BOARD DOCUMENT 09-01

STATE BOARD OF COSMETOLOGY EXAMINERS MEETING
MONDAY, JANUARY 12, 2009, 10:00 A.M.
INDIANA GOVERNMENT CENTER SOUTH
CONFERENCE CENTER, ROOM #5
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

David Demuth, President
Diane Weisheit, Vice President
Diana Bonn
Elizabeth Lynch
Dr. Rebecca Bushong

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Julie Alexander, Deputy Attorney General
Natalie Stidd, Deputy Attorney General

MINUTES TRANSCRIBED AND COMPILED BY:

Tracy Hicks, Board Director

MINUTE 09-01
CALL TO ORDER AND ESTABLISHMENT OF QUORUM

The committee meeting was called to order at 10:00 a.m. by D. Demuth pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

MINUTE 09-02
ADOPTION OF THE AGENDA

D. Weisheit moved to adopt the agenda as amended. D. Bonn seconded the motion. Motion carried.

MINUTE 09-03
ADOPTION OF THE MINUTES OF THE NOVEMBER 17, 2008 MEETING OF THE BOARD

D. Weisheit moved to approve the minutes of the November 17, 2008 meeting of the board. D. Bonn seconded the motion. Motion carried.

MINUTE 09-04
ADMINISTRATIVE HEARING TO CONSIDER PETITION FOR SUMMARY SUSPENSION IN THE MATTER OF TRUONG C. VU, SBCE 09-01

The board conducted an administrative hearing to consider petition Summary Suspension in the matter of Truong C. Vu, SBCE 09-01

D. Weisheit moved to suspend the license for a period of 90 days in the matter of Truong C. Vu, SBCE 09-01. D. Bonn seconded the motion. Motion carried.

MINUTE 09-05
PERSONAL APPEARANCES

Hong Phan (formerly owner of Regal Nails, MS30000418), Appeared before the board.
Arnell Robinson for Mighty Sharp, BS 30500317, SBCE 06-31 – Failed to appear before the board.
Lam Thanh Mai for Pro Nails, MS30701326, SBCE 07-03 – Failed to appear before the board.
Nga M. Phan for Pointe 99 Salon, BS30300298, SBCE 07-26 – Appeared before the board.
Brenda Anderson, BC02117855, SBCE 07-42 – Failed to appear before the board. D. Weisheit moved to issue a show cause order. R. Bushong seconded the motion. Motion carried.
Lovely Nails, MS30600511, SBCE 08-27 – Appeared before the board and submitted sanitation information to D. Bonn as requested. She requested he write down the steps he uses rather than copy out of a book.

MINUTE 09-06
CONSIDERATION OF COSTS AS PROVIDED BY IC 25-1-11-18

D. Bonn moved to approve the costs in the amount of $100.06 in the matter of Phu Dinh Tran for Avis Nails, SBCE 07-01. D. Weisheit seconded the motion. Motion carried.

D. Bonn moved to approve the costs in the amount of $95.64 in the matter of Tolan N. Nguyen, SBCE 08-15. E. Lynch seconded the motion. Motion carried.

MINUTE 09-07
CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

D. Weisheit moved to accept the Proposed Findings of Fact, Conclusions of Law, And Order in the matter of Stacie Ann Leons-Parnell, BC02360022, SBCE 08-30. E. Lynch seconded the motion. Motion carried.

D. Weisheit moved to accept the Proposed Findings of Fact, Conclusions of Law, And Order in the matter of Hair Condo, BS30400502, SBCE 08-31. E. Lynch seconded the motion. Motion carried.

MINUTE 09-08
DELIBERATION AND POSSIBLE ISSUANCE OF FINAL ORDER

D. Bonn moved to affirm the Administrative Law Judge's Order and issue a Final Order in the matter of Luxury Nail & Spa, SBCE 08-33. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to affirm the Administrative Law Judge's Order and issue a Final Order in the matter of Kristin Pence, SBCE 08-34. E. Lynch seconded the motion. Motion carried.

MINUTE 09-09
CONSIDERATION OF REQUEST FOR WAIVER OF SIX MONTH LICENSURE REQUIREMENT TO MANAGE A SALON

D. Bonn moved to approve the request for waiver of six month licensure requirement to manage a salon in the matter of Angela J. Berry, ES20808013. E. Lynch seconded the motion. Motion carried.

MINUTE 09-10
CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b)

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Danet Jackson and allow her until April 1, 2009 to sit for the examination. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Hai Le and accept his passing grade. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Troy Taylor and allow him until April 1, 2009 to sit for the examination. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Danyelle S. Jones and allow her until April 1, 2009 to sit for the examination. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the request for waiver of 820 IAC 2-2-3(b) in the matter of Tiffany Smith and allow her until April 1, 2009 to sit for the examination for the first time and pass by December 31, 2009. E. Lynch seconded the motion. D. Weisheit opposed the motion. Motion carried.

MINUTE 09-11
CONSIDERATION OF REQUEST FOR WAIVER OF 820 IAC 4-1-5(d)

D. Weisheit moved to approve the request for waiver of 820 IAC 4-1-5(d) in the matter of Lucinda Pirivett and allow until February 1, 2010 to graduate. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to approve the request for waiver of 820 IAC 4-1-5(d) in the matter of Amanda Harris and allow until February 1, 2010 to graduate. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to deny the request for waiver of 820 IAC 4-1-5(d) in the matter of Nichole Ferguson. seconded the motion. Motion carried.

D. Bonn moved to the approve the request for waiver of 820 IAC 4-1-5(d) in the matter of Angelina Willis and allow until February 1, 2010 to graduate. E. Lynch seconded the motion. Motion carried.

MINUTE 09-12
GRANTING OR DENYING PETITIONS FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE

D. Weisheit moved to grant the petitions for review and appoint D. Demuth as the Administrative Law Judge in the matter of Meili He, Nicole R. Hudson, Tiffany Coleman, and Long Nguyen for Pro Nail. D. Bonn seconded the motion. Motion carried.

D. Weisheit moved to deny the petitions for review due to untimely filing in the matter of Emily Yeiser and Regal Nails Salon 2 Spa. D. Bonn seconded the motion. Motion carried.

MINUTE 09-13
DEPUTY ATTORNEY GENERAL'S REPORT

No report.

MINUTE 09-14
APPLICATION COMMITTEE REPORT

D. Weisheit moved to accept the following application committee report as follows. E. Lynch seconded the motion. Motion carried.

COSMETOLOGY RECIPROCITY APPLICATIONS

Davis, Tina R. - APPROVED
Gray, Arlene P. - DENIED, IC 25-8-4-2, not licensed in any jurisdiction, incomplete application; failed to provide
documentation of discipline of Florida license
Raskaj, Liljane – DENIED, IC 25-8-4-2, not licensed in any jurisdiction
Osegueda, Luz – DENIED, IC 25-8-4-2, not licensed in any jurisdiction
Oxolac, Cesar - DENIED, IC 25-8-4-2, not licensed in any jurisdiction

COSMETOLOGY RESTORATION APPLICATION

Hardin, Stephanie H. – Board is requiring 100 hours of education for a third examination attempt

MANICURIST RECIPROCITY APPLICATION

Hoang, Thang Duc – DENIED, IC 25-8-4-2, Florida education requirements are not substantially equal to Indiana

MANICURIST EXAMINATION APPLICATIONS

Abel, Amanda L. - APPROVED
Hayes, Nikki Y. – APPROVED ON PROBATION, may petition for withdrawal of probation one year from date of issuance
Ho, Xuan Le - APPROVED
Johnson, Cynthia L. - APPROVED ON PROBATION, may petition for withdrawal of probation one year from date of issuance
Setser, Michelle – APPROVED, require personal appearance upon release

Anderson, Trane Minh – TABLED until the board considers the complaint against Goodens Beauty School
Chang, Benny W. – TABLED until the board considers the complaint against Goodens Beauty School
Dang, Tu Uyen – TABLED until the board considers the complaint against Goodens Beauty School
Le, Hien Trung – TABLED until the board considers the complaint against Goodens Beauty School
Huynh, Son – TABLED until the board considers the complaint against Goodens Beauty School
Pham, Quoc A. – TABLED until the board considers the complaint against Goodens Beauty School
Pham, Susan – TABLED until the board considers the complaint against Goodens Beauty School
Tran, Kevin T. – TABLED until the board considers the complaint against Goodens Beauty School
Tran, Vien T. – TABLED until the board considers the complaint against Goodens Beauty School

ESTHETICIAN RECIPROCITY APPLICATIONS

Del Guanto, Rachael – DENIED, IC 25-8-12.5-7, Does not hold a current license in any state
Kha, Katie – DENIED, IC 25-8-12.5-7(b) Board did not accept the experience affidavit.

MANICURIST SALON APPLICATION

Regal Nails Salon 2 Spa approved pending inspection. Once passed inspection, issue license on probation with no right to petition for withdrawal for six months.

MINUTE 09-15
RULES COMMITTEE REPORT

Mobile salon rules were not discussed.

MINUTE 09-16
2009 MEETING SCHEDULE

The board has cancelled their February, June, and October 2009 board meetings for budget purposes.

MINUTE 09-17
ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 2:36 p.m.

DATED: 3-16-09

DAVID DEMUTH, PRESIDENT

ATTEST BY:
TRACY HICKS, BOARD DIRECTOR