372 & SAES17992
Trish Nguyen, Owner
Holly H Ha #~~5~~ 50000349 & 31100715, Manager
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and for Manager Holly Nguyen to attend the Infection Protection/Law Review Class given by the Board, see motion above.
29. 90527 Legacy Barbershop and Beauty Salon #SCOS25173
Erika Yesenia Cisneros #11500029, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and Owner/Manager Erika Yesenia Cisneros to attend the Infection Protection/Law Review Class given by the Board, see motion above.
30. 90528 Carolynn & Company #SCOS3991
Carolynn D Lovejoy #19100560, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 90533 E C Hair #SCOS4884
Edna C Cruz #19300864, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
32. 90535 Diana~~5~~ Beauty Salon #SCOS6020
Jorge Barraza, Co-Owner
Rafael Medina, Co-Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
33. 90536/90537 Ultra Dynamic Nails #~~5~~ SNT17973 & SAES18900

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- Ha N Luu #10701829, Owner
Celine Le #50600883, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
34. 90538 Docs Nails #SNT16662
Doc Le Cosmetology LLC, Owner
Tan Phuong Le #10227103, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
35. 90539 Solare Nails & Spa #SNT15734
Thu Hong Nguyen #50331071 & 30400328, Co-Owner/Manager
Brandon Q Truong #50200668, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
36. 90540 Revamp #SCOS22629
Heidi L Swinney #19500506, Co-Owner/Manager
Stephanie A Caldwell #10901052, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
37. 90541 JC Penney Styling Salon and Day Spa #SCOS9150
JC Penney Company Inc, Owner
A I Questrom, CEO
Issue a Letter of Concern for posting photo copies of licenses, see motion above.
38. 90542 Rainbow Beauty Salon #SCOS19697
Carmen M Lopez #10602084, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
39. 90544 Cristy Salon de Belleza #SCOS11110
Alejandra P Aguirre #19900467, Owner/Manager
Offer a consent agreement for Owner/Manager to attend the Infection Protection/Law Review Class held by the Board, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

NONE

B. With Negotiation Options

1. 89942 Nails by Tracy # SAES19023 **10:00 a.m.**
Thinh Q Tran #51300043, Owner
Tram Thuy Nguyen #50600626, Former Owner SNT16867
Continued from April Board Meeting
NEGOTIATED \$250/\$33 RESTITUTION
2. 90250 Facesmack Professional Makeup #SCOS22098 **10:00 a.m.**
Facesmack Professional Makeup LLC, Owner

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Richard Sanchez, Owner
Continued from April Board Meeting
NEGOTIATED \$250/6-MONTH PROBATION/ 1st PAYMENT SUBMITTED

3. 90338 Shearon's Hair Repair #SCOS25517 **10:00 a.m.**
Sharon A Bruno #10602486, Owner/Manager
Continued from April Board Meeting

Sharon Bruno was sworn in and stated this was an emergency move just got into the salon in August. Sharon Bruno stated she has medical issues and was sidetracked, this is all new to her and she has taken care of everything and is setup. Inspector Takejah Lambert testified to no large wet disinfectant set up, no wet disinfectant solution, no first aid or blood spill kit.

MOTION by Karla Clodfelter to move that for case no. 90338 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/ A.A.C. R4-10-1112 (A)(4)(a)(b)(c)(J)(T)(1) Infection Control/Safety Standards

A.A.C. R4-10-111 " IFP Guidelines

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

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case no. 90338 to impose the following discipline and to maintain Consent Agreement of \$250, civil penalty and Board costs and for Owner/Manager Sharon Bruno to attend the Infection Protection/Law Review given by the Board within 60-days. MOTION SECONDED by Melissa Porter. Martha Ramsey and Tammy Acton VOTED NAY. MOTION DIED.

MOTION by Karla Clodfelter to move that for case no. 90338 to impose the following discipline to offer a Consent Agreement with the following new terms of \$200, civil penalty and Board costs to be paid in 6-months and for Owner/Manager Sharon Bruno to attend the Infection Protection/Law Review given by the Board within 60-days. MOTION SECONDED by Melissa Porter. MOTION CARRIED.

4. 90366 Fantastic Sams #101 #SCOS24906 **11:00 a.m.**
R.C. Salon One LLC, Owner
Red Coyote Investors LLC, Co-Member
Phillip C Lewis, Co-Member
Kelly Ann Muscia #11401031, Manager
NEGOTIATED \$250/PAID

5. 90376 Hair 20 LLC #SCOS23339 **10:00 a.m.**
Hair 20 LLC, Owner
Jessica Sarah Crombez #11300084, Member/Manager
Continued from April Board Meeting
NEGOTIATED

6. 90226/90227 Tracy Nail #SNT16579 & SAES16883 **10:00 a.m.**
Kim Hang T Nguyen #50300347
NEGOTIATED \$250

7. 90230/90231 & Top Line Nail #SAES19012 & SNT18041 **10:00 a.m.**
NEGOTIATED \$250/PAID
90498 Kieu Thi Nguyen #51100456, Owner
SCHEDULED TO ATTEND BOARD CLASS

8. 90290 Crystal Covarrubias #10901227 **10:00 a.m.**

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SUBSTANTIATED VIOLATIONS

A.R.S. § 32-561 Student Records

A.A.C. R4-10-203 (F) School Requirements

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

HISTORY

Fernando Gonzalez has previous history as former owner of Aesthetic Institute & Laser

Science, License No. ASL34 with the Board in Case No.:

88619 . 11/14/14 - Consent Agreement/\$1,500 Civil Penalty . Delinquent school/Instructor's

license/Health & Safety/School Records/Separation of School from other

Business/Advertising

87468 . 2.21.14 . Consent Agreement/\$500 Civil Penalty - Separation of School from other

Business/Establishment Management/School Records

MOTION by Tammy Acton to move that for case no. 90297 to impose the following discipline to offer a Consent Agreement with the following new terms of \$1,500.00 civil penalty and Board costs and \$875 restitution. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

- | | | | |
|-----|------------------|---|-------------------|
| 10. | 90327 &
90499 | Smartstyle #449 #SCOS22602
Minnesota Regis Corp., Owner
Dan Hanrahan, President/Director
Steve Spigel, V-P
Eric Bakken, Secretary
Melanie Arbuckle #19500858, Licensee
NEGOTIATED \$250/RESTITUTION
Natasha Allen-Taylor #11501186, Licensee
NEGOTIATED TO ATTEND CHEMICAL SAFETY CLASS | 10:00 a.m. |
| 11. | 90328 | Spring Nail Salon #SNT14391
D & B Salon LLC, Owner
Robert V Do #50400048, Member
Barbara C Do #50400065, Member
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 12. | 90352 | Red Persimmon Nails and Spa #SNT17641
John Ly, Owner
Melan+Hang TL Nguyen #51400033, Manager
Christina Duong #30500142 & 59900138
NEGOTIATED \$500/PAID | 10:00 a.m. |
| 13. | 90384 | Sasha Bella Spa & Drybar #SCOS23647
Sasha Bella Spa & Drybar Inc., Owner
Casey L Merrell #30900277, Owner
NEGOTIATED \$500 | 10:00 a.m. |
| 14. | 90388/90389 | Thuy Nguyen #59918333 & 30330570, Owner
NEGOTIATED TO ATTEND BOARD CLASS | 10:00 a.m. |
| 15. | 90390 | Mens Ultimate Grooming #SCOS23175
Mens Ultimate Grooming Inc, Owner
Lee Wood, President
No Show; to formal hearing | 10:00 a.m. |
| 16. | 90401 | Guy & Gal Cuts #SCOS15563
Sone Xaiyasiha #10225624, Owner/Manager
NEGOTIATED \$250 | 10:00 a.m. |

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17. 90402 Salon de Belleza Zassy #SCOS11524 10:00 a.m.
Claudia Rodriguez #10327567, Owner/Manager
NEGOTIATED \$250/PAID
18. 90408 Loretta Wilson #30023097, Owner/Manager 10:00 a.m.
NEGOTIATED \$500/PAID
19. 90409 Suite 6 Beauty Bar #SCOS25205 10:00 a.m.
Suite 6 Beauty Bar LLC, Owner
Angelica Jimenez #10400657, Member/Manager
Bernadette Paulino, Member
NEGOTIATED \$250
20. 90413 Capello #SCOS22135 10:00 a.m.
Anthony F Tumolo #19501227, Owner/Manager
NEGOTIATED \$250/PAID
21. 90447 & Eileen Gewargis #31200824, Licensee 10:00 a.m.
NEGOTIATED \$50
90448 Nayah Enokian #31400259, Licensee
NEGOTIATED \$50
22. 90449 Kingman #1 Nails #SNT18265 10:00 a.m.
Tien T Mac #50200389, Owner
NEGOTIATED \$750/6-MONTH PROBATION/1ST PAYMENT SUBMITTED
23. 90452 Kimberly Herrera #10701148 10:00 a.m.
No Show; to formal hearing
24. 90456 Uni Hair & Nail Salon #SCOS15132 10:00 a.m.
Nam Truong, Co-Owner/Manager
Katrina Thuy Cao #30601134, Co-Owner/Manager
NEGOTIATED \$250/PAID
25. 90458 Tina Crupper #19300698, Owner/Manager 10:00 a.m.
Tina Crupper was sworn in and stated this was a suite change, went to the office paid, filled out paperwork, check had cleared and did not realize that if the license was not on the wall you could not be in that room. Inspector Takejah Lambert testified that the licensee was operating an unlicensed established. After further review, licensee had applied for salon license on 2/16/16, and was issued a salon license on 3/7/16.
MOTION by Tammy Acton to move that for case no. 90458 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Tammy Acton to move that for case no. 90458 to impose the following discipline and to issue a Letter of Concern for working prior to receiving establishment license. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.
26. 90469 Magdalena L Gonzalez #11000129, Owner/Manager 10:00 a.m.
NEGOTIATED \$500/6-MONTH PROBATION/1ST PAYMENT SUBMITTED

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27. 90470 Lisa Nails Spa #SNT16729 10:00 a.m.
Quoc D Phan #50600634, Owner/Manager
NEGOTIATED \$250

28. 90471/90472 Sunlakes Nails and Spa NK LLC #SNT18274 & SAES19390 10:00 a.m.
Sunlakes Nails and Spa NK LLC, Owner
An Hoang Bao Kieu #11501326, Member/Manager

An Hoang Bao Kieu was sworn in and stated that he wanted to apologize because he feels this is his fault. The man's name is Tony who asked if he could work, he had a California license and was waiting to take a class to transfer his license and has no income. I told me he could not do any services because he did not have an Arizona license but he could do things around the salon and I wanted to help him out. An Hoang Bao Kieu stated he had an appointment and was supposed to tell his mother about Tony and not to allow him to do any services but they got into a fight and were not talking and forgot to tell her. An Hoang Bao Kieu stated that he has not received his salon licenses yet, he has called the office three times and waited on hold. Inspector Takejah Lambert testified to an unlicensed male working at a pedicure chair leaving the salon through the back door and drove off upon her arrival and establishment licenses were not posted.

MOTION by Karla Clodfelter to move that for case nos. 90471 & 90472 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-574 (A)(1)(2)(4) Unlicensed Individual

A.R.S. § 32-543.1/A.A.C. R4-10-113 (A)(1)(2) Required Current Establishment License Display

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

STAFF REPORTED NO HISTORY

MOTION by Karla Clodfelter to move that for case nos. 90471 & 90472 to impose the following discipline and to a Consent Agreement with the following new terms of \$250, civil penalty and Board costs and for Member/Manager An Hoang Bao Kieu to attend the Infection Protection/Law Review given by the Board within 60-days. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

29. 90473 Vu X Nguyen #50700816, Owner/Manager 10:00 a.m.
NEGOTIATED \$500/PAID

30. 90474 Tuan T Truong #50501516, Owner/Manager 10:00 a.m.
NEGOTIATED \$500/PAID

31. 90475 The Salon & Day Spa @ the Scottsdale Plaza Resort #SCOS17389 10:00 a.m.
Scottsdale Plaza Resort LLC, Owner
John W Dawson, Member
David M Lunt, Secretary
NEGOTIATED \$250/PAID

32. 90476 Paulene's Nails & Tanning #SNT12550 10:00 a.m.
Theresa's Paulene's Nails & Tanning Inc, Owner
Theresa Nguyen #SNT 59717490 & 30400344, President/Manager
NEGOTIATED \$250/PAID

33. 90477 & Nature Nails & Spa #SNT17025 10:00 a.m.
NEGOTIATED \$250/PAID
90500 Tan T Huynh #50300151, Owner/Manager
NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED

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

89231 Stylist Rock Salon SCOS19741 **9:45 a.m.**

Veronica Baca #10800480, Owner

Assistant Attorney General, Bridget Harrington, appeared representing the State. Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Melissa Porter to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter 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 Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter to issue an Order of discipline to revoke salon license no. SCOS19741 and owner Veronica Baca personal license no. 10800840 to impose civil penalties and costs of \$500.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

89827 Mary Leal #10700205 (Revoked) **9:45 a.m.**

Assistant Attorney General, Bridget Harrington, appeared representing the State. Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Melissa Porter to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter 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 Karla Clodfelter. MOTION CARRIED.

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MOTION by Melissa Porter to issue an Order of discipline to revoke licensee Mary Leal personal license no. 10700205 to impose civil penalties and costs of \$1,250.00 that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency and to refer case to the proper authorities to investigate. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

89830 Jessica Enriquez #11202405, Licensee **9:45 a.m.**
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Jessica Rainbow to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

MOTION by Jessica Rainbow 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 Tammy Acton. MOTION CARRIED.

MOTION by Jessica Rainbow to issue an Order of discipline to revoke licensee Jessica Enriquez personal license no. 11202405 and to impose civil penalties and costs of \$500.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

89852/89927 & University Nails & Spa SAES18308 & SNT17573 **9:45 a.m.**
90005/90022 Phung Thi Vo #30500347 & 50300068, Owner
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Melissa Porter to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter 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 Karla Clodfelter. MOTION CARRIED.

MOTION by Melissa Porter to issue an Order of discipline to revoke salon license no. SAES18308 & SNT17573 and licensee Phung Thi Vo, personal license no. 50300068 & 30500347, to impose civil penalties and costs of \$500.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

89981/89982 Estrella Nails & Spa by Thuy D. Giang SNT16292 & SAES16522 **9:45 a.m.**
Thuy Duong Giang #50900294 (Inactive) & 30900363 (Inactive)
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Independent Advisor, John R. Tellier, was available by telephone. Licensee did not appear.

MOTION by Jessica Rainbow to grant the State's MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

MOTION by Jessica Rainbow 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 Karla Clodfelter. MOTION CARRIED.

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MOTION by Jessica Rainbow to issue an Order of discipline to revoke salon license nos. SNT16292 & SAES16522 and licensee Thuy Duong Giang personal license nos 50900294 & 30900363 to impose civil penalties and costs of \$1,500.00 and that the agency recovers its total costs incurred for this case in an amount to be determined later by the agency MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

C. Hearing Officer Recommendations

None

D. Request for Reinstatement

None

E. Appeal Board Orders

None

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

89528/89529 & Ken's Nails & Spa # SNT16386 & SAES16641
89628 Anh Hoang Nguyen #50200058, Owner

Compliance Supervisor Joanne Ayotte asked the Board if they would consider rescinding prior \$250 civil penalty as the salon did have a wet setup and issue a Letter of Concern for no tuberculocidal disinfectant.

MOTION by Karla Clodfelter to rescind prior \$250 civil penalty and issue a Letter of Concern for no tuberculocidal disinfectant. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

89767 Martha Vasquez #10801293

Compliance Supervisor Joanne Ayotte asked the Board if they would consider dismissing without prejudice, after conferring with our attorney regarding this case, we have already revoked this personal license on two different prior cases and we felt it might be a better solution to dismiss without prejudice and should she request reinstatement we could negotiate completion of the previous cases at that time.

MOTION by Karla Clodfelter to dismiss without prejudice and to refer to proper authorities in the city in which she is practicing unlicensed. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Tammy Acton to adjourn the meeting at 11:30 a.m. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

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