



Arizona State
Board of Cosmetology

1721 E Broadway Rd • Tempe, Arizona 85282-1611
Telephone 480.784.4539 • Fax 480.784.4962
www.azboc.gov

BOARD MEETING MINUTES

ARIZONA STATE BOARD OF COSMETOLOGY

June 19, 2015 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

Chairman Gary Begley called the Arizona State Board of Cosmetology Board Meeting to order

Gary Begley - Absent
Karla Clodfelter
Jessica M Stall-Rainbow
Joe Verdugo
Tammy L Acton
Melissa C Porter
Martha P Ramsey

BOARD BUSINESS

1. Approval of Regular Board Minutes of May 15, 2015.

MOTION by Tammy Acton to approve minutes as written. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

2. Approval of Executive Session Minutes of May 15, 2015.

MOTION by Martha Ramsey to approve minutes as written. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

3. Declaration of Conflict of Interest.

None

4. Report and Discussion on National Interstate Council (NIC) and Professional Credential Services (PCS) School Examine Overview to be held on June 1, 2015, at Embassy Suites Phoenix-Scottsdale in Phoenix, Arizona.

Executive Director Donna Aune reported that Joe Verdugo and Gary Begley represented the Board. Theresa, Mini, Suzi, Amber and herself represented staff. Donna Aune stated the Overview went well, they went through the examination and that this is a great opportunity for the schools.

Executive Director Donna Aune stated that Theresa Bunch has been certified as a National Certified Examiner for twenty-five years and is the longest certified individual in the United States.

9:15 a.m. MOTION by Karla Clodfelter to go into Executive Session for the purpose of legal advice on Item 5. Discussion, Consideration and Possible Action on Proposed Legislation for 2016 Legislative Session and on Item 6. Discussion, Consideration and Possible Action on Licensees Participating in Public Educational Campaign.

9:45 a.m. Returned to Open Session.

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

***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
- 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+

MOTION by Tammy Acton to direct Executive Director Donna Aune and Board Lobbyist Nick Simonetta to draft a letter to the Governor's Office requesting relief from the rule moratorium in order to change language in the rules requiring proof of education at time of enrollment in cosmetology schools. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

***Definition of Eyelash Enhancements and/or Eyelash Extensions**

- A.R.S. §32-501 Definitions

Karla Clodfelter stated there was not much to report, there will be a meeting next week and we will be bringing in some expert advice.

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

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

Executive Director Donna Aune reported that she had a meeting with ARRA the project manager Shawna, with concerns that our Board has regarding our licensees and indirect supervision.

6. Discussion, Consideration and Possible Action on Licensees Participating in Public Educational Campaign.

MOTION by Tammy Acton to direct Executive Director Donna Aune to meet or discuss with the DOA, how we can move further with this educational awareness process. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

7. Report, Discussion, and Possible Action on Public Education Committee Meeting held on June 9, 2015:

Karla Clodfelter stated it was very important to educate the public on why they need to choose licensed professionals to perform services on them.

8. Report, Discussion, and Possible Action on Legislation Committee Meeting held on June 10, 2015:

Jessica Rainbow stated we went over everything in Item 5. Age Limit for Proof of Education, Eyelash Extensions, Indirect and Direct Supervision and we will meet next week and will have more information to bring back.

9. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

Students from Aveda Institute and Protégé College of Cosmetology were in attendance.

EXECUTIVE DIRECTOR'S REPORT

1. Report and Discussion on Meeting held on June 2, 2015, with Clarisse Tsang, MPH, with the Arizona Department of Health Services on Hepatitis-B.

Executive Director Donna Aune reported on her meeting with the Board of Health who are doing a campaign on HEP-B and individual who were born in Asia or the Pacific Islands. One in twelve Asian Americans have HEP-B, two out of three Asian Americans don't know they are infected with HEP-B which could lead to serious liver disease. Executive Director Donna Aune stated there are pamphlets and brochures for anyone in the audience that would like one and this information is also shared in our Infection Protection/Law Review class.

2. Report and Discussion on Meeting held on June 16, 2015, with Program Manager of Arizona Radiation Regulatory Agency.

See Item #5.

3. Summary of Current Events.

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

88932 Hansa Shah (*Deny & accept w/\$250 negotiation terms; working prior to licensure*)

89521 Ana I. Ochoa (*Deny & accept w/\$1,000 negotiation terms; submitted false SS#*)

MOTION by Joe Verdugo to deny and accept with negotiation terms. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

B. Recommend Dismissals

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

- | | | |
|-------------|--|---|
| 88666/88667 | Anthony-Le # CS A10160 & M10103
Tam Nguyen, Co-Owner
Paul Phi Le #59816384, Co-Owner/Manager | (No violations found) |
| 88813 | Pueblo Norte Senior Living | (No violations found – pursuant to A.R.S. § 32-574(A) (5)) |
| 89023 | Top 4 Nails #SAES15560
Mong Hoang Thi Le # CS 50700290 & 30700254 | (Salon in compliance) |
| 89026 | Fantastic Sams #66 #SCOS22983
R C Salons One LLC, Owner
Phillip C Lewis, Member | (No violations found) |
| 89258 | The Hair Zone #SCOS16347
Julian Southerland, Owner | (No violations found) |
| 89265 | MK Nova/New Fashion by Bertein LLC #SCOS24551
MK Nova/New Fashion by Bertein LLC, Owner
Basil Nona, Member | (No violations found) |
| 89269/89270 | Cute Nails & Spa # CS SNT16121 & SAES16307
Rosalyn Bui #10100221, Co-Owner/Licensee
Hung H Ho #50100418, Co-Owner | (Found no sanitation violations) |
| 89274 | Winn Nails #SNT17708
Boc Van Nguyen #50400435, Owner | (Salon in compliance) |
| 89282 | Pamela M Cluse #18022768 | (No evidence found to support allegations) |
| 89290 | Salon Picasso #SCOS3600
Debra Cooper Enterprises LLC, Owner
Debra Cooper, Member | (Found no sanitation violations) |
| 89300 | Avalon School Of Cosmetology #CSL168
EA Education Inc., Owner
Branden Pobiak, President
Don Pobiak, V-President
Clint Tryon, Officer
Ryan Patrick Frisbie #90900080, Education Director | (No violations found) |
| 89301 | Salon Zen #SCOS19774
Conrad Salon LLC, Owner
Lorraine Conrad, Barber/President
Robert Conrad, V-President
Jordan Spintig #11102623, Licensee | (Insufficient evidence) |
| 89304 | Brittany Cooley #10800825 | (Hair extensions - No jurisdiction – refer to Code Enforcement) |
| 89305 | Sachi Salon #SCOS10291
Sachi LLC, Owner
Dov Safi, President
Helena Fortuna #19700662, Licensee | (Client satisfaction) |
| 89306 | Aesthetic Institute & Laser Science #ASL34
Fernando Gonzales, Owner
Isabel Calleros, #99200002, Director | (No evidence found to support allegations) |
| 89334 | Jazmin Cabello, Unlicensed | |
| 89346 | 8 Pretty Nails and Spa by TN #SNT17602
8 Pretty Nails and Spa by TN LLC, Owner | (No evidence to support allegations) |

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 6

89358/89359	Tan Nguyen, Member %Melan+Hanh Tran #50501554, Licensee Angel Touch Nails #SNT16775 & SAES17147	(No violations found)
89382/89383	Giao Ngoc Nguyen #50500591, Owner Laveen Nails & Day Spa #SNT17918 & SAES18817 Laveen Nails & Day Spa JP LLC., Owner	(No evidence of unlicensed activity and/or health & safety)
89410	Julie Pham #S 50116478 & 30400567 International Academy of Hair Design #S130 IABC Inc., Owner Gerald Johnson #97800591, President	(Evidence does not support allegations)

C. Recommend Letter of Concern

See Motion Above.

89309	Divine Touch Nails SCOS23838 Divine Touch Nails LLC, Owner Jessie Portillo, Member	(exterior sign for salon within salon)
89454	Anh Nguyen Portillo #S 50700178 & 31400653, Member Today's Nails #SNT17016	(Improper disinfectant procedure)
89455	Luong T Nguyen #59900175, Owner/Manager Beauty Planet Salon #SCOS20799	(No first-aid kit & 1/3 with sanitation violations)
89466/89468	Maria M Fabela #10117261, Owner/Manager My Nail Spa @ Marley Park Plaza #S SNT17967 & SAES18891 Quang Vinh Nguyen #50601174, Owner	(Inadequate wet disinfectant & del. personal license)
89473	Sari Oen #11300350, Manager Sanity Salon & Spa #SCOS17783 Nicole Claypool #10327244, Co-Owner David Brandt, Co-Owner	(Delinquent personal license)
89490	Angela F Polly #11101815, Manager Monaco Nails #SNT10721	(Improper disinfectant procedure)
89496	Hien Nuynh, Owner Drybar 2 #SCOS22491	(Delinquent personal license)
89500	Purple Ventures II LLC, Owner Amy Ross, Member Matthew Ross, Member Eileen Vanbenschoten #10801448, Manager Parlor #SCOS23663	(No first-aid kit)
89504	SGH Enterprises Inc, Owner Sheri Hayes #17921604, President/Manager Michael Francis Hair #SCOS23721	(Inadequate wet disinfectant)
89519	Noggin-Toppers Inc, Owner Michael Francis Doine #17212739, President/Director Griselda Beauty Salon LLC #SCOS23055	(Delinquent establishment license)
89542	Griselda Beauty Salon LLC, Owner Blanca Griselda Martinez, Member/Manager Fall N Love Hair & Extensions LLC #SCOS23138	(Delinquent establishment license)
89543	Fall N Love Hair & Extensions LLC, Owner Amber Potter #11300406, Member/Manager Heather Lee Schulz #11100037, Member/Manager Salon Michele Rene #SCOS22853	(Delinquent personal license)
89545	Salon Michele Rene LLC, Owner Michele R Jackson #18226193, Member/Manager Marquis Jackson, Member San Martin Beauty Salon #SCOS9892	(Advertising differently & insp. display)

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 7

89551/89552	Romona Estrada #19501453 (inactive), Owner Angel Touch Nails by H & N #SNT15160 & SAES15137 H & N Nail Spa LLC, Owner	<i>(Delinquent establishment licenses)</i>
89553	Liem Thanh Ha #50000557, Member Jonathan Nguyen, Member Bich-Van T Nguyen, Member Shear Paradise Salon LLC #SCOS21701 Shear Paradise Salon LLC, Owner Katherine Gosney, Member/Manager Edward Gosney Jr., Member/Manager	<i>(Delinquent personal license)</i>

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 Joe Verdugo. MOTION CARRIED.

1. 88671 Exquisite Nails #C22941
Exquisite Nails LLC, Owner
Hieu Kim Tran #30400343 & 59500258, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
2. 88679 Nail Spa 101 #M16474
Nghii Cong Mai #59800429, Owner
Anthony Lo #50100609, Manager
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
3. 88703 Michelle Duong #50000314
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
4. 88778 Gerardo Bracamonte Jr. #11200822
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
5. 88782 Shauna Barton #10501040
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
6. 88788 Chicas Bellas Beauty Salon #C24028
Leticia Silva Lopez, Owner
Offer a consent agreement to assess \$1,250.00 civil penalty and Board costs, see motion above.
7. 88815 Nicoles Deoliviera #10022066
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
8. 89035 Stardust Nails #SNT12529
Sau Phan #50200060, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 8

9. 89217 Kim L Mason #50227626
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.

10. 89263/89264 Style Nail Salon #SNT15133 & SAES18093
Donna Van Dang #50501400 & 30600624, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

11. 89272 Head 2 Toes Hair and Nails & Tanning Salon #SCOS12331
Darla Bigham #59800245, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

12. 89347 Laveen Nails & Day #SAES18817
Laveen Nails & Spa JP LLC, Owner
Julie Pham #30400567, Member
Issue a Letter of Concern for improper advertising, see motion above.

13. 89354 Pampered & Polish Nails #SNT17180
Pampered & Polish Nails LLC, Owner
Sherri O'Hara, Member
Lynn My Truong, Member
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.

14. 89361 & Katie King #31400875, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
89476 JD Hair Productions #SCOS15884
David De Peal #17920997, Co-Owner
Jane De Peal #17920998, Co-Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

15. 89384/89385 LV Day Spa #SNT17950 & SAES18865
LV Spa LLC, Owner
Vu Thanh Tieu #50500490, Member
Loan Tran #50900580 & 30900738, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

16. 89412 Kelli Nails & Spa #SAES16648
Nicholas Nguyen #50700523, Owner
Jennifer Huyen Doan #50700490 & 30700876, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$200.00 in restitution, see motion above.

17. 89457/89458 T.J. Nails #SNT17839 & SAES18689
Billy Nguyen #50700098, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

18. 89462/89463 Perfect Nails by Terresa #SNT17724 & SAES18534

ARIZONA STATE BOARD OF COSMETOLOGY
JUNE 19, 2015, BOARD MEETING MINUTES
PAGE 9

Nguyen V Dinh #59700589, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.

19. 89472 Supercuts #90286 #SCOS15898
Supercuts Corporate Shops Inc, Owner
Dan Hanrahan, President
Steve Spiegel, Vice-President
Eric Bakken, Secretary
Juliana Christie #11300697, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
20. 89475 & Sport Clips AZ 120 #SCOS24823
Lee Hill Investments LLC, Owner
Val Hill, Member
Jared Lee, Member
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
89509 Alex Elise Meza #10901776, Manager on Duty
Megan Roberson #10500034, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.
21. 89488 T & L Nails #SNT15269
Thanh Tan Nguyen, Owner
Duong Thanh Thi Le #59918709, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
22. 89491/89493 University Nails #SNT17263 & SAES17812
Phuong Thi Vo #50300068 & 30500347, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and to
remove scope of practice, see motion above.
23. 89495 Primp & Blow Phoenix LLC #SCOS22549
Primp & Blow Phoenix LLC, Owner
Melodi Harmon, Member
Annie Nicole Harris #10802175, Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.
24. 89498 & Rachel Bonn #19712161, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
89499 Ginger Gallardo #11102580, Co-Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs,
see motion above.
25. 89501 Teri Bush #19600575, Owner/Manager
Offer a consent agreement to assess \$500.00 civil penalty and Board costs,
see motion above.
26. 89505 Charlie's Nails #SNT9136
Charlie Vo #59600088, Owner

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 10

- Hang Kim Quach #50400944, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner Charlie Vo to attend the Infection Protection/Law Review class given by the Board, see motion above.
27. 89507 Sasha Salon #SCOS23390
Sasha Salon LLC, Owner
Sanela Zahirovic #10700142, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
28. 89511 Academy of Nail Technology #NSL2
Samuel Solutions Inc, Owner
Linda C McKew #89400002, President
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
29. 89512 Shauna K Schultz #30800772, Licensee
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
30. 89513 & Duo Hair Design Studio #SCOS24341
Duo LLC, Owner
Janessa M Hernandez #10122379, Member/Manager
Offer a consent agreement to assess \$125.00 civil penalty and Board costs and attend the Infection Protection/Law Review class given by the Board, see motion above.
Erica Nadler #10500164, Member/Manager
Offer a consent agreement to assess \$125.00 civil penalty and Board costs, see motion above.
- 89514 Patricia Muchnij #31400432, Licensee
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 89516/89518 J Nail Shop Inc #SNT16809 & SAES17190
J Nail Shop Inc, Owner
Jennifer Hanh My Ha #50400262 & 30600080, President/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
32. 89520 Great Clips #6336 #SCOS15331
Kula Inc, Owner
Michael Dicarlo, President/Director
Martina Kemp, Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
33. 89526 Ong Paulene Nails #SNT14411
Duc H Ong #59500153, Owner/Manager
Offer a consent agreement for Owner Duc H. Ong to attend the Infection Protection/Law Review class given by the Board, see motion above.
34. 89527 Tru Colors Salon & Day Spa #SCOS15066
Quang N Pham #10800208 & 59900208 (*inactive*), Co-Owner/Manager
Lan M Tran #59900071 & 30100102, Co-Owner/Manager

**ARIZONA STATE BOARD OF COSMETOLOGY
JUNE 19, 2015, BOARD MEETING MINUTES
PAGE 11**

Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Co-Owner Quang N. Pham attend Infection Protection/Law Review class given by the Board, see motion above.

35. 89528/89529 Ken's Nails & Spa #SNT16386 & SAES16641
Anh Hoang Nguyen #50200058, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for owner Anh Hoang Nguyen to attend the Infection Protection/Law Review class given by the Board, see motion above.
36. 89531 Cindy Ho Nails #SNT17922
Tuyet-Hanh Thi Ho #50401158, Owner
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
37. 89532 Salon JO.EL #SCOS22091
Joseph W Porter #90500067 & 19000737, Owner
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner Joseph W. Porter to attend the Infection Protection/Law Review class given the Board, see motion above.
38. 89544 Prestige Nails & Spa #5190 #SNT16335
Victoria Nguyen #50700399 & 30800571, Owner/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner Victoria Nguyen to attend the Infection Protection/Law Review class given the Board, see motion above.
39. 89546 Lam T Tran #59900005, Owner
Offer a consent agreement to assess \$1,000.00 civil penalty and Board costs and for Owner Lam T. Tran to attend the Infection Protection/Law Review class given the Board, see motion above.
40. 89549 LV Day Spa #SNT17950
LV Spa LLC, Owner
Vu Thanh Tieu #50500490, Member
Loan Thuy Tran #50900580 & 30900738, Member/Manager
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

A. Without Negotiation Options

1. 89173/89189 Damage Beauty College #CSL92
Luz Jamie #90600042, Member/Director/Instructor in Charge
Diana Baez, Instructor
Ivette Hernandez #11102630
Reyna Lopez #91000006, Instructor

Gladys A Melgar #91400016, Instructor
Marina Rodriguez #11301078, Instructor

Veronica Verdugo #11400045, Instructor
Maria De Jesus Vasquez #11002420, Instructor
Edith, Instructor
CONTINUED

B. With Negotiation Options

1. 89149/89355 Nails Club #~~cs~~ M17542 & A18252 **10:00 a.m.**
Nails Club LLC, Owner
James Tran, Member
Continued from May Board Meeting
No Show; to formal hearing

2. 89186 Brandi K Day #50123555 **10:00 a.m.**
Continued from May Board Meeting
No Show; to formal hearing

3. 89204/89214 %Michelle+Huoc Thi Le #~~cs~~ 50500151 & 30500070 **10:00 a.m.**
Continued from May Board Meeting

Michelle Huoc Thi Le appeared was sworn in and stated she worked downtown Tempe and had not planned on moving and renewed her current establishment license. Michelle Huoc Thi Le stated she did move in late January and did not know she need to get a new license. Michelle Huoc Thi Le stated the sink was already broken when she moved to the location and has since had it fixed. Michelle Huoc Thi Le stated that she has not established the business yet and did not have everything and has purchased what was missing. Michelle Huoc Thi Le stated that she went to reapply for the new license the same day the inspector was there. Investigator Bobbie Johnson testified that the salon had moved locations without notifying the Board, the wet disinfectant was too small, not first aid/blood spill kit, no second sink, establishment and personal license not posted and working/operating an unlicensed establishment for approximately one-month.

MOTION by Tammy Acton to move that for case no~~cs~~. 89204/89214 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-545 (A)/A.A.C. R4-10-402 (A)(1) Salon Location Change

A.R.S. § 32-574 (A)(5)(8) Practice or attempt to practice cosmetology, aesthetics or nail technology in any place other than in a salon licensed & operate a salon or school without being licensed.

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4. a)(S)(4)(T)(1) Infection Control/Safety Standards

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~~cs~~ 89204/89214 to impose the following discipline and to Maintain Consent Agreement terms previously offered to the Licensee and to give a ten-month~~cs~~ probation to pay fine. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

4. 89293 Salon on Central #SCOS21909 **10:00 a.m.**
Eloise Edgar, Owner/Manager
Continued from May Board Meeting
NEGOTIATED \$250

5. 89072 Nicole McFarlin #50600853 **10:00 a.m.**
NEGOTIATED \$50/6-Month Probation/1st Payment Submitted

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 13

6. 89174 Blanca Gonzalez #11400634 **10:00 a.m.**
NEGOTIATED \$500/PAID
7. 89297 & Natalya Borakowski #30800241 **10:00 a.m.**
NEGOTIATED \$500/6-Month Probation/1st Payment Submitted
89298 Karen Rambat #31000172
CONTINUANCE GRANTED
8. 89205 Noelle P Williams #31400245 **10:00 a.m.**
NEGOTIATED \$50
9. 89207 Melissa S Subia #11301905 **10:00 a.m.**
NEGOTIATED \$500
10. 89218 Marlene Jolley #16910495 **10:00 a.m.**
NEGOTIATED \$500/PAID
11. 89243/89365 Tiffany 2014 Nails #~~¢~~ SNT17757 & SAES18576 **10:00 a.m.**
Quy Pham, Owner
Ngoc Anh Thi Pham #~~¢~~ 50500227 & 30500598, Manager
Dong Le #50300085, Licensee
NEGOTIATED \$250/PAID
12. 89245 Galaxy Nails & Spa LLC #SNT17078 **10:00 a.m.**
Galaxy Nails & Spa LLC, Owner
Tinh Vuong #50500917, Member
NEGOTIATED \$500/PAID
13. 89366/89367 My Nails Salon #~~¢~~ SNT18023 & SAES18977 **10:00 a.m.**
Martin T Hoang #50100556, Owner
NEGOTIATED \$250/PAID
14. 89261/89262 Le~~¢~~ Creative Nails #~~¢~~ SNT17845 & SAES18698 **10:00 a.m.**
Diep Le #~~¢~~ 59920478 & 30400042, Owner
NEGOTIATED \$250/PAID
15. 89271 Princess Pro Nails #SNT16841 **10:00 a.m.**
Anh Kim Vu, Owner
NEGOTIATED \$500/PAID
16. 89530 Zaira Yorlenny Garro #11200777 (inactive 2013) **10:00 a.m.**
NEGOTIATED \$750
17. 89281 Red Nail #SNT16907 **10:00 a.m.**
Tommy Huy Bui #50500347, Owner
NEGOTIATED \$250/PAID
18. 89318 Superior Nails #SAES18597 **10:00 a.m.**
Superior Nails LLC, Owner
Thuc Quyen Ha Vu #10900220, Member
NEGOTIATED \$250/PAID
19. 89335/89336 Moriah Nails & Spa II LLC #~~¢~~ SNT17622 & SAES18388 **10:00 a.m.**
Moriah Nails & Spa II LLC, Owner
Linh Lam Nguyen #50000165, Member

NEGOTIATED \$250/PAID

20. 89348/89349 AK Nails Spa #SNT17480 & SAES18155 **10:00 a.m.**
Hanh Ngoc Thi Tran #10801971, Owner
Long Duy Thanh Ha #50501026, Licensee
NEGOTIATED \$500/PAID
21. 89369 Ellaments Salon & Boutique #SCOS22730 **10:00 a.m.**
Ellaments LLC, Owner
Eleanor Palmer #10501458, President/Manager
John Palmer, Secretary
No Show; to formal hearing
22. 89372 Hair 2 U #SCOS18188 **10:00 a.m.**
Nicole Robb #19300042, Owner
NEGOTIATED \$250
23. 89374 Jewelry Nail & Spa #SNT13557 **10:00 a.m.**
Liem T Ha #50000557, Owner
Continued for Legal Representation
24. 89375 Tatum Hair & Nails #SCOS512 **10:00 a.m.**
Duc H. Le #19600495, Co-Owner/Manager
Thao T Thi Phan #59600330, Co-Owner/Manager
NEGOTIATED \$750/PAID
25. 89376 Rachel S Slaton #18800624 **10:00 a.m.**
NEGOTIATED \$500/6-Month Probation/1st Payment Submitted
26. 89378 Belleza Latina & Nails Beauty Salon #2 #SCOS21713 **10:00 a.m.**
Ana Bertha Guerra #19700366, Owner/Manager
NEGOTIATED \$750/6-Month Probation
27. 89379 **10:00 a.m.**
Letis Beauty Salon #SCOS19623
Leticia Vanzuilen #19918481, Owner/Manager
Leticia Vanzuilen appeared was sworn in and stated she could not find the right faucet to she needed to be replaced, and has now been replaced with a new one. Inspector Takejah Lambert testified that the sink in the restroom had broken knobs and no running water.
MOTION by Joe Verdugo to move that for case no. 89379 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (R)(3)(S)(4)(6) Infection Control/Safety Standards
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications
STAFF REPORTED NO HISTORY
MOTION by Joe Verdugo to move that for case no. 89379, we should impose the following discipline and issue a Letter of Concern for faucet on the restroom sink was out of order. MOTION SECONDED by Tammy Acton. MOTION CARRIED.
28. 89386 Bien Nail by Salina #SNT17878 **10:00 a.m.**
Thuy T Pham #50300032, Owner/Manager
NEGOTIATED \$250/PAID

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 15

29. 89392 & Almira Nails LLC #SNT17504 **10:00 a.m.**
Almira Nails LLC, Owner
Phuoc V Nguyen, Member/LLC Manager
NEGOTIATED \$250/PAID
89480 Kim Ngan Thi Nguyen #51200661, Manager
30. 89394 Michael Alexander Salon & Spa #SCOS23386 **10:00 a.m.**
C & T Salon Enterprises LLC, Owner
Crystal Fyke, LLC Manager
Timothy Fyke, LLC Manager
NEGOTIATED \$500
31. 89398 Amaxx Hair Salon #SCOS24821 **10:00 a.m.**
Wendy Carrasco #11301033, Co-Owner
Alicia Arteaga #10401073, Co-Owner
NEGOTIATED \$250/PAID
32. 89399/89400 & AK Nails Spa #SNT17480 & SAES18155 **10:00 a.m.**
NEGOTIATED \$750
89481 Hanh Ngoc Thi Tran #10801971 & 50331166, Owner
NEGOTIATED TO ATTEND BOARD CLASS
33. 89401 **10:00 a.m.**
JJ Beauty Institute #CSL00182
Jose A Hernandez, Owner
Reyna Lopez #91000006 & 10900164, Instructor in Charge
Jose Hernandez and Reyna Lopez appeared was sworn in and stated that the individual was not an instructor and was visiting the school to see if he might want to enroll and he was wearing a smock because he was on his way to work, the inspector asked him to remove the smock because it gave the impression that he was an instructor and he did remove the smock. Reyna Lopez also stated that she fixed the itemized kit list in the student records. Investigator Bobbie Johnson testified that there was no itemized kit list in student records and student instructor did not have license posted, wearing a jacket, badge with name and no contract.
MOTION by Tammy Acton to move that for case no. 89401 all alleged violations cited in the complaint summary have been shown except A.R.S. § 32-543.2/A.A.C. R4-10-113 (A)(1) Required Personal License Display. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
SUBSTANTIATED VIOLATIONS
A.A.C. R4-10-204 (C)(3. f)(D)(6) School Records
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. 89401, we should impose the following discipline and Offer a Consent Agreement with the following new terms of \$250.00 civil penalty and Board costs. MOTION DIED FOR A LACK OF A SECOND.
MOTION by Joe Verdugo to move that for case no. 89401, we should impose the following discipline and issues a Letter of Concern for no itemized student kit list. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.
34. 89404 Radiant Hair Salon #SCOS20824 **10:00 a.m.**
Laura J Worthy #17820404, Owner/Manager
Laura J. Worthy appeared was sworn in and stated that her blow dryer had broken and went back home to get hers and went back to the salon and the inspectors were there. Laura Worthy stated that she did have the disinfectant set up and that they have three

containers one for soiled, one for Ship Shape, this was empty and one for Barbicide. Inspector Takejah Lambert testified that there was no large wet disinfectant set up.

MOTION by Tammy Acton to move that for case no. 89404 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

SUBSTANTIATED VIOLATIONS

A.R.S. § 32-541 (B)/A.A.C. R4-10-112 (A)(4) Infection Control/Safety Standards
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. 89404, we should impose the following discipline and issue a Letter of Concern for large wet disinfectant to be set up at all times the salon is opened. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

- | | | | |
|-----|-----------------------------|--|------------|
| 35. | 89405 | Breş Way Hair Salon #SCOS18613
Bean Hoffner #10401221, Owner/Manager
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 36. | 89406 | Tiawnieş Salon #SCOS25003
Tiawnie West #11301625, Owner/Manager
No Show; to formal hearing | 10:00 a.m. |
| 37. | 89424 | Hair Touch Studio #SCOS20689
Brenda A Hernandez #19400542, Owner
NEGOTIATED \$250 | 10:00 a.m. |
| 38. | 89425/89426 | V Nails & Spa #ş SNT15314 & SAES15309
Thuan N Nguyen #50501101, Owner/Manager
NEGOTIATED \$250/PAID | 10:00 a.m. |
| 39. | 89429/89430 | Sensational Nail & Spa #ş SNT17518 & SAES18452
Nghia H Hoa #51200111, Owner/Manager
NEGOTIATED | 10:00 a.m. |
| 40. | 89433 | Fixations Styling Salon #SCOS19420
Natalie N Nandin #19000819, Co-Owner/Manager
Becky Rubio #19000326, Co-Owner/Manager
NEGOTIATED | 10:00 a.m. |
| 41. | 89434 &
89435 &
89436 | Joan Ashley Oharro #51405215, Licensee
No Show; to formal hearing
Shawna A Wilson #51100460, Licensee
No Show; to formal hearing
Jessica Camarena #11200440, Licensee
NEGOTIATED \$50/PAID | 10:00 a.m. |

STEP 3: HEARINGS

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

ARIZONA STATE BOARD OF COSMETOLOGY

JUNE 19, 2015, BOARD MEETING MINUTES

PAGE 17

88842 Brenetta Meadows #11301523, Licensee **9:45 a.m.**
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Solicitor General, Christopher Munns, 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 Joe Verdugo. 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 Joe Verdugo. MOTION CARRIED.

MOTION by Jessica Rainbow to issue an Order of discipline to revoke personal license to impose civil penalties and costs of \$750.00 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 Joe Verdugo. MOTION CARRIED.

88904 Esme Cutz #C24047 **9:45 a.m.**
Esmeralda Garcia #11100172, Owner
Assistant Attorney General, Bridget Harrington, appeared representing the State.
Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

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

MOTION by Joe Verdugo 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 Joe Verdugo to issue an Order of discipline to revoke salon and personal licenses to impose civil penalties and costs of \$250.00 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.

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.

None

STATUS AND ADDITIONS TO AGENDA

For Board Information Only:

ADJOURN

MOTION by Joe Verdugo to adjourn the meeting at 11:35 a.m. MOTION SECONDED by Tammy Acton. 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) 784.4539.