



1721 E Broadway Rd  
Tempe, Arizona 85282-1611  
www.azboc.gov

## BOARD MEETING MINUTES

### ARIZONA STATE BOARD OF COSMETOLOGY

July 17, 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 ~~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**

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

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

## BOARD BUSINESS

1. Approval of Regular Board Minutes of June 19, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

2. Approval of Executive Session Minutes of June 19, 2015.

MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

3. Declaration of Conflict of Interest.

Gary Begley declared for 89298 under Step 2. B. 1.

4. Report, Discussion, Consideration and Possible Action on Possible Substantive Policy Statement regarding A.R.S. §32-556, Separation of Schools from other Businesses.

- Cosmetology Schools teaching subject matters Exempt in A.R.S. §32-506

9:50 a.m. MOTION by Tammy Acton to go into Executive Session for the purpose of legal advice on Agenda Item 4. Report, Discussion, Consideration and Possible Action on Possible Substantive Policy Statement regarding A.R.S. §32-556, Separation of Schools from other Businesses and Item 7. Report, Discussion, Consideration and Possible Action on Possible Substantive Policy Statement regarding A.R.S. §32-506(13); Non-applicability of Chapter. MOTION SECONDED by Karla Clodfelter.

10:20 a.m. Returned to Open Session.

5. Report, Discussion and Possible Action on Legislative Committee Meeting held on June 24, 2015.

- Discussion, Consideration & Possible Action on Board Membership, A.R.S. §32-502 and Proposing Legislative Change
  - ❖ Adding Aesthetician Member
  - ❖ Removing Public Educator Member and Adding Second Public Member

Karla Clodfelter reported to the Board Members on the discussion of Board Membership and the consideration of adding a salon owner position, converting the Public Educator position to a Public Member and using one of the cosmetologist positions for an Aesthetician position. Legislature would like to see Public Members on the Board and this would balance the Board. Tammy Acton suggested a salon owner might be a type of Board Member.

Gary Begley suggested exploring this more and report back to the Board next month.

6. 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+

Board discussed the age for proof of education requirement and will follow up with a report from Executive Director Donna Aune and her meeting with Nick Simonetta on July 29, 2015, at the August Board Meeting.

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

- A.R.S. §32-501 Definitions

Karla Clodfelter presented a packet to the Board Members and presented the difference between Eyelash Enhancements and Eyelash Extensions.

Board Members after the presentation, as a Board do we support the idea that Enhancements/Extensions are separate, Board Members all agree.

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

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

Gary Begley discussed with Board Members regarding the Indirect and Direct Supervision of Licensees Using Lasers. The Board discussed working on Legislation to clarify jurisdiction on Cosmetic Laser.

Donna Aune Executive Director, reported that she meet with Aubrey Godwin the Director from the ARRA along with Shawna and he had talked about this issue however, Shawna was out of town and he was not ready to give the direction they were going.

7. Report, Discussion, Consideration and Possible Action on Possible Substantive Policy Statement regarding A.R.S. §32-506(13); Non-applicability of Chapter

- Board's Position on Eyelash Enhancements

Gary Begley stated related to our legal advice on Item No. 7. An expert witness to be brought in next meeting to further our education in this area to define wording.

8. Report and Discussion and Possible Action on Board Members Position Melissa Porter.

Melissa Porter spoke to the Board Members regarding possible Board Meeting Conflicts due to work schedules, she stated she will try her very best to be at every meeting and wants very much to remain on the Board.

Gary Begley proposed to follow this for a while and if it becomes a conflict for Melissa she will let us know and if it becomes a conflict for the Board we will let her know.

9. Report and Presentation/Training on Standards of Conduct for Board Members.

Assistant Attorney General Bridget Harrington, conducted a training session on Standards of Conduct for Boards and Commissions.

10. Cosmetology Students on Field Trip.

- Questions and answers regarding Board authority and process

None.

## **EXECUTIVE DIRECTOR'S REPORT**

1. Report and Discussion on Board Member Positions.

- Karla Clodfelter -
- Joe Verdugo
- Melissa Porter

Executive Director Donna Aune reported that Karla Clodfelter has been re-appointed, Melissa Porter is up for re-appointment and has applied and Joe Verdugo is up for re-appointment and does not know if he has applied.

2. Report and Discussion on Leslie Roste, RN, Director of Education and Business Development.

- Educational Training for Board Members and Board Staff Scheduled for September 21, 2015

Executive Director Donna Aune reported that Leslie Roste from Barbicide, will be here September 21, 2015, time to be determined.

3. Summary of Current Events.

Executive Director Donna Aune reported that the end of Fiscal Year went well, staff worked very hard and worked together to close out the year and also stated the licenses are now 2-year renewals.

## 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**

89598 Sreylen Deflorimonte *(Deny & accept w/\$250 negotiation terms; working prior to licensure)*

89599 YuQin Huang *(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 Joe Verdugo to accept staff recommendations for all those listed below Step 1 B. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.**

88615 Brow Lady USA, License No. A16285 *(Found no evidence to support allegations)*

Eric R Bowman, Owner

88688 Brow Lady USA, License No. A16285 *(Found no evidence to support allegations)*

Eric R Bowman, Owner

89311 Ramon Bacaui Gallery #SCOS17712 *(Found salon in compliance with client protection)*

Ramon Bacaui Hair Gallery LLC, Owner

Ramon Bacaui #19201054, President

Paul George #11100300, Licensee

89312 Creativtouch Nails & Spa #SNT17978 *(Found no evidence to support allegations)*

My Thi Tran #51100622, Owner

89357 Arizona Academy of Beauty Inc. #CSL6 *(Found no evidence to support allegations)*

AZ Academy of Beauty Inc., Owner

Stewart White, President

89362 Great Clips #SCOS10297 *(Client satisfaction)*

Hand & Shear Magic Inc., DBA Great Clips

Kenneth C Hand, President/C.E.O.

Barbara B Hand, Secretary/Treasurer

89364 Denise Ann Drinkwater #11001367 *(Found no evidence of unlicensed activity)*

89415 Mane Attraction Make-up & Hair Salon LLC SCOS1459 *(Client satisfaction)*

Mane Attraction Make-up & Hair Salon LLC, Owner

Kendall Ong #19100857, Member

Beate A Assmuth-Ong #19800577, Member

Braeanna Siqueiros #11400323, Licensee

Christopher Knudsen #10801808, Licensee

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89443	Renewed Beauty Medical Spa & Salon #SCOS24455 Renewed Beauty PLLC, Owner Svetlana Burtman #19800053, Owner	<i>(Found no evidence to support allegations)</i>
89445	Elia Duarte, Unlicensed	<i>(Found no evidence to support allegations)</i>
89470	Great Clips #9273 SCOS19102 Great Clips LLC, Owner Tricia Hersh #10800923, Manager Nancy Peterson #11301835, Licensee	<i>(Client satisfaction)</i>
89471	Textures Salon #SCOS20557 Textures Salon LLC, Owner Cody Wullkotte #10800343, Co-Member Yvonne Mutascio #19300827, Co-Member	<i>(Compliance with the Americans with Disabilities)</i>
89474	The Sanctuary Nail & Spa #SNT15387 Louis Vinh #50500027, Owner	<i>(Client satisfaction)</i>
89482	Empire Beauty School #CSL107 EEG Inc., Owner Franklin Schoeneman, Director Paul Finkelstein, Director Anthony Baron, Director Rugina Vandez #91200091, Executive Director	<i>(Found school in compliance with health &amp; safety guidelines)</i>
89487	2 V-K Elle Nails SAES18382 Duy Tong, Owner	<i>(Insufficient evidence to support allegations)</i>
89492	The Salon in Ulta 3 License No. SCOS6323 Ultra 3, Cosmetic Savings Store Inc., Owner Terry Hansen, C.E.O. Jennifer L Geist #11301648, Licensee Brittini Gray #11300894, Licensee	<i>(Found no evidence to support allegations)</i>
89502	Layton Baylish #11302393	<i>(Found no evidence of unlicensed activity)</i>
89522	Great clips #1545 #SCOS16254 Bella Hair LLC, Owner	<i>(Found no evidence to support allegations)</i>
89533	The Beauty Asylum #SCOS11763 Harold James #18900213, Owner	<i>(Found no evidence to support allegations)</i>

**C. Recommend Letter of Concern**

**MOTION by Joe Verdugo to accept staff recommendations for all those listed below Step 1. C except 89603. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.**

89557	Too Hotties Haircuts #SCOS17685 Too Hotties AZ LLC, Owner Gary J Nicolaou, Member Kurtis L Kenobbie, Member	<i>(Inadequate wet, delinquent establishment license &amp; current license display)</i>
89562/89563	T Pro Nails & Spa #SNT18066 & SAES19053 Tony The Dang #50600462, Co-Owner/Manager Chuong H Nguyen #50200467, Co-Owner/Manager	<i>(Advertising differently)</i>
89564/89565	Angels Nails #SNT17328 & SAES17915 Angels Nails LLC, Owner Johnny Vu Nguyen #50400597, Member	<i>(Delinquent establishment license)</i>
89570	#1 Nails Expert & More #SNT16227 Michelle N Phan Vu #59700615, Co-Owner/Manager Hung V Vu #59700559, Co-Owner/Manager	<i>(Delinquent establishment license)</i>
89584	Luxxi Salon LLC #SCOS23069 Luxxi Salon LLC, Owner	<i>(Delinquent establishment license)</i>

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- Jill Brimall #11300022, Member/Manager  
 Loren J Brimall #10601564, Member/Manager  
 89587 Live Beautiful #SAES17994 *(Delinquent personal license)*  
 Haley Schollenberger, Owner
- 89603 Supercuts #81191 #SCOS25142 *(Establishment license display)*  
 Northridge WW LLC, Owner  
 Omar Hajee, Member  
 Bharat Kamdar, Member  
 Ankur Kamdar, Member  
 Chelsey Flees #10702019, Manager  
 Offer a consent agreement to assess \$500.00 civil penalty and Board costs,  
 see motion above.
- 89604 Tatum Hair & Nails #SCOS512 *(One licensee with sanitation violations & delinquent personal license)*  
 Duc H Le #19600495, Co-Owner/Manager  
 Thao T Thi Phan #59600330 & 30328650, Co-Owner/Manager
- 89605 Grand Bell Barber Shop & Salon #SCOS17781 *(Delinquent personal license)*  
 Radj Yusupov #10602086, Owner/Manager
- 89607 Blush Salon LLC #SCOS23941 *(Delinquent personal license)*  
 Blush Salon LLC, Owner  
 Erica Sayles, Co-Owner/Manager
- 89610 Pro Cuts 12244 #SCOS17152 *(1/6 licensees with sanitation violations & delinquent establishment & delinquent personal license)*  
 Los Guapos AZ LLC, Owner  
 Nathan D Serrano, Member  
 Deborah Serrano, Member
- 89612 Adagio Salon #SCOS18552 *(Delinquent personal license)*  
 Christina Bowman #10602262, Owner

**D. Recommend Informal Interview or Negotiation Terms**

**MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step 1. D. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.**

1. 88672 Nails Rap #SNT16628  
 Hong Diep T Tran #50400254, Owner  
 Thanh Nguyen #50400509, Manager  
 Offer a consent agreement to assess \$250.00 civil penalty and Board costs,  
 see motion above.
2. 89070/89632 Darian Luxury Nails Spa SNT15100 & SAES15067  
 L Loung M N Tran, Owner  
 Offer a consent agreement to assess \$250.00 civil penalty and Board costs,  
 see motion above.
3. 89303 Regal Nails SNT13389  
 Kim Cuc T Trinh #10200289, Owner  
 Offer a consent agreement to assess \$250.00 civil penalty and Board costs,  
 see motion above.
4. 89308/89356 San Tan Valley Nails & Spa #SNT17953 & SAES18868  
 Duc Thai, Owner  
 Offer a consent agreement to assess \$250.00 civil penalty and Board costs,  
 see motion above.
5. 89313 Regal Nails #SNT15302  
 Y Van Le #50000632, Owner

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Owner Y Van Le to attend the Infection Protection/Law Review class given by the Board, see motion above.
6. 89314 Kisses Nails #SNT10522  
Kim Khanh Thi Nguyen #19700206, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
7. 89353 Karina Dabdoub #31100610  
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
8. 89363/89590 Xlent Nails & Spa #SNT17625 & SAES18395  
Tracy Cuc Trinh #SNT 50700880 & 30700774, Co-Owner  
Chuong V Vo #51300635, Co-Owner  
Offer a consent agreement to assess \$1,750.00 civil penalty and Board costs, for Co-Owner Tracy Cuc Trinh and Co-Owner Chuong V Vo to attend the Infection Protection/Law Review class given by the Board, see motion above.
9. 89380 Debra O'Neill #SNT 50900394 & 30500541  
Dismiss due to no evidence to support allegation, see motion above.
10. 89381 Peschio's Classic Beauty College #CSL177  
Classic Beauty Colleges LLC, Owner  
Pearl Peschio #97300451, Member/Director  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$40 in restitution, see motion above.
11. 89388 3D Nails #SNT16461  
Thom Thi Nguyen #50331128, Owner  
Tri Cao Tran #51500180, Licensee  
Continued for further investigation, see motion above.
12. 89402/89403 Snow Nails #SNT17674 & SAES18472  
Ideas Investment LLC. Owner  
Thanh T Bui #SNT 50501360 & 31300617, Member  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, see motion above.
13. 89408 Belmont Hair & Nails Salon #SCOS22635  
Susan Marginson #11102032, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
14. 89413/89414 Pauline's Nails & Spa Salon #SNT17826 & SAES18675  
Uyen Thi Phuong Ngo, Owner, # 50500446  
Tu Dien Thi Le, Manager, #SNT 50400703 & 30500356  
Cuong Tran, Licensee, # 50400396  
Offer a consent agreement to assess \$750.00 civil penalty and Board costs, \$73.00 in restitution and for Manager Tu Dien Thi Le to attend the Infection Protection/Law Review class given by the Board, see motion above.
15. 89416/89417 Angel Touch Nails by H & N #SAES15137 & SNT15160  
H & N Nails Spa's LLC, Owner  
Liem Ha #5000557, Member/Manager  
Johnathan Nguyen, Member  
Rich Van Nguyen, Member  
Kim Loan T Vu #30200129, Licensee  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs and \$10.00 in restitution, see motion above.
16. 89418 Salon de Belleza Nueva Imagen #SCOS24263  
Juan J Ruiz, Owner  
Jorge Rodriguez Trujillo #11201323, Licensee

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- Offer a consent agreement to assess \$250.00 civil penalty and Board costs and for Licensee Jorge Rodriguez Trujillo to attend the Infection Protection/Law Review class given by the Board, see motion above.
17. 89440 European Nails & Spa SNT16629  
Don D Tran #10000259, Co-Owner/Manager  
Mindy Pham #508000653 & 31200540, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
18. 89442/89591 Uniquely Nail Spa #SNT15410 & SAES15416  
Kevin J Le #59800435, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
19. 89444 Jazzy Braidz Salon #SCOS25034  
Jazzy Braidz Salon LLC, Owner  
Howard K Best, Member  
Jasmen C Holloway, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
20. 89448/89452 XO Nails & Spa 1 #SAES18937 & SNT18000  
Khiet T Ha, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
21. 89453/89459 Vera's Nails and Spa #SAES18240 & SNT17533  
Andy T Ngo #51000345, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
22. 89477 & Voluptuous Nails & Spa, Unlicensed  
Gricela Garcia, Co-Owner  
Jessie Garcia, Co-Owner  
89602 Shawna Wilson #51100460, Licensee  
Offer a consent agreement to assess \$50.00 civil penalty and Board costs, see motion above.
23. 89478 Maria Francelia La Rosa #11302032  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
24. 89485 Divas Hair Salon #SCOS20421  
Martha Vasquez #10801293, Owner/Manager  
Amanda Reynaga, Student  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
25. 89486 Kaylynn Staggs #10600478  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
26. 89524/89525 Tweety's Perfect Nails & Spa #SNT14730 & SAES15013  
Hien T Le #59800201, Owner  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner Hien T. Le to attend the Infection Protection/Law Review class given by the Board, see motion above.
27. 89548/89550 Bien Nails #SNT9313 & SAES12139  
Huynh Hung Ngoc #'s 59500848 & 30100053, Owner  
Christine Nguyen #'s 31200482 & 50100676, Licensee  
Duc Ngo, License No. 50100380  
Phuong Kim Tran #'s 30600325 & 50500680

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- Offer a consent agreement to assess \$750.00 civil penalty and Board costs, for Licensees Christine Nguyen, Duc Ngo and Phuong Kim Tran to attend the Infection Protection/Law Review class given by the Board, see motion above.
28. 89556 Sincerely Yours Salon #SCOS18286  
Sincerely Yours Salon LLC, Owner  
Patricia Mitchell #18501134, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
29. 89558/89559 Bien Nails by Ann #SNT16128 & SAES16317  
Nghia Van Phan #50501508, Owner  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
30. 89560 Jaleen's Beauty Salon & Barber #SCOS24245  
Lizbeth Rivera, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
31. 89566 Hair Saloon & Day Spa #SCOS20090  
Dawn Hardesty #17617356, Owner  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
32. 89567/89568 Regal Nail and Spa #3407 #SNT16272 & SAES16493  
Minh Hung Cao #50100660, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs and for Owner/Manager Minh Hung Cao to attend the Infection Protection/Law Review class given by the Board, see motion above.
33. 89571 Allusions #SCOS17262  
Alicia Cuppetelli #10700027, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
34. 89576 Five Star Nails & Spas #SAES18307  
Five Star Nails & Spas LLC, Owner  
Phuong Hoang Ngo #50500272, Member  
Tommy Ngo #50500273, Member/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
35. 89585 Chateau D'our Salon #SCOS24374  
Stephanie Hofmann #11401529, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
36. 89586 Kristina L Knight #19001030, Owner/Manager  
Offer a consent agreement to assess \$500.00 civil penalty and Board costs, see motion above.
37. 89588 Salt Salon & Spa LLC #SCOS24889  
Salt Salon & Spa LLC, Owner  
Autumn L Lydic #10225916, Member/Manager  
Michaela Ford #10123216, Member/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
38. 89606 Urban Wax #SAES17388  
Urban Wax LLC, Owner  
Ann-Marie Murphy #30900604 (*Inactive*), Member  
Declan Murphy, Member  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
39. 89608 Kandy's Beauty #SCOS17612

- Candelaria Luna #10701338, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
40. 89611 Hair Handlers #SCOS533  
Susan M Bassett #18124152, Owner/Manager  
Offer a consent agreement to assess \$250.00 civil penalty and Board costs, see motion above.
41. 89614 A #1 Beauty Spot and Nail Spa #SCOS24068  
Sandra Fries #17718284, Owner/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 **9:45 a.m.**  
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 from June 8 Board Meeting  
**CONTINUANCE GRANTED**

#### B. With Negotiation Options

1. 89298 Karen Rambat #31000172 **10:00 a.m.**  
Continued from June 8 Board Meeting  
Karen Rambat appeared was sworn in and stated she was in the process of moving, she was not working, was not open, she did have business cards and did renew her personal license. Investigator Bobbie Johnson testified that this was a beauty mall licensed under Selvere Wellness and the location has been delinquent for over a year. Licensee was leasing room for approximately 3-months, there were business cards, licensee was not working and not open day of investigation.  
MOTION by Joe Verdugo to move that for case no. 89298 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Tammy Acton. MOTION CARRIED.  
**SUBSTANTIATED VIOLATIONS**  
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. § 32-574 (A)(1)(2) Perform or attempt to perform aesthetics or hold oneself as a aesthetician  
A.R.S. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications  
**HISTORY**

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84174 . 3/18/12 . Consent Agreement - \$250 - Civil Penalty- Unlicensed Activity/IPL Devise Use/Lasers/IPL/Authorized Use/Supervision/Scope of Practice (offering IPL Therapy treatment for Dry Eyes Syndrome)

MOTION by Joe Verdugo to move that for case no. 89298 to impose the following discipline and to Issue a Letter of Concern for attempt to practice. MOTION SECONDED by Tammy Acton. MOTION CARRIED. `

2. 89374 Jewelry Nail & Spa #SNT13557 **10:00 a.m.**  
Liem T Ha #50000557, Owner  
Nga T Nguyen #59900240, Manager  
Dieu Thi Do #50331189, Licensee  
Continued from June 9<sup>th</sup> Board Meeting  
**CONTINUANCE GRANTED**
3. 88671 Exquisite Nails #C22941 **10:00 a.m.**  
Exquisite Nails LLC, Owner  
Hieu Kim Tran #30400343 & 59500258, Member  
**NEGOTIATED \$250**
4. 88679 Nail Spa 101 #M16474 **10:00 a.m.**  
Nghi Cong Mai #59800429, Owner  
Anthony Lo #50100609, Manager  
**NEGOTIATED \$750/6-Month Probation/1<sup>st</sup> Payment Submitted**
5. 88703 Michelle Duong #50000314 **10:00 a.m.**  
Michelle Duong appeared was sworn in and stated she is a single mom and the owner of the salon where she works wants her to work seven days a week and she does not want to do that and the owner called that State Board on her. Michelle Duong stated that she only does family and does not charge them and that the inspector tricked her. Investigator Bobbie Johnson testified that licensee was working out of her home and was able to schedule an appointment via text message for a nail service for 12:00 on October 8, 2014. Licensee stated she was doing services out of her home because she was working seven days a week and was not able to see her kids so she was able to spend more time with them.  
MOTION by Karla Clodfelter to move that for case no. 88703 all alleged violations cited in the Investigation Report have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.  
**SUBSTANTIATED VIOLATIONS**  
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. § 32-574 (A)(9) Unlawful Acts; Violations; Classifications  
**STAFF REPORTED NO HISTORY**  
MOTION by Karla Clodfelter to move that for case no. 88703 to impose the following discipline and to Offer a Consent Agreement with the following new terms of \$250 civil penalty and Board costs, 10-month probation to pay civil penalty and for Licensee Michelle Duong to attend the Infection Protection/Law Review class held by the Board within two months. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
6. 88778 Gerardo Bracamonte Jr. #11200822 **10:00 a.m.**  
**No Show; to formal hearing**
7. 88782 Shauna Barton #10501040 **10:00 a.m.**  
**NEGOTIATED \$500/PAID**

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8. 88788 Leticia Silva Lopez, Owner  
Chicas Bellas Beauty Salon #C24028  
10:00 a.m.

**CONTINUED**

Compliance Supervisor Joanne Ayotte asked the Board Members if they would rescind the \$1,250 civil penalty and to issue a new Consent Agreement for \$250 civil penalty and Board Costs.

MOTION by Karla Clodfelter to rescind the \$1,250 civil penalty and to issue a new Consent Agreement for \$250 civil penalty and Board costs. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

9. 88815 Nicoles Deoliviera #10022066  
10:00 a.m.  
**NEGOTIATED \$500**

10. 89035 Stardust Nails #SNT12529  
Sau Phan #50200060, Owner  
10:00 a.m.  
**NEGOTIATED \$500**

11. 89217 Kim L Mason #50227626  
10:00 a.m.  
**NEGOTIATED \$50/PAID**

12. 89263/89264 Style Nail Salon #SNT15133 & SAES18093  
Donna Van Dang #50501400 & 30600624, Owner/Manager  
10:00 a.m.  
**No Show; to formal hearing**

13. 89272 Head 2 Toes Hair and Nails & Tanning Salon #SCOS12331  
Darla Bigham #59800245, Owner/Manager  
10:00 a.m.  
**NEGOTIATED \$250/PAID**

14. 89354 Pampered & Polish Nails #SNT17180  
Pampered & Polish Nails LLC, Owner  
Sherri O'Hara, Member  
Lynn My Truong, Member  
10:00 a.m.  
**CONTINUED**

15. 89361 Katie King #31400875  
10:00 a.m.  
**NEGOTIATED \$250**  
89476 JD Hair Productions #SCOS15884  
David De Peal #17920997, Co-Owner  
Jane De Peal #17920998, Co-Owner  
**NEGOTIATED \$250**

16. 89384/89385 LV Day Spa #SNT17950 & SAES18865  
LV Spa LLC, Owner  
Vu Thanh Tieu #50500490, Member  
Loan Tran #50900580 & 30900738, Member  
10:00 a.m.  
**NEGOTIATED \$250/PAID**

17. 89412 Kelli Nails & Spa #SAES16648  
Nicholas Nguyen #50700523, Owner  
Jennifer Huyen Doan #50700490 & 30700876, Licensee  
10:00 a.m.

Nicholas Nguyen appeared was sworn in and stated he was in the shop at the time, the client asked her friend who does her permanent makeup and was told Kelli Nails. Client was told how long it would take 2-hours and how much it would cost \$200.

Investigator Bobbie Johnson testified that this was an eighty one year old lady who wanted her eyebrows trimmed and shaped and came out with permanent makeup. She did not know

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what a tattoo was, she stated that the salon would not let her write a check and held her captive until she paid with a credit card or cash. No consent form was signed.

MOTION by Karla Clodfelter to move that for case no. 89412 all alleged violations cited in the Investigation Report have been shown except A.R.S. § 32-572 (A)(5) Misleading and Deceit . MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.A.C. R4-10-111 (A) Advertising Differently Than Name Issued By Board

A.A.C. R4-10-111 (F) Display notice of permanent makeup not regulated by the Board

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. 89412 to impose the following discipline and to Issue a Letter of Concern for advertising differently and not posting out for services not regulating by the Board. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

- |     |                      |   |            |
|-----|----------------------|---|------------|
| 18. | 89457/89458          | T.J. Nails # <del>q</del> SNT17839 & SAES18689<br>Billy Nguyen #50700098, Owner/Manager<br><b>NEGOTIATED \$250/PAID</b>   | 10:00 a.m. |
| 19. | 89462/89463          | Perfect Nails by Terresa # <del>q</del> SNT17724 & SAES18534<br>Nguyen V Dinh #59700589, Owner/Manager<br><b>NEGOTIATED</b>   | 10:00 a.m. |
| 20. | 89472                | Supercuts #90286 #SCOS15898<br>Supercuts Corporate Shops Inc, Owner<br>Dan Hanrahan, President<br>Steve Spiegel, Vice-President<br>Eric Bakken, Secretary<br>Juliana Christie #11300697, Manager<br><b>No Show; to formal hearing</b>                   | 10:00 a.m. |
| 21  | 89475 &<br><br>89509 | Sport Clips AZ 120 #SCOS24823<br>Lee Hill Investments LLC, Owner<br>Val Hill, Member<br>Jared Lee, Member<br>Alex Elise Meza #10901776, Manager on Duty<br><b>NEGOTIATED \$250</b><br>Megan Roberson #10500034, Manager<br><b>NEGOTIATED \$500/PAID</b> | 10:00 a.m. |
| 22. | 89488                | T & L Nails #SNT15269<br>Thanh Tan Nguyen, Owner<br>Duong Thanh Thi Le #59918709, Manager<br><b>NEGOTIATED \$250</b>  | 10:00 a.m. |
| 23. | 89491/89493          | University Nails # <del>q</del> SNT17263 & SAES17812<br>Phuong Thi Vo # <del>q</del> 50300068 & 30500347, Owner<br><b>No Show; to formal hearing</b>  | 10:00 a.m. |
| 24. | 89495                | Primp & Blow Phoenix LLC #SCOS22549<br>Primp & Blow Phoenix LLC, Owner<br>Melodi Harmon, Member<br>Annie Nicole Harris #10802175, Manager<br><b>NEGOTIATED \$500</b>  | 10:00 a.m. |

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25. 89498 & Rachel Bonn #19712161, Co-Owner/Manager 10:00 a.m.  
89499 Ginger Gallardo #11102580, Co-Owner/Manager

Ginger Gallardo and Rachel Bonn appeared was sworn in and stated that they had just moved into the studio, not started working, no clients, no business cards just setting up the studio. Rachel Bonn has a letter from the landlord which gave them permission to go into the studio to set up studio prior to opening the studio. Inspector Takejah Lambert testified that the licensees were operating an unlicensed establishment and there was no outside sign.

MOTION by Martha Ramsey to move that for case nos. 89498 & 89499 to be dismissed due to insufficient evidence. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

26. 89501 Teri Bush #19600575 10:00 a.m.

Teri Bush appeared was sworn in and stated that she started in suite no. 8 February 14<sup>th</sup>, which was temporary and shortly after the landlord put her into another suite and practiced in that studio and never thought to change it. Teri Bush stated she has since applied, has not received her license yet and regarding the wet disinfectant she had just dumped it when the inspector came in. Inspector Takejah Lambert testified that licensee had moved suites without notifying the Board and that there was not wet disinfectant.

MOTION by Karla Clodfelter to move that for case no. 89501 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

**SUBSTANTIATED VIOLATIONS**

A.R.S. § 32-574 (A)(5)(8) Unlicensed Establishment

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

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 Karla Clodfelter to move that for case no. 89501, we should impose the following discipline and issue a Letter of Concern for salon location change and for wet disinfectant to be set up at all times while salon is open. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

Board Member Melissa Porter excused herself from the Board Meeting.

27. 89505 & Charlie's Nails #SNT9136 10:00 a.m.  
89592 Charlie Vo #59600088, Owner  
Hang Kim Quach #50400944, Manager

Charlie Vo appeared was sworn in and stated he has Orange Oxygen at every spa to clean the base of the spa and the chair, they use plastic liners in the spa and use spa disinfectant to clean the spa. Charlie Vo brought in a container and a nail brush and stated that the brushes are plastic and float to the top. Inspector Takejah Lambert testified that the salon is not properly disinfecting the pedicure spas and the wet disinfectant was not large enough for complete immersion.

MOTION by Karla Clodfelter to move that for case nos. 89505 & 89592 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 (A)(4. a)(G) Infection Control/Safety Standards

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

**HISTORY**

86780 . 6/27/2013 . Consent Agreement - \$250 Civil Penalty . Health & Safety . Towels not Enclosed/Soiled Dry Storage/4/7 Licensee with soiled tools and reuse of pedicure pumice blocks/Required Personal License Display.

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MOTION by Karla Clodfelter to move that for case nos. 89505 & 89592, we should impose the following discipline and Maintain Consent Agreement terms previously offered to the Licensee, to add a 10-month probation to pay civil penalty and to attend the Infection Protection/Law Review class within 60-days. MOTION SECONDED by Tammy Acton. MOTION CARRIED.

28. 89507 Sasha Salon #SCOS23390 10:00 a.m.  
 Sasha Salon LLC, Owner  
 Sanela Zahirovic #10700142, Member/Manager  
**No Show; to formal hearing**

29. 89511 Academy of Nail Technology #NSL2 10:00 a.m.  
 Samuel Solutions Inc, Owner  
 Linda C McKew #89400002, President  
**CONTINUANCE GRANTED**

30. 89512 Shauna K Schultz #30800772 10:00 a.m.  
**No Show; to formal hearing**

31. 89593 Janessa M Hernandez #10122379, Member/Manager 10:00 a.m.  
 89594 Erica Nadler #10500164, Member/Manager  
 89514 Patricia Muchnij #31400432, Licensee

Janessa Hernandez, Erica Nadler and Patricia Muchnij appeared was sworn in and stated she was an independent contractor called the Board several times and asked if the salon license Duo Hair Design Studio would cover her and was told yes. It was never her intention to be a free standing salon and has removed her postcard and has made no business cards until she received more information today. Investigator Amber Moore testified that Duo Hair Design Studio No. SCOS 24310 was found allowing licensee to operate and advertise an unlicensed salon within a salon % Little Bit of Heaven+without proper licensure.

MOTION by Tammy Acton to move that for case nos. 89593, 89594 & 89514 all alleged violations cited in the complaint summary have been shown. MOTION SECONDED by Joe Verdugo. 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

MOTION by Tammy Acton to move that for case nos. 89593, 89594 & 89514, we should impose the following discipline issue a Letter of Concern for advertising differently from the name issued by the Board. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

32. 89516/89518 J Nail Shop Inc #SNT16809 & SAES17190 10:00 a.m.  
 J Nail Shop Inc, Owner  
 Jennifer Hanh My Ha #50400262 & 30600080, President/Manager  
**NEGOTIATED \$250/**

33. 89520 Great Clips #6336 #SCOS15331 10:00 a.m.  
 Kula Inc, Owner  
 Michael Dicarlo, President/Director  
 Martina Kemp, Manager  
**NEGOTIATED \$250/**

34. 89595 Duc H Ong #59500153, Owner/Manager 10:00 a.m.  
**NEGOTIATED TO ATTEND BOARD CLASS**

35. 89527 & Tru Colors Salon & Day Spa #SCOS15066 10:00 a.m.

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- 89596                      Quang N Pham #10801401, Co-Owner/Manager  
Lan M Tran # 59900071 & 30100102, Co-Owner/Manager  
**NEGOTIATED \$250**
36.      89528/89529 & Ken Nails & Spa # SNT16386 & SAES16641                      **10:00 a.m.**  
89628                      Anh Hoang Nguyen #50200058, Owner  
MOTION by Tammy Acton to move that for case nos. 89528, 89529 & 89628 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)(5)(6) Infection Control/Safety Standards  
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications  
MOTION by Tammy Acton to move that for case nos. 89528, 89529 & 89596, we should impose the following discipline issue a Letter of Concern for no tuberculocidal disinfectant. MOTION SECONDED.  
**HISTORY**  
85869 & 85870 . 1/22/2013 . Consent Agreement - \$750 Civil Penalty . Unlicensed Individual/Health & Safety . Double dipping  
86228 (SNT 16386) . 3/26/2013 . Letter of Concern . Personal License Display  
86456 (SNT 16386) . 4/20/2013 - Consent Agreement - \$250 Civil Penalty . Personal License Display/Health & Safety . Implements not being disinfected properly & clean linens not enclosed.  
87728 & 87729 . 2/25/2014 . Consent Agreement - \$250 Civil Penalty . Health & Safety . Reuse of pedicure pumice stones & clean linens not enclosed/Required Personal License Display/Required Latest Inspection Sheet Display.  
Tammy Acton WITHDREW MOTION. Joe Verdugo WITHDREW SECOND. Matter continued for Owner to Appear.
37.      89531                      Cindy Ho Nails #SNT17922                      **10:00 a.m.**  
Tuyet-Hanh Thi Ho #50401158, Owner  
Tuyet-Hanh Thi Ho appeared was sworn and stated that she had shown the Inspector a spa disinfectant and the Inspector told her she needed Barbicide. Tuyet-Hanh Thi Ho also stated that they do have a wet disinfectant set up. Inspector Takejah Lambert testified that there was no wet disinfectant available.  
MOTION by Karla Clodfelter to move that for case no. 89531 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)(5)(6) Infection Control/Safety Standards  
A.R.S. § 32-574 (A) (9) Unlawful Acts; Violations; Classifications  
MOTION by Tammy Acton to move that for case no. 89531, we should impose the following discipline issue a Letter of Concern for no tuberculocidal disinfectant. MOTION SECONDED by Joe Verdugo. MOTION CARRIED. Karla Clodfelter VOTED NAY.
38.      89532 &                      Salon JO.EL #SCOS22091                      **10:00 a.m.**  
**NEGOTIATED \$500**  
89597                      Joseph W Porter # 90500067 & 19000737, Owner  
**NEGOTIATED TO ATTEND BOARD CLASS**
39.      89544 &                      Prestige Nails & Spa #5190 #SNT16335                      **10:00 a.m.**  
**NEGOTIATED \$250**  
89629                      Victoria Nguyen # 50700399 & 30800571, Owner/Manager  
**NEGOTIATED TO ATTEND BOARD CLASS**

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- |     |       |  |                   |
|-----|-------|--|-------------------|
| 40. | 89546 | Lam T Tran #59900005<br><b>NEGOTIATED \$1000/PAID</b>  | <b>10:00 a.m.</b> |
| 41. | 89549 | LV Day Spa #SNT17950<br>LV Spa LLC, Owner<br>Vu Thanh Tieu #50500490, Member<br>Loan Thuy Tran #50900580 & 30900738, Member/Manager<br><b>NEGOTIATED</b> | <b>10:00 a.m.</b> |

**STEP 3: HEARINGS**

**A. Denial Appeals**

None

**B. Motion to Deem Allegations Admitted**

None

**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 Tammy Acton to adjourn the meeting at 1:25 p.m. MOTION SECONDED by Martha Ramsey. MOTION CARRIED.

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