

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
Monday March 21, 2016 at 10:00 a.m.
Indiana Government Center-South,
Conference Center, Room #C
402 West Washington Street
Indianapolis, Indiana

COMMITTEE MEETINGS

10:00 a.m.

CALL TO ORDER & ESTABLISHMENT OF QUORUM

D. Weisheit called the meeting to order at 1:00 p.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

Board Members Present:

Diane Weisheit, President
Diana Bonn
Victoria Ross
Gary Odell
Gregory Kenny

Board Member Absent:

Rebecca Bushong

State Officials Present:

Tracy Hicks, Board Director, Indiana Professional Licensing Agency
Jennifer Broadbent, Assistant Director, Indiana Professional Licensing Agency
Gordon White, Board Advisory Counsel, Office of the Attorney General

ADOPTION OF THE AMENDED AGENDA

The agenda was adopted.

D. Bonn/O'Dell
5/0/0
Motion carried.

ADOPTION OF THE MINUTES FROM THE JANUARY 11, 2016 MEETING OF THE STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

A motion was made and seconded to approve the minutes of the January 11, 2016 meeting as amended. R. Bushong is the Vice President for 2016 rather than G. O'Dell.

V. Ross/D. Bonn
5/0/0
Motion carried.

ADMINISTRATIVE HEARINGS

A. Administrative Hearing in the Matter of Kim's Nails, MS31300004, SBCBE 15-112

A motion was made and seconded that the state has proved its case on all counts and to impose a fine of \$500 for each of the thirteen (13) violations payable within one year, impose the costs of proceedings, and impose the \$5 fee to the health records and personal identifying information protection trust fund.

D. Bonn/V. Ross
5/0/0
Motion carried.

B. Administrative Appeal Hearing in the Matter of Nail Reflections, BS91400043, SBCBE 15-114

A motion was made and seconded that the state has proved its case on all counts, place the license on indefinite probation with no right to petition for reinstatement for a period of one year, to impose a fine of \$100 for each of the six (6) violations payable within six months, and impose the costs of proceedings, and impose the \$5 fee to the health records and personal identifying information protection trust fund.

D. Bonn/V. Ross
5/0/0
Motion carried.

C. Administrative Appeal Hearing in the Matter of White Sands Hair & Nails, BS30300673, SBCBE 15-150

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/G. O'Dell
5/0/0
Motion carried.

D. Administrative Appeal Hearing in the Matter of Bruce Markey, BA10900040, SBCBE 14-93

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

E. Administrative Appeal Hearing in the Matter of Anna Hong Nguyen, BC21400056, SBCBE 15-115

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

F. Administrative Appeal Hearing in the Matter of Trang N. Tran, BC21301601, SBCBE 15-72

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

G. Administrative Appeal Hearing in the Matter of Elizaeta Rojas, BC21301326, SBCBE 15-73

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0

Motion carried.

H. Administrative Appeal Hearing in the Matter of Kieuth Thu Pham, BC21301692, SBCBE 15-74

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

I. Administrative Appeal Hearing in the Matter of Sopheap Vuth, BC21301159, SBCBE 15-75

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

J. Administrative Appeal Hearing in the Matter of Lery Yodelyn Martinez, BC21301377, SBCBE 15-76

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

K. Administrative Appeal Hearing in the Matter of Sokunthea Chhit Ith, BC21301469, SBCBE 15-77

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

L. Administrative Appeal Hearing in the Matter of Anh Thi Nguyen, BC21301113, SBCBE 15-78

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

M. Administrative Appeal Hearing in the Matter of Phi Ngoc Luong, BC21301221, SBCBE 15-79

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

N. Administrative Appeal Hearing in the Matter of Thao Hoang Phuong Cao, BC21301346, SBCBE 15-80

A motion was made and seconded to issue a Notice of Proposed Default.

D. Bonn/O'Dell
5/0/0
Motion carried.

O. Administrative Appeal Hearing in the Matter of Marie Augustin, BC21301373, SBCBE 15-81

A motion was made and seconded to issue a notice of proposed default.

D. Bonn/O'Dell
5/0/0
Motion carried.

P. Administrative Appeal Hearing in the Matter of Sandy Bach, BC21301367, SBCBE 15-82

A motion was made and seconded to issue a notice of proposed default.

D. Bonn/O'Dell
5/0/0
Motion carried.

Q. Administrative Appeal Hearing in the Matter of Denny J. Pena, BC21301537, SBCBE 15-83

A motion was made and seconded to issue a notice of proposed default.

D. Bonn/O'Dell
5/0/0
Motion carried.

R. Administrative Appeal Hearing in the Matter of Nga Kim Thi Nguyen, MA21300225, SBCBE 15-84

A motion was made and seconded to issue a notice of proposed default.

D. Bonn/O'Dell
5/0/0
Motion carried.

S. Administrative Appeal Hearing in the Matter of Leanna Charelis, BC21301368, SBCBE 15-85

A motion was made and seconded to issue a notice of proposed default.

D. Bonn/O'Dell
5/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report provided.

CONSIDERATION OF PROPOSED FINDINGS OF FACTS, CONCLUSIONS OF LAW AND ORDER

A. Amber Jo's Head to Toe, TB50400048, SBCBE 15-141

A motion was made and seconded to approve the Proposed Findings of Facts, Conclusions of Law and Order.

D. Bonn\O'Dell
5/0/0
Motion carried.

PERSONAL APPEARANCE PURSUANT TO THE FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

A. Urban Masterpiece Barber Shop, BS21200062, SBCBE 14-102A

A motion was made and seconded to wait two months to comply with Findings of Fact, Conclusions of Law and Order, SBCBE 14-102 before issuing an Order to Show Cause for failure to comply with the Findings of Fact, Conclusions of Law and Order, SBCBE 14-102A.

D. Bonn/G. O'Dell
5/0/0
Motion carried.

PERSONAL APPEARANCES AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL IN THE MATTER OF

A. Center Street Styling Salon, BS88801597

A motion was made and seconded to approve the application for renewal.

D. Bonn/G.O'Dell
5/0/0
Motion carried.

B. Focus Nail Salon, BS31200278

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for reinstatement for one year and schedule an inspection prior to the one year deadline.

D. Bonn/V. Ross
5/0/0
Motion carried.

C. GG's Salon, BS31200465

A motion was made and seconded to approve the application for renewal.

D. Bonn/V. Ross
5/0/0
Motion carried.

D. Great Clips for Hair, BS30400237

A motion was made and seconded to deny the application for renewal for failure to appear.

D. Bonn/V. Ross
5/0/0
Motion carried.

E. Happy Nails, MS30400737

A motion was made and seconded to deny application for renewal for failure to appear.

D. Bonn/V. Ross
5/0/0
Motion carried.

F. Lily Nails, MS31200048

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for reinstatement for one year.

D. Bonn/V. Ross
5/0/0
Motion carried.

G. Red Nails, MS31200054

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for reinstatement for one year.

D. Bonn/G. O'Dell
5/0/0
Motion carried.

H. Classy Nails, MS30801765

A motion was made and seconded to amend the agenda to add the application for renewal of salon license.

D. Bonn/G. O'Dell
5/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal.

D. Bonn/G. O'Dell
5/0/0
Motion carried.

**PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE
REINSTATEMENT IN THE MATTER OF:**

A. Robbin Bostic, BC09101355

A motion was made and seconded to approve the application for reinstatement on indefinite probation with no right to petition for reinstatement until released from criminal probation. D. Weisheit opposed the motion.

G. O'Dell/D. Bonn
4/1/0
Motion carried.

B. James Griffith, BA10600018

A motion was made and seconded to approve the application for reinstatement.

D. Bonn/G.O'Dell
5/0/0

Motion carried.

C. Allison Klinglesmith, BC09101978

A motion was made and seconded to approve the application for reinstatement on indefinite probation with no right to petition for reinstatement until released from criminal probation.

D. Bonn/G. O'Dell

5/0/0

Motion carried.

D. L.A. Nails Salon, MS39500407

A motion was made and seconded to approve the application for reinstatement, to maintain the probation as required in SBCBE 14-50, and require inspection prior to petition for removal of probation.

G. O'Dell/V. Ross

5/0/0

Motion carried.

E. Patricia Matly, BC09201611

A motion was made and seconded to approve the application for reinstatement on indefinite probation with no right to petition for reinstatement until released from criminal probation.

D. Bonn/O'Dell

5/0/0

Motion carried.

F. Lacie Pier, BC21011095

A motion was made and seconded to approve the application for reinstatement.

V. Ross/D. Bonn

5/0/0

Motion carried.

G. Joseph White, BA10900077

A motion was made and seconded to deny the application for reinstatement for failure to appear or have a representative appear on his behalf.

G. Kenny/G. O'Dell

5/0/0

Motion carried.

CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL ORDER

A. Glenna S. Hill, BC29901361, SBCBE 12-72

A motion was made and seconded to dismiss the matter.

D. Bonn/O'Dell

5/0/0

Motion carried.

Frances Hair Salon, BA29500706, SBCBE 15-53

A motion was made and seconded to dismiss the matter.

D. Bonn/O'Dell
5/0/0
Motion carried.

CONSIDERATION OF ADMINISTRATIVE LAW JUDGE'S ORDERS

A. Linh T. Tran, SBCBE 15-117

A motion was made and seconded to affirm the Administrative Law Judge's Order.

D. Bonn/O'Dell
5/0/0
Motion carried.

B. Giang Kim Thi Nguyen, SBCBE 15-120

A motion was made and seconded to affirm the Administrative Law Judge's Order.

D. Bonn/V. Ross
5/0/0
Motion carried.

C. Melissa D. Hall, SBCBE 15-121

A motion was made and seconded to affirm the Administrative Law Judge's Order.

D. Bonn/V. Ross
5/0/0
Motion carried.

D. Anh Nguyen, SBCBE 15-122

A motion was made and seconded to affirm the Administrative Law Judge's Order.

D. Bonn/V. Ross
5/0/0
Motion carried.

CONSIDERATION OF OBJECTION TO THE ADMINISTRATIVE LAW JUDGE'S ORDER

A. Dan Minh Do, SBCBE 15-118

A motion was made and seconded to reject the objection and affirm the Administrative Law Judge's Order.

D. Bonn/V. Ross
5/0/0
Motion carried.

REQUEST FOR WAIVER OF 820 IAC 2-2-3 OR 820 IAC 8-2-20, PASSING THE EXAMINATION WITHIN THREE YEARS OF GRADUATION

A. Jarrell Price

A motion was made and seconded to allow one year to pass the examination

D. Bonn/V. Ross

5/0/0
Motion carried.

B. JacQues Smalley

A motion was made and seconded to allow one year to pass the examination

D. Bonn/V. Ross
5/0/0
Motion carried.

C. Claudia Salazar

A motion was made and seconded to allow one year to pass the examination

D. Bonn/V. Ross
5/0/0
Motion carried.

D. Valentine Ferguson

A motion was made and seconded to allow one year to pass the examination

D. Bonn/V. Ross
5/0/0
Motion carried.

REQUEST FOR VARIANCE OF THE 20 CHAIR REQUIREMENT PURSUANT TO 820 IAC 8-2-10 IN THE MATTER OF BERNARD MCKENZIE CAREER CENTER FOR COSMETOLOGY

A motion was made and seconded to table the matter until Philip Thompson, DAG, returns.

D. Bonn/V. Ross
5/0/0
Motion carried.

DISCUSSION OF BEAUTY CULTURE SCHOOL LICENSE REQUIREMENTS FOR SCHOOLS OFFERING BARBER COURSES ONLY

A motion was made and seconded to table the matter until Philip Thompson, DAG, returns.

D. Bonn/V. Ross
5/0/0
Motion carried.

APPLICATION COMMITTEE REPORT

A motion was made and seconded to accept the application committee report as follows.

D. Bonn/V. Ross
5/0/0
Motion carried.

COSMETOLOGY

A. By Examination

- Aaron, Niesha R.: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- Arnold, Cori Leigh: APPROVED.

- Barger, Betsy: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- Beaven, Morgan Elizabeth: APPROVED.
- Brownie, LaShanda Mae: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- DelPrince, Mia Angela: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- Johnson, Deja: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- Kimmerling, Morgan Bailey: APPROVED.
- Medina Iglesias, Josselyn: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- Moore, Monica: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
- O'Donnell, Valerie: APPROVED.
- Pruden, Danielle: APPROVED.
- Rector, Brandalynn: APPROVED.
- Skaggs, Angela: APPROVED.

B. Reciprocity

Barrow, Jaymi Francesca: DENIED, unlicensed practice.
 Dang, Hung Huu: DENIED, IC 25-8-4-2, not substantially equivalent.
 Govani, Julie D. : DENIED, IC 25-8-4-2, not substantially equivalent.
 Huynh, Diem Thi Bich: DENIED, IC 25-8-4-2.
 Huynh, Huan Tran: DENIED, IC 25-8-4-2, not substantially equivalent.
 Le, Que Thi Ha: DENIED, IC 25-8-4-2, not substantially equivalent.
 Nguyen, Tuong Cat: DENIED, IC 25-8-4-2, not substantially equivalent.
 Tran, Thu Thi Kim: DENIED, IC 25-8-4-2, not substantially equivalent.
 Vu, Paulette: DENIED, IC 25-8-4-2.

C. Provisional

Illescas, Jacqueline S.: DENIED, transcripts not valid.
 Lemus Chicas, Ingrid M.: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation
 Nguyen, Hiep Thi Kim: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation
 Pham, Muoi B: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation
 Vo, Hai Hoang Van: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation

ESTHETICIAN

A. By Examination

Carver, Alexandra L.: APPROVED.
 Mosher, Maureen Elizabeth: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

MANICURIST

B. By Examination

Chism, Chad: Denied, IC 25-1-11-19(b)(1) and 820 IAC 4-1-5, possible fraudulent documentation.
 Harvey, Erica: APPROVED.
 Ho, Sang T. : Denied, IC 25-1-11-19(b)(1) and 820 IAC 4-1-5, possible fraudulent documentation.
 Mathis, Tashay Rene: APPROVED.
 Ngoo, Hunzzi Q.: DENIED, IC 25-8-4-2, not substantially equivalent.
 Nguyen, Le Thanh: DENIED, IC 25-8-4-2, not substantially equivalent.

C. Provisional

Do, Anh T.: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation and no original documents.
 Duong, Hoang Trang Anh: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation

Duong, Kiet Trang Anh: DENIED, IC 25-8-11-8, unlicensed practice.
Luong, HoaThi Ngoc: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation
Nguyen, Chau T.: Denied, IC 25-1-11-19(b)(1), possible fraudulent documentation
Phan, Dieu: Denied, IC 25-8-11-8, not sufficient education and training.
Trac, Tu Quan: DENIED, IC 25-8-11-8, insufficient education and training and no original documents.
Tran, Tuan Minh: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation

BARBER

A. By Examination

Abney, Aaron Duane: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
Collins, Devonte: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.
Kurz, Andrew William: APPROVED.
Miller, Reginald: APPROVED.
Shoulder, Vaneta: DENIED, IC 25-1-11-19(b)(1), possible fraudulent documentation.
Tompkins, Justin Miguel: Approved on PROBATION with no right to petition for withdrawal of probation until successful completion of criminal obligations.

INSTRUCTOR

A. By Examination

Watts, Sarah Denise: APPROVED.

B. By Reciprocity

Humphrey, Kelly Jean: DENIED, IC 25-8-4-2, not substantially equivalent.
Strickland, Lawrence: DENIED, IC 25-8-4-2, not substantially equivalent.

FACILITY APPLICATIONS

A. Beauty Culture Salon

Cati B Designs, 9879B East 116th Street, Suite 14, Fishers, IN 46037: Tabled, pending personal appearance.
Commanders, 209 South Washington Street, Delphi, IN 46923: APPROVED.
The Cut, 6978 Donnelly Drive, Suite C, Brownsburg, IN 46112: APPROVED.
Darla's Glamour & Body Studio, 7604 Broadway, Merrillville, IN 46410: APPROVED.
Fleener's Family Hair Care, 165 East Morgan Street, Martinsville, IN 46151: (Personal Appearance Scheduled.): Approved on PROBATION with no right to petition for withdrawal of probation for a period of one year and a positive inspection report.
Hair-Tique & Tan Inc., 216 East Broadway, Shelbyville, IN 46176: (Personal Appearance Schedule.): APPROVED.
Hot Stylz Barber & Beauty Shop, 8507 Westfield Blvd, Indianapolis, IN 46240: APPROVED.
Le Nails, 812 S. Scatterfield, Anderson, IN 46012: APPROVED, to issue temporary
Wilks Barbershop, 3535 South Emerson Avenue #337, Beech Grove, IN: (Personal Appearance Scheduled.): Tabled, did not appear before the Board. Pending Barber license approval or personal appearance before the Board prior to issuance of beauty culture salon license.

ADJOURNMENT

The meeting adjourned at 5:30 p.m.