BOARD MEETING MINUTES

ARIZONA STATE BOARD OF COSMETOLOGY MEETING
August 16, 2013 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

Board Members Present:
Gary Begley
Karla Clodfelter
Jessica Stall
Joe Verdugo
Larry Bulechek
Tammy L Acton

BOARD BUSINESS

1. Approval of Regular Board Minutes of July 12, 2013.

   MOTION by Karla Clodfelter to approve minutes as written. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
2. Declaration of Conflict of Interest.

NONE.

3. Discussion, Consideration & Possible Action on Performance Review of Executive Director.

The Board may vote to go into Executive Session for the purpose of discussion and consideration of personnel matters pursuant to A.R.S. §38-431.03 (A) (1).

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 pursuant to A.R.S. §38-431.03 (A) (2).

MOTION by Gary Begley to enter into EXECUTIVE SESSION at 9:15 a.m. for the purpose of discussion and consideration of personnel matters pursuant to A.R.S. §38-431.03 (A) (1), 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 pursuant to A.R.S. §38-431.03 (A) (2) on Item #3 of the Agenda and to seek legal advice regarding teaching laser courses in licensed schools on Item #4 of the Agenda. SECONDED by Karla Clodfelter. MOTION CARRIED.

9:50 a.m. Back in Open Session:

Gary Begley reported they have come to a conclusion after reviewing the investigative report of Mr. Delano that the accusations were totally unsubstantiated and that this matter is to be concluded and will no longer be on the Agenda or discussed.

4. Discussion, Consideration and Possible Action on Teaching Laser Courses in Licensed Schools

- A.A.C. R4-10-203

Gary Begley reported that more information was needed and this would be on future Agendas for study.

5. Discussion, Consideration and Possible Action on Cindy Vong and La Vie LLC, Plaintiffs vs. Donna Aune, Defendants, Maricopa County Superior Court Case No. CV2009—037208.

The Board may vote to go into Executive Session for the purpose of discussion and consideration of pending litigation pursuant to A.R.S. §38-431.03 (A) (4).

- Update on Case Status
Assistant Attorney General Bridget Harrington updated the Board Members that the Court of Appeals issued an Order that the Plaintiff's opening brief is due on September 5, 2013, and the Board will have 35-40 days to respond.


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 of testimony that is confidential by State of Federal Law pursuant to A.R.S. §38-431.03 (A)(2).

MOTION by Karla Clodfelter to enter into EXECUTIVE SESSION at 12:37 p.m. to discuss and consider records exempt by law from public inspection, including the receipt and discussion of information of testimony that is confidential by State of Federal Law pursuant to A.R.S. §38-431.03 (A)(2), on Items #6 and #7 of the Agenda. SECONDED by Tammy Acton. MOTION CARRIED.


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 pursuant to A.R.S. §38-431.03 (A)(2).

1:29 p.m. Back in Open Session:

MOTION by Joe Verdugo to approve the Agency Response to the Auditor General’s Draft Report on Performance Audit and Sunset Review Report. SECONDED by Karla Clodfelter. MOTION CARRIED.

8. Discussion, Consideration & Possible Action on U.S. Dept. of Education – State Authorization and Title IV Funding Issue

Executive Director Donna Aune reported to the Board Members that the Assistant Attorney General Bridget Harrington and she have sent a letter and a packet back for the third time requesting the Legal Department to review the information sent. The Board believes Arizona is in compliance regarding Post Secondary Education.

9. Cosmetology Students on Field Trip:
   • Questions and answers regarding Board authority and process

Students from Carsten’s were in attendance.

EXECUTIVE DIRECTOR’S REPORT
A. Summary of Current Events.

Executive Director Donna Aune reported that next week Karla Clodfelter, Gary Begley and herself will be attending an NCI conference in Denver.

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

None

B. Recommend Dismissals

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step B and C. MOTION SECONDED by Gary Begley. MOTION CARRIED.

<table>
<thead>
<tr>
<th>ID</th>
<th>Name</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>85544</td>
<td>Jennifer Bailey #59400401</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>85638</td>
<td>Spa at Continental Country Club Inc Unlicensed</td>
<td>(Massage Therapy)</td>
</tr>
<tr>
<td>85840 &amp; 85841</td>
<td>Lisa Ann Richardson #30400601 &amp; Lisa Ann Richardson #51200636</td>
<td>(Customer service settled)</td>
</tr>
<tr>
<td>85922</td>
<td>Professional Nails #M14269</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>85988 &amp; 85989</td>
<td>Les Beaute' Studio #C22178 &amp; Lisa Ann Richardson #30400601, Member</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>86076</td>
<td>Amy L Collins #59600251</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>86082</td>
<td>Lisa Ann Richardson #51200636</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>86326/86328</td>
<td>Fashion Nail &amp; Spa # A17550 &amp; M17073</td>
<td>(No evidence to support allegations)</td>
</tr>
<tr>
<td>86386</td>
<td>Sherlynn Cook #59000303</td>
<td>(No evidence of unlicensed activity)</td>
</tr>
<tr>
<td>86502</td>
<td>El Caballito Western Clothing Store</td>
<td>(Refer to proper authorities)</td>
</tr>
</tbody>
</table>
86503/86504 Kim Perfect Nails #’s A17457 & M17006 (No evidence to support allegations)
Kim Perfect Nails LLC, Owner
Tinh Nguyen, Member
Thuong Thi Kim Phan #50900211, Member

86620 Eva Nails #A10253 (No evidence to support allegations)
Kim Loan Thu Huynh #30100044, Owner/Manager

86627 Wax WErks #A16852 (No evidence to support allegations)
Martha Browatzici, Member

86631 Nail 8000 Waxing #M15681 (No evidence to support allegations)
Tu Hinh Tran #19900177, Owner

86634 El Caballito Western Clothing Store (Refer to proper authorities)
Tu Hinh Tran #19900177, Owner

86638 Tammy Ann Griffin #10100822 (Insufficient evidence & time frame)

86651 Urban Culture (No evidence of cosmetology services)

86663/86664 My Surprise Nail Spa #’s M16510 & A16796 (No evidence of unlicensed activity)
Tim T Nguyen, Owner

86666 American Haircuts #C19632 (No evidence to support allegations)
American Haircuts LLC, Owner
Amy Le #10401286, Member
Diane Hoang #10501861, Member

86676 Imagen Salon & Day Spa #C18267 (No evidence to support allegations)
Imagen Salon & Day Spa Inc., Owner
Irasema V Sanchez #17718103, President/Manager

86683 L’Amour Nails #M14023 (No evidence to support allegations)
Ha Ngan Nguyen #59715998, Owner/Manager

86763 Quinette Lavette Lewis #11003016 (No evidence of unlicensed activity)

C. Recommend Letter of Concern

86652 Bella Nova Spa #A17687 (Delinquent establishment license)
Megan Rodes #31100600, Owner

86696 Patty’s Beauty Salon #C21851 (Delinquent establishment license)
Karla Medina #11000304, Owner/Manager

86697 PHX Barber Shop #C20044 (Delinquent establishment license)
Efrain Valdez, Owner

86698 Flair ! Salons #C17944 (Delinquent personal license, licensee with soiled dry storage & soiled tools)
Flair ! Salon LLC, Owner
Nikki Daly #30900321, Co-Member/Manager
Linda Ledesma #19800412, Co-Member/Manager

86700 Idemania LLC #C18209 (Delinquent personal license)
Idemania LLC, Owner

86709 Risque’ Hue #C21331 (Delinquent personal license)
Brooke Grover #10401913, Owner

86710 M Salon #C17520 (Delinquent personal license & inspection sheet display)
M Salon LLC

86711/86712 Bella Day Spa & Boutique #M16803 & A16884 (Delinquent establishment
Sugar LLC (license)
Nickie M Verdugo #30227652, Member
Bill Wombacher, Co-Owner
Debra Wombacher-Finley, Co-Owner

86740 Hair & More #C18571 (Delinquent personal license)
Joy M Goodearl #19700695, Owner/Manager

86741 Agape Salon & Day Spa #C17552 (Delinquent personal license)
Joy M Goodearl #19700695, Owner/Manager

86742 Teasers Hair & Nail Salon & Beauty Supply #C17478 (Delinquent personal license)
Pamela Sue White #18900881, Owner/Manager

86743 Loma Skin Care #A17625 (Delinquent establishment & personal licenses & no exterior sign)
Karen Rambat #31000172, Owner/Manager

86747 Metro Hair Company C7069 (Delinquent personal license)
Sophia Ballesteros #17213571, Owner

86748 Aristocats Studio #M16726 (Delinquent personal license)
Kim Maney #59300506, Owner

86749 Linda’s Beauty Salon #C159 (Delinquent personal license)
Linda Pastor #16708220, Owner/Manager

86750 Globe Hair #C3750 (Delinquent personal license)
Patricia A Bocardo #s 16910210 & 90900047, Owner

86760 Rollover & Dye #C21636 (Delinquent establishment license & display)
Jennifer S. Hendricks-Rollo #10223825, Owner/Manager

86771 Supercuts Salon #C22829 (Personal license display)
Supercuts Corporate Shops Inc, Owner
Dan Hanrahan, President

86786 Salon X #C19307 (Delinquent personal license)
Christian James PC, Owner
Christian James #19700586, President

86787 2 Change Hair Design #C18115 (Delinquent establishment license & sink had leak)
Joyce Shackelford #18500227, Owner/Manager

86795 T-Town Barber Shop #C21818 (Delinquent establishment license)
Edwin Perez, Owner/Manager

86798/86799 Nails & Spa Talk # A16750 & M16476 (Personal license display)
Duy A Nguyen, Owner

86800 Foxtail Blowdry & Beauty Bar #C2299 (Delinquent personal license)
Candace Hale #90900036, Co-Owner/Manager
Judith Marks #10501492, Co-Owner

86806 Hair Station #1 #C3068 (Delinquent establishment license)
Glenda Dunlap #16607477, Co-Owner/Manager
Lorne Dunlap, Co-Owner

86807 Salon Sandoval #C6899 (Delinquent personal license)
Christopher Sandoval #18327427, Owner/Manager

86808 Heather Curl Hair #C20566 (Delinquent establishment license)
Heather Curl #19600558, Owner/Manager

86809 Great Clips #C13675 (Personal license display)
Tucson Clips LLC, Owner

86817 Just Stringz #A17729 (Del establishment license, manager
Boeau Belle Ltd Inc, Owner  
Sid Biranth, President  
Poonam Biranth, Vice-President  

86825 Salon Teaze #C20984  
Amber Tanner #10501270, Owner/Manager  

86835 Le Cheveux Salon & Boutique #C20382  
Lisa B Designs LLC, Owner  
Lisa Buffer, Member  

86836 Resolutions Medical Spa Inc #A17551  
Resolutions Medical Spa Inc, Owner  
Armando Gonzalez, President  

86840 Sarai Hair & Nail Salon #C12968  
Connie L Smith #19001049, Owner/Manager  

86841 Sharon’s Sharp Kuts #C10468  
Sharon Sharp #19100035, Owner  

86845 Arrowhead Sports, Club & Spa #C17868  
Evergreen L. P., Premier G. P. LLC, Owner  

86847 A Hole in One Barber Shop & Salon #C9396  
Keith M Mead, Owner  

86848 Lieu Hair & Nail Salon #C14570  
Lieu T Huynh #59500145, Owner  

86849 2 Sisters Skin Spa #A16020  
2 Sisters Skin Spa LLC, Owner  
Courtney McEuen #’s 30800010 & 71200019, Member/Manager  
Erin McKeighan, Member/Manager  

86869 Great Extensions #C22473  
Theresa L Hale #18600215, Owner/Manager  

86870 Oasis Day Spa #C19971  
Hillcrest Laser & Skincare Center PLLC, Owner  
Hesham Sahawneh, Manager  
Michelle Sahawneh, Member  

86871 Elements a Hair & Nail Salon #C17918  
DPS Enterprises Ltd, Owner  
Wanda Richardson, President  

86872 Anita’s Beauty Creations #C22444  
Anita Biro #19001084, Owner/Manager  

86873 Specially Yours Beauty Salon #C22227  
Ruben Duran, Owner  

86874 Carly’s Corner #C13920  
Carly Sena #19400866, Owner/Manager  

D. Recommend Informal Interview or Negotiation Terms

MOTION by Karla Clodfelter to accept staff recommendations for all those listed below under Step D.  MOTION SECONDED by Tammy Acton.  MOTION CARRIED.
1. 86390/86703  Estrella Nails & Spa #’s M16453 & A16725
    Kevin Nguyen #50800732, Owner/Manager
    Offer a consent agreement to assess $250.00 civil penalty and Board
    costs, see motion above.

2. 86447  Nails Club #C22460
    Nails Club LLC, Owner
    James Tran #50331364, Member
    “Rosa” Hoanh Kieu Hnan #51100244, Licensee
    Offer a consent agreement to assess $500.00 civil penalty and Board
    costs and for licensees James Tran and “Rosa” Hoanh Kieu Hnan to
    attend and complete the Infection Protection/Law Review class given
    by the Board, see motion above.

3. 86461  Nails Club #C22460
    Nails Club LLC., Owner
    James Tran #50331364, Member
    Diem Phuong Nguyen #10401127, Manager
    Duy Trong Le #50400253, Licensee
    Hanh N Huynh #’s 59600575 & 3030076, Licensee
    Thu Anh Le #51200673, Licensee
    Edward Phan #50100961, Licensee
    Tommy Nguyen #50500318, Licensee
    Natalie Tran #11101451, Licensee
    Thu – Tam N Tran #50600525, Licensee
    Offer a consent agreement to assess $500.00 civil penalty and Board
    costs and for licensees James Tran and Diem Phuong Nguyen to
    attend and complete the Infection Protection/Law Review class given
    by the Board, see motion above.

4. 86462  Allure Nails #M1795
    Russ Seekatz, Member
    Roberta Eldred, Member
    Offer a consent agreement to assess $250.00 civil penalty and Board
    costs and for licensee Roberta Eldred to attend and complete the
    Infection Protection/Law Review class given by the Board, see motion
    above.

5. 86501  Tiffany’s Nail & Hair #C15553
    Linda Giau Duong #’s 30200063 & 59920691, Owner
    Offer a consent agreement to assess $500.00 civil penalty and Board
    costs and for licensee Linda Giau Duong to attend and complete the
    Infection Protection/Law Review class given by the Board, see motion
    above.

6. 86538  Polished by Jen & April #C21217
Hai Tran #50800554, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

7.  86539  Salon Avenue North #C20287
Jason Chavez #10401701, Co-Owner
Randey Davis #10702009, Co-Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

8.  86545  Susan M Cadriel #10500911
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

9.  86548  Smartstyle #1157 #C22593
Minnesota Regis Corp
Dan Hanrahan, President
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

10. 86558/86559  Da Vi Nails #5330 #M14811 & A16139
Trung Van Tran #59800055, Owner
Continued for Further Investigation

11.  86560  Ilusion Real Barber & Beauty Salon Day Spa #C21983
Ilusion Real Barber & Beauty Salon Day Spa LLC
Leticia Ortiz #18900192, Member
Martha Marquez #10401840, Manager
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

12.  86561/86562  Desirable Nails #A17695 & M16671
Desirable Nails LLC
Lan T Chuc #30600592 & 50600686, Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs and for licensee Lan T. Chuc to attend and complete the Infection Protection/Law Review class given by the Board, see motion above.

13.  86564  JRY Dermacare Laser Skin Care Clinic of Tempe & Chandler
#A15206
JRY Properties LLC
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

14.  86566  Salon Divine #C18803
Lauren Marler #10601833, Co-Owner
Christine Hawkins #19816932, Co-Owner
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

15. 86570  Una Bella Creation Salon #C21400
Casandra Williams #11101727, Owner/Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

16. 86573  Mena’s Aesthetics LLC #C21879
Mena’s Aesthetics LLC
Jeffrey Latas, Member
Mena Aldulaimi, Member
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

17. 86576  Happy Jasmine Nails & Spa #C21127
Tony Nguyen #50016647, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

18. 86577 &  Salon Boulevard #C16126
Chuck Pilot LLC
Misty Muse #18328035, Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

86578  Barbara Robinson #18800223
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

19. 86581  Infinity Nails & Spa #M15626
Hoa Thi Doan #’s 50500406 & 30500227, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

20. 86584  Salon XL & Day Spa LLC #C19113
Salon XL & Day Spa LLC
Amy Adams #59800356, Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

21. 86585  Marilyn Jean Madell #30400158
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.
22.  86587  Bewitched Nails Nail Salon #M17347  
Bewitched Nails LLC  
Melinda Morgan #’s 81100001 & 59300765, Member  
Ellen Kerzie #51200496, Manager  
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

23. 86588/86589  C-K Nails #A16789 & M16503  
Anh-Vu Dinh Le #50501493, Owner/Manager  
Offer a consent agreement to assess $500.00 civil penalty and Board costs, for licensee Anh-Vu Dinh Le to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

24. 86598  Magdalena’s Beauty Salon #C15391  
Magdalena Tillotson #19300375, Owner/Manager  
Offer a consent agreement to assess $250.00 civil penalty and Board costs, and for licensee Magdalena Tillotsom to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

25. 86599  Skillful Nails #M16501  
Oanh Kim Truong, Owner  
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

26. 86600  Bella Nails for U #M14731  
Phuc Cao Nguyen #50200557, Owner  
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

27. 86601  Johanna Beauty Salon Inc #C21528  
Johanna Beauty Salon Inc  
Raynoldo Rocha, Director  
Veronica Gonzalez, Director  
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

28. 86603  Kathy D Cecchin #31100034  
Offer a consent agreement to assess $50.00 civil penalty and Board costs and for licensee Kathy D. Cecchin to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

29. 86604  D’Andreas Beauty Salon & Barbershop #C20998  
Andrea Alvarez, Owner
Continued

30. 86625  Looks to Dye For #C18669
       Brittney L Preston #10600965, Owner
       Offer a consent agreement to assess $250.00 civil penalty and Board
       costs, see motion above.

31. 86626  Roxanne Canaday #31200814
       Offer a consent agreement to assess $500.00 civil penalty and Board
       costs, see motion above.

32. 86628  Heidi’s Hair Designs #C17498
       Heidi Jennings #19500174, Owner/Manager
       Offer a consent agreement to assess $500.00 civil penalty and Board
       costs, see motion above.

33. 86630  Marzae’s Hair Company #C18085
       Marla Unjian #19800294, Owner
       Offer a consent agreement to assess $500.00 civil penalty and Board
       costs, see motion above.

34. 86633  Hair Ink #C21677
       Ashley Filio #10401306, Owner/Manager
       Offer a consent agreement to assess $500.00 civil penalty and Board
       costs, see motion above.

35. 86637  Area 51 Hair Designs & Spa #C20865
       Ismael Canas #19200537, Owner/Manager
       Offer a consent agreement to assess $250.00 civil penalty and Board
       costs, see motion above.

36. 86639  The Hair Cartel #C17861
       Joe Parham, Co-Owner
       Susan Parham #18700818, Co-Owner
       Offer a consent agreement to assess $750.00 civil penalty and Board
       costs, see motion above.

37. 86640  Classy Nails Inc #M16632
       Classy Nails Inc
       Jan Turner #59100155, Member
       Offer a consent agreement to assess $500.00 civil penalty and Board
       costs, see motion above.

38. 86641  Boulevard Hair & Nail Salon #C13046
       Victoria Hildebrand #58500103, Owner/Manager
39. 86669/86670  Le’s Magic Nails #A14212 & M6774
Kim Hue T Le #59500486, Owner/Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

40. 86677/86678  Green Nails & Spa #A17112 & M16749
Green Nails & Spa LLC
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

41. 86682  Mysalon Studios #C22874
D & T95 Investments LLC
Doanh Trong Bui, Member
Tiffany Dang #19700865, Member
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

42. 86684  Susan M Nelson #18801305
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

43. 86685  Shelby A Connell #10802092
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

44. 86686  Randolph Chaney #18428574
Offer a consent agreement to assess $750.00 civil penalty and Board costs and for licensee Randolph Chaney to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

45. 86687  Marisa A Hicks #19001408
Offer a consent agreement to assess $750.00 civil penalty and Board costs and for licensee Marisa A. Hicks to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

46. 86694  Hannah Lapham #11201550
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

47. 86699  Swank, a Salon #C14017
William R Barber #19919383, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

48. 86713/86714  Loi’s LV Nails #A14657 & M14704
John Ho #50401370, Owner/Manager
Offer a consent agreement to assess $250.00 civil penalty and Board costs and for licensee John Ho to attend and complete the Infection Protection/Law Review class given by the Board see motion above.

49. 86715  All About You Med Spa #C22243
My Own Nurse & Wound Care Consultants LLC
Dawn Deroo, Member
Offer a consent agreement to assess $500.00 civil penalty and Board costs, see motion above.

50. 86716  Hi-Lites Hair Salon #C19810
Jennifer L Mishko Scott #19816623, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

51. 86717  Arizona Aesthetic Services PC #A17421
Arizona Aesthetic Services PC
Jeffrey Rose, President
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

52. 86718  Vy’s Nails & Spa #C21749
Alex Hoang #59700672, Owner
Offer a consent agreement to assess $250.00 civil penalty and Board costs, see motion above.

53. 86646  Viens Nails #M15904
Kim Chi T Bu #50100314, Co-Owner/Manager
Bich DiepVu, Co-Owner
Continued

END OF CONSENT AGENDA

STEP 2: INFORMAL INTERVIEWS

All Staff present and planning to give testimony for any case was sworn in by the Chairman
A. Without Negotiation Options

1. 86344 L’Amour Nails III #M14138 10:15 a.m.
   L’Amour Nails III LLC, Owner
   Chau Pham, Member
   Tao Phan, Member
   Tram Phan #'s 50123684 & 30600148, Member
   Continued from July’s Board Meeting

   MOTION by Joe Verdugo to DISMISS due to insufficient evidence.
   MOTION SECONDED by Gary Begley. MOTION CARRIED.

B. With Negotiation Options

1. 86209 Rachael E Cipparone #30700287 10:30 a.m.
   Continued from July’s Board Meeting
   Rachael Cipparone appeared, was sworn in, and stated she was
   unaware she needed a business license. Investigator Bobbie Johnson
   testified that licensee was working in an unlicensed establishment and a
   location change did take place.

   MOTION by Karla Clodfelter to revise the Consent Agreement from
   $500 civil penalty and cost to $250 and for licensee Rachael Cipparone to
   attend and complete the Infection Protection/Law Review class given by the
   Board. MOTION SECONDED by Joe Verdugo. MOTION CARRIED. Larry
   Bulechek VOTED NAY

2. 86245 A Perfect Ten by Elise #M14824 10:30 a.m.
   Elise Caultron #59500147, Owner/Manager
   Continued from July’s Board Meeting
   NEGOTIATED $250

3. 86266 Kimberly Planks #11202286 10:30 a.m.
   Continued from July’s Board Meeting
   Kimberly Planks appeared, was sworn in, and stated she has done
   her children, a classmate and a co-worker. She stated she was told by the
   Instructors where she went to school it was ok for her to do hair at her home.
   Investigator Bobbie Johnson testified that licensee told her that she has done
   friends and family at home that she does not charge them she does receive
   tips and performs cuts and color services.

   MOTION by Karla Clodfelter to revise the Consent Agreement from
   $500 civil penalty and cost to $250 and for licensee Kimberly Planks to
   attend and complete the Infection Protection/Law Review class given by the
   Board. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

4. 86317 Willow Stream Spa @ Fairmont Scottsdale #C16870
10:30 a.m.

5.  86334  Elizabeth Espinoza Mitchell #59600018 10:30 a.m.
Continued from July’s Board Meeting
Negotiated $250

No show; to formal hearing.

6.  86343  Life Care Center of Paradise Valley #C3735 10:30 a.m.
Life Care Center of Paradise Valley
Ben Wygal, President
Michael Johnson, Executive Director
Continued from July’s Board Meeting
Negotiated

7.  86542  Rosemarie Alfar o #10600506, Licensee 10:30 a.m.
Continued from July’s Board Meeting
Negotiated to attend board class/scheduled

8.  85624  Neuromuscular Massage Therapy & Bodywork #A17301 10:30 a.m.
Neuromuscular Massage Therapy & Bodywork LLC, Owner
Remi Fota, President
Elizabeth Fota, V-P

Remi Fota appeared, was sworn in and Attorney Rob Shally who is representing the establishment also appeared and explained the set up of the establishment. He did indicate there was no adjoining door between the suites and no sink in the suite. Mr. Shally did state that the establishment is no longer in suite 103F and is now in 102F where there is a sink. Mr. Shally argued the Mobile Service Rules R4-10-404. Inspector Amber Moore testified that there was a location change and no sink in the suite.

Motion by Larry Bulechek to rescind previous Consent Agreement of $250 civil penalty and cost to a Letter of Concern. Motion seconded by Jessica Stall. Motion carried. Karla Clodfelter voted NAY.

9.  86243  Malina Gresham #11300136 10:30 a.m.
Negotiated $50/Paid

10.  86253 & Pro Nails by CK and TJ #M16173 10:30 a.m.
Negotiated $250/Paid

86724 & Thuan Nguyen #50401085, Owner/Manager
Negotiated to attend board class/paid

86725 Dam Q Hoang #51300139, Licensee
No show; to formal hearing.

11. 86309  Kelly T Nails & Spa #M17088
    Kelly T Nails LLC, Owner
    Kelly K Trieu #50700376, Member
    NEGOTIATED $1,000/PAID

12. 86346  Win Nails #M17068
    Ha Cong Hoang #50200445, Owner
    NEGOTIATED $250/PAID

13. 86354  Rambha Day Spa & Salon #C21200
    Ramnir Corp., Owner
    Rambha Singh #30330572, Director
    Satyendra Singh, Director
    Rambha Singh appeared, was sworn in and denied allegations of
    unlicensed individuals and the altering of the appointment book, Rambha
    Singh did accept responsibility of the health and safety infractions.
    Investigator Bobbie Johnson testified to pedicure services booked for
    Rambha Singh an aesthetician on the appointment book and to the altering
    of the appointment books.

    MOTION by Karla Clodfelter moved to maintain the Consent
    Agreement and add licensee Rambha Singh to attend and complete the
    Infection Protection/Law Review class given by the Board. MOTION
    SECONDED by Joe Verdugo. MOTION CARRIED.

14. 86359 &  Nail Spa 101 #M16474
    NEGOTIATED $250/RESTITUTION/PAID
76
86726 &  Nghie Cong Mai #59800429, Owner/Manager
    NEGOTIATED TO ATTEND BOARD CLASS/PAID
86727  Vuong Thi Huynh #50300198, Licensee
    NEGOTIATED TO ATTEND BOARD CLASS/PAID

15. 86369 &  True Nails #M6755
    NEGOTIATED $250/PAID
86728  Ho Duong #59700018, Owner/Manager
    NEGOTIATED TO ATTEND BOARD CLASS/PAID

16. 86379 &  Luckyday Nail & Spa #M17261
    Luckyday Nail & Spa LLC, Owner
    NEGOTIATED $250/PAID
86729  Phuoc Hung Tran #50600474, Member/Manager
    NEGOTIATED TO ATTEND BOARD CLASS/PAID

17. 86383 &  My Nails Salon #M16436
    NEGOTIATED $250/PAID

10:30 a.m.
Quan Tuyet Lee and Rose Phan appeared, was sworn in Quan Lee stated that she had no receipt for a Christina the complainant, no receipt in the amount of $29 the price of the service and Christina has never came to let her see the injury. Quan Lee denies the health and safety violations. Investigator Bobbie Johnson testified to the soiled implements and soiled paraffin wax and spoke on the injury that is consist with a chemical burn. Investigator did not see the complainant only pictures.

MOTION by Joe Verdugo to rescind previous Consent Agreement of $250 and to issue a Letter of Concern. MOTION WITHDRAWN by Joe Verdugo.

MOTION by Karla Clodfelter to maintain the $250 Consent Agreement and for licensee Quan Tuyet Lee attend and complete the Infection Protection/Law Review class given by the Board. Drop off the Incompetence/Malpractice and to DISMISS licensee Rose Phan. MOTION SECONDED by Tammy Acton. MOTION DIES. Larry Bulechek, VOTED NAY, Jessica Stall, VOTED NAY and Joe Verdugo, VOTED NAY.

MOTION by Karla Clodfelter to rescind previous consent agreement from $250 and issue a Board Order requiring: 1) Quan Tuyet Lee to attend the Infection Protection/Law Review class within 4-months.

MOTION BY Karla Clodfelter to issue a Board Order including the following Findings and Facts: On May 21, 2013, My Nails Salon Investigator Bobbie Johnson went to the salon and found the following: tool/implements not disinfected properly and the paraffin was soiled and adopting as Conclusions of Law: the Substantiated violations listed in the Investigative Report.

MOTION SECONDED by Joe Verdugo. MOTION CARRIED.
NEGOTIATED $250/PAID

21.  86407 Sofia Chavez-Sanchez #19400797 10:30 a.m.
    NEGOTIATED $500

22.  86409 & Kevin Karn #10800735 10:30 a.m.
     NEGOTIATED $250/6-Months Probation/1st payment submitted
     86410 Darice Harris #10601461

Darice Harris appeared, was sworn in and stated she has not been an active business partner for over a year and has not worked in the industry since last July.

MOTION by Joe Verdugo to DISMISS due no evidence. MOTION SECONDED by Jessica Stall. MOTION CARRIED.

23.  86411 Be Off the Chain Styling Salon #C20071 10:30 a.m.
     Melinda L Young #11000071, Owner/Manager
     NEGOTIATED $250/6-Months Probation/1st payment submitted

24.  86431 Tina M Nguyen #10502252 10:30 a.m.
     NEGOTIATED

25.  86432 Smartstyle #1785 #C22580 10:30 a.m.
     Minnesota Regis Corp, Owner
     Dan Hanrahan, President
     NEGOTIATED $250/PAID

26.  86433 Supercuts #90179 #C15458 10:30 a.m.
     Supercuts Corporate Shops Inc, Owner
     Dan Hanrahan, President
     NEGOTIATED $250/PAID

27.  86440 Debon Nail Spa #C20157 10:30 a.m.
     Quy Nguyen LLC, Owner
     Quy Nguyen, Member
     Mark Chi Mai #59500432, Manager
     NEGOTIATED $250/PAID

28.  86441/86442 QN Fashion Nails & Spa #'s M16646/A16960 10:30 a.m.
     Quy Nguyen II LLC, Owner
     Quy Nguyen, Member

29.  86443 Supercuts #9591 #C13577 10:30 a.m.
     Supercuts Corporate Shops Inc, Owner
     Dan Hanrahan, President
NEGOTIATED

30. 86444  Ulta Salon Cosmetics & Fragrance Inc #C11932 10:30 a.m.
    Ulta Salon Cosmetics & Fragrance Inc, Owner
    Carl S Rubin, President

31. 86446  Salon at Ulta 3 #C6323 10:30 a.m.
    Ulta 3, the Cosmetic Savings Store Inc, Owner
    NEGOTIATED $250/PAID

32. 86448/86449 Trendy Nails #‘s A16269 & M16098 10:30 a.m.
    Chinh Sam My Phan #50300124 & #30900376, Owner
    NEGOTIATED TO ATTEND BOARD CLASS/PAID

33. 86450  Supercuts #9594 #C10494 10:30 a.m.
    Supercuts Corporate Shops Inc, Owner
    Dan Hanrahan, President
    Krista Hose #11001828, Manager
    NEGOTIATED $250/PAID

34. 86451/86452 Glad Nails #‘s A14506 & M14477 10:30 a.m.
    Anton Tran #50200712, Owner
    NEGOTIATED $250/PAID

35. 86453 &  Paradise Nails Salon #C22078 10:30 a.m.
    John Van Kieu #19700641, Owner
    NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED

36. 86469  Jelle Nails Inc #M16934 10:30 a.m.
    Jelle Nails Inc, Owner
    Justin Van Nguyen #50400255, Member
    Justin Van Nguyen appeared, was sworn in and stated there was a
    room set up and he did not know the law. Inspector Amber Moore testified
    that a wax room was set up, prices available and there was no Aesthetic
    establishment license.

    MOTION by Karla Clodfelter for information about history, due to the
    Inspectors findings that a violation did occur and to determine a civil penalty.
    MOTION SECONDED by Tammy Acton. MOTION CARREID.

    Inspector Amber Moore reported that on July 10, 2011, a Consent
    Agreement was issued for $500 civil penalty due to an Unlicensed
    Establishment.
MOTION by Karla Clodfelter to revise the previous Consent Agreement from $750 civil penalty to $250. MOTION SECONDED by Joe Verdugo. MOTION CARREID.

37. 86470 Brillare Hairdressing Academy #S154 10:30 a.m. Anaphora LLC, Owner Christa Jones, Manager Steven Mason #91100095, Instructor-in-Charge NEGOTIATED $250/PAID

38. 86473/86475 Valley Nails & Spa #’s M12898 & A12899 10:30 a.m. Toan K Ngo #50100381, Owner Vien Nguyet Dang #’s 30700263 & 50700311, Manager NEGOTIATED $500

39. 86476/86477 Amazing Nails & Spa #’s A16585 & M16151 10:30 a.m. Amazing Nails & Spa LLC, Owner Michael Le, Member Amy Yen Le #’s 59900337 & 30400202, Manager NEGOTIATED

40. 86735 Peter Nguyen #50500712 10:15 a.m. NEGOTIATED TO ATTEND BOARD CLASS/SCHEDULED

41. 86489 Plaza Healthcare Salon #C22499 10:30 a.m. Plaza HC Holding Company LLC, Owner Cary Buchman, Member Michael Schwartz, Member NEGOTIATED $250/PAID

42. 86490 Skin Studio #A17933 10:30 a.m. Noelani Ganz #30226649, Owner/Manager NEGOTIATED

43. 86491 & Maria E O Campo #19200280 10:30 a.m. Maria Campo, Rocio Colon, Blanca Vasquez and Daniel (owner) all appeared, were sworn in. Daniel stated he has not received the establishment license and that it was taking a long time with the name of the salon being accepted. Investigator Linda Stroh testified that on May 14, 2013, she found the three licensees working in an unlicensed establishment.

   MOTION by Joe Verdugo to issue a LETTER OF CONCERN for working prior to proper licensure. MOTION SECONDED by Larry Bulechek.
MOTION by Joe Verdugo to rescind previous motion. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

MOTION by Karla Clodfelter to assess a $500 civil penalty and cost to owner Daniel and to issue a LETTER OF CONCERN to licensees Maria Camp, Rocio Colon and Blanca Vasquez. MOTION SECONDED by Joe Verdugo. MOTION DIES. Gary Begley, VOTED NAY, Larry Bulechek, VOTED NAY and Tammy Acton, VOTED NAY.

MOTION by Larry Bulechek to maintain $50 civil penalty and cost to each licensee. MOTION SECONDED by Joe Verdugo. MOTION CARRIED

44. 86494  Advanced Alternatives LLC #C22769  
Advanced Alternatives LLC, Owner 
Sandy Mankins #18428479, Member 
Sandy Mankins appeared, was sworn in and stated she did not handle the location change in a timely manner, however she thought she would get a warning and a re-inspection to see that she has received her new license and the personal license was renewed. Compliance Supervisor Joanne Ayotte testified that according to Inspector Camille’s Inspection that there was a suite change from 27 to 26 and a delinquent personal license was posted.

MOTION by Joe Verdugo to issue a LETTER OF CONCERN for salon location change and a delinquent personal license. MOTION SECONDED by Karla Clodfelter. MOTION CARRIED.

45. 86517/86518  Elegant Nails #’s M16965 & C22631  
Kim Nguyen #50500674, Owner/Manager 
NEGOTIATED $250/PAID

46. 86520  Primp & Blow #C20505  
Primp & Blow LLC, Owner 
NEGOTIATED $500/PAID

47. 86521  Socio Salon & Day Spa #C16589  
Tristan’s Enterprises, Owner 
CONTINUANCE GRANTED

Compliance Supervisor Joanne Ayotte asked the Board to rescind prior Consent Agreement due to the salon is closed and to re-notice the owner Tristan Coone #10401231.
MOTION by Karla Clodfelter to rescind previous Consent Agreement due to the salon closure and to re-notice owner Tristan Coone #10401231. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

48. 86522/86523 Maiya’s Nails #’s A15218 & M15057 10:30 a.m.
    Lena Phuong Nguyen Do #59920197, Owner
    CONTINUED

49. 86530 Shannon Mills #19000789 10:30 a.m.
    NEGOTIATED

50. 86531/86532 Eva Nails #’s M14874 & A14835 10:30 a.m.
    Kim Loan Thi Huynh, #’s 59700618 & 30100044, Owner
    NEGOTIATED $250/PAID

51. 86533 & Textures Salon #C20557 10:30 a.m.
    Textures Salon LLC, Owner
    Cody Wullkotte #10800343, Co-Member
    Yvonne Mustascio #19300827, Co-Member
    86534 Jenny Webdale #30600295, Licensee

    Cody Wullkotte, Yvonne Mustascio and Jenny Webdale appeared,
    was sworn in. Cody Wullkotte stated they were unaware that they needed
    a different establishment license for Jenny Webdale to operate within their salon
    and advertise different. Inspector Amber testified that on May 24, 2013, that
    Textures Salon was allowing Jenny Webdale to operate an unlicensed
    establishment within their salon and to advertise differently.

    MOTION by Larry Bulechek to issue a LETTER OF CONCERN to
    both Textures Salon for allowing an unlicensed salon to operate within their
    salon without proper licensure and licensee Jenny Webdale for operating an
    unlicensed establishment. MOTION SECONDED by Joe Verdugo. MOTION
    CARRIED.

52. 86535 & Devine’s #C10049 10:30 a.m.
    86736 Linda S Devine #’s 18022399, Owner
    NEGOTIATED

STEP 3: HEARINGS

A. Denial Appeals

None

B. Motion to Deem Allegations Admitted

83362 Pamela Olivan #18328018, 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 Joe Verdugo to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Karla Clodfelter. 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 Jessica Stall. MOTION CARRIED.

MOTION by Joe Verdugo to issue an Order of discipline to revoke personal license and to impose civil penalties and costs for $500, 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 Jessica Stall. MOTION CARRIED.

83368   Artistic Creations Salon #C12286
Tamara Girkin #10123221, Owner/Manager
Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Jessica Stall to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Jessica Stall 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 Stall to issue an Order of discipline to revoke all licenses and to impose civil penalties and costs for $750, 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.

83672   20 Lounge Nail Bar #C20707
20 Kierland LLC
Courtney Saldivar, Member
Mark Saldivar, Member
Catherine Perrotta #51000448, Manager
Assistant Attorney General, Bridget Harrington, appeared representing the State. Solicitor General, Christopher Munns, was available by telephone. Licensee did not appear.

MOTION by Karla Clodfelter to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Karla Clodfelter 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 Karla Clodfelter to issue an Order of discipline to revoke all licenses and to impose civil penalties and costs for $750, 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.

83694 Glamour Nail Spa #M16780
Linda Le, Owner
Kim Le #50700253, Manager

MOTION by Karla Clodfelter to grant the State’s MOTION TO DEEM ALLEGATIONS ADMITTED. MOTION SECONDED by Joe Verdugo. MOTION CARRIED.

MOTION by Karla Clodfelter 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 Karla Clodfelter to issue an Order of discipline to revoke all licenses and to impose civil penalties and costs for $250, 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.

83739 Do Fancy Nail Salon & Spa #C19605
Tuyen Anh Do #50100194, Owner/Manager

9:45 a.m.
This case has settled with the Licensee agreeing to the Consent Agreement previously approved by the Board.

84105   Habit Salon #C18430  9:45 a.m.
Habit Salon LLC
Richard Rasmussen, Member
Chassey Rasmussen, Member
This case has settled with the Licensee agreeing to the Consent Agreement previously approved by the Board.

84167   Country Clippers Coiffures #C20594  9:45 a.m.
Amanda Baker #10901643, Owner/Manager
Licensee appeared and settled $250 civil penalty and cost.

C. Hearing Officer Recommendations
None

D. Request for Reinstatement
None

E. Appeal Board Orders
None

F. Discussion, Consideration and Possible Action on Proposed Consent Agreement Terms.

82072   “Cookie” Courtney Renee Maupins #11000695  
Compliance Supervisor Joanne Ayotte brought this to the Board due to the licensee has complied with the 3-hour class. However has not signed the Consent Agreement and Board office can’t locate licensee by mail or by phone.

MOTION by Larry Bulechek to DISMISS due to licensee is in compliance. MOTION SECONDED by Karla Coldfelter. MOTION CARRIED.

STATUS AND ADDITIONS TO TENTATIVE AGENDA

For Board Information Only:

86263 & Nina Salon #C22475
Compliance Supervisor Joanne Ayotte reported to Board Members regarding a Board Order re-inspection that took place on July 12, 2013, wherein Investigator Linda Stroh found the salon in compliance and issued a satisfactory grade.

ADJOURN

MOTION by Tammy Acton to adjourn the meeting at 1:35 p.m.  MOTION SECONDED by Karla Clodfelter.  MOTION CARRIED

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