

STATE BOARD OF COSMETOLOGY EXAMINERS MEETING  
MONDAY, NOVEMBER 16, 2009, 10:00 A.M.  
INDIANA GOVERNMENT CENTER SOUTH  
402 W. WASHINGTON STREET, ROOM W064  
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

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

BOARD MEMBERS ABSENT:

David Demuth, President

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director  
Tina Wiseley, Assistant Director  
Lisa Bentley, Deputy Director  
Julie Alexander, Deputy Attorney General  
Natalie Stidd, Deputy Attorney General

MINUTES TRANSCRIBED AND  
COMPILED BY:

Tracy Hicks, Board Director

MINUTE 09-104

CALL TO ORDER AND ESTABLISHMENT OF QUORUM

The committee meeting was called to order at 10:00 a.m. by D. Weisheit 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 09-105

ADOPTION OF THE AGENDA

D. Bonn moved to adopt the November 16, 2009 agenda as amended. E. Lynch seconded the motion. Motion carried.

MINUTE 09-106

ADOPTION OF THE MINUTES OF THE SEPTEMBER 21, 2009 MEETING OF THE BOARD

D. Bonn moved to approve the minutes of the September 21, 2009 meeting of the board. R. Bushong seconded the motion. Motion carried.

MINUTE 09-107

ADMINISTRATIVE HEARING IN THE MATTER OF V-NAILS SALON & SPA, MS307000906, SBCE 09-22

The board conducted an administrative hearing in the matter of V-Nails Salon & Spa, MS307000906, SBCE 09-22. Respondent failed to appear.

D. Bonn moved to issue a Notice of Proposed Default in the matter of V-Nails Salon & Spa, MS307000906, SBCE 09-22. E. Lynch seconded the motion. Motion carried.

**MINUTE 09-108**

**ADMINISTRATIVE SHOW CAUSE HEARING IN THE MATTER OF BRENDA ANDERSON, BC02117855, SBCE 07-42**

The board conducted an administrative show cause hearing in the matter of Brenda Anderson, BC02117855, SBCE 07-42. Respondent failed to appear.

D. Bonn moved to issue a notice of proposed default in the matter of Brenda Anderson, BC02117855, SBCE 07-42. R. Bushong seconded the motion. Motion carried.

**MINUTE 09-109**

**PERSONAL APPEARANCES**

D. Bonn moved to table the application for renewal of cosmetology license in the matter of Brandy R. Garner, BC29600588. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the application for renewal of cosmetology license in the matter of Amber Hoffman, BC20200136. R. Bushong seconded the motion. Motion carried.

1. P.J.'s College of Cosmetology by Judith and or Phillip Stewart, SC50800040, SBCE 08-26 – Failed to appear however the board considered the fact that they had planned for and purchased vacation arrangements prior to the proceedings.

2. Lovely Nails by Ly Huu Phan, MS30600511, SBCE 08-27 – Appeared.

3. Brenda Anderson, BC02117855, SBCE 07-42 – Failed to appear. D. Bonn moved to issue a Notice of Show Cause. E. Lynch seconded the motion. Motion carried.

4. Nail Expo, MS30500736, SBCE 08-17 – Failed to appear. D. Bonn moved to issue a Notice of Show Cause. E. Lynch seconded the motion. Motion carried.

5. Long Nguyen for Pro Nails, MS30903122 – Appeared.

6. Qui C. Lam, MA29801186, SBCE 09-03 – Appeared.

**MINUTE 09-110**

**CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

R. Bushong moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of Harry Ha, SBCE 09-15. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of Loc Truong, SBCE 09-17. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to accept the Proposed Findings of Fact, Conclusions of Law and Order in the matter of Pink Nails, SBCE 09-21. E. Lynch seconded the motion. Motion carried.

**MINUTE 09-111**

**ADOPTION OF LSA DOCUMENT #08-935**

The board considered the May 7, 2009 Indiana Economic Development Corporation comments. D. Bonn moved to adopt LSA Document #08-935 as amended due to public comment at the May 18, 2009 public hearing and the correction of 820 IAC 3-1-15(b)(4) to strike "and" and replace with "or". E. Lynch seconded the motion. Motion carried.

**MINUTE 09-112**

**DISMISSAL ORDER ISSUED**

R. Bushong moved to issue a Dismissal Order in the matter of Cesar Antonio Oxlac Chavac, SBCE 09-12. D. Bonn seconded the motion. Motion carried.

**MINUTE 09-113**

## **RECONSIDERATION OF APPLICATION FOR COSMETOLOGY LICENSE RENEWAL**

D. Bonn moved to allow her to take the examination one more time without obtaining additional education, within three months in the matter of Rhonda Page, BC08626256. R. Bushong seconded the motion. Motion carried.

### **MINUTE 09-114**

#### **CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), FIRST ATTEMPT EXAMINATION WITHIN ONE YEAR OF GRADUATION**

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow her three months to sit for the examination for the first time in the matter of Latashia Jelks. R. Bushong seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b), allowing her to apply for licensure based on her September 29, 2009 successful examination attempt in the matter of Adriana Garduno. R. Bushong seconded the motion. Motion carried.

### **MINUTE 09-115**

#### **CONSIDERATION OF REQUESTS FOR WAIVER OF 820 IAC 2-2-3(b), COMPLETION OF THE EXAMINATION WITHIN THREE YEARS OF GRADUATION**

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow three months to pass the examination in the matter of Brittany Nichole Walker-Feltner. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow three months to pass the examination in the matter of Terri Boone. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow three months to pass the examination in the matter of Cynthia Anne Stefanatos. D. Bonn seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 2-2-3(b) and allow three months to pass the examination in the matter of Keisha Lorraine Johnson. E. Lynch seconded the motion. Motion carried.

### **MINUTE 09-116**

#### **CONSIDERATION OF REQUEST FOR WAIVER OF 820 IAC 4-1-5(d)**

D. Bonn moved to approve the requests for waiver of 820 IAC 4-1-5(d) and allow her until January 1, 2011 to graduate from cosmetology school in the matter of Crystal Tillman. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to approve the requests for waiver of 820 IAC 4-1-5(d) and allow until February 2010 to graduate from cosmetology school in the matter of Shaena Wetzel. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 4-1-5(d) and allow until May 1, 2010 to graduate from cosmetology school in the matter of Stephanie Wilson. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to approve the requests for waiver of 820 IAC 4-1-5(d) and allow May 15, 2010 to graduate from cosmetology school in the matter of Lori Walland. R. Bushong seconded the motion. Motion carried.

### **MINUTE 09-117**

#### **CONSIDERATION OF REQUEST FOR WAIVER OF IC 25-8-7-3; IC25-8-12.6-3, IC25-8-7.2-3**

D. Bonn moved to deny the request for waiver of the six month licensure requirement to manage a salon in the matter of Eric Foster, BC20909933. E. Lynch seconded the motion. Motion carried.

R. Bushong moved to table the request for waiver of the six month licensure requirement to manage a salon in the matter of Jill E. Wilson, BC20909829. E. Lynch seconded the motion. Motion carried.

**MINUTE 09-118**

**GRANTING OR DENYING PETITIONS FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE**

D. Bonn moved to grant the petitions for review and appoint D. Weisheit as the Administrative Law Judge in the matter of Maria Jaynes, Maggee Pequignot, and OP Nails. E. Lynch seconded the motion. Motion carried.

D. Bonn moved to deny the petitions for review due to untimely filing in the matter of Mimi Nails. R. Bushong seconded the motion. Motion carried.

**MINUTE 09-119**

**DEPUTY ATTORNEY GENERAL'S REPORT**

No report.

**MINUTE 09-120**

**APPLICATION COMMITTEE REPORT**

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

**COSMETOLOGY RECIPROCITY APPLICATIONS**

Dixon, Amanda Dawn – DENIED – Not enough hours from cosmetology school – IC 25-8-4-2(a)(1) & 820 IAC 4-4-4

Hazlewood, Janelle Marie – DENIED – Not equivalent license requirements (education hours) – IC 25-8-4-2(a)(1) & 820 IAC 4-4-4

White, Ethel – DENIED – Unlicensed practice – IC 25-8-14 & IC 25-1-11-19(b)(1)

**COSMETOLOGY EXAMINATION APPLICATIONS**

Coleman, Somorrow Lakei – APPROVED

Figueiredo, Jessica N. – TABLED – pending more documents regarding conviction and probation completion

Hinds, Penny Michelle – APPROVED

Kelly, Brooke Lin – APPROVED

Morris, Betty M. – TABLED – pending more documents regarding conviction and probation completion

Mullen, Tacia – TABLED – pending documentation of release from criminal probation

Oswalt, Nicole L. – APPROVED ON PROBATION

Ross, Julie Lynn – APPROVED ON PROBATION

Simon, Lorie Anne – APPROVED

**COSMETOLOGIST PROVISIONAL APPLICATIONS**

Veras-Tabar, Maria – APPROVED

Zachmann, Jorg R. – APPROVED

**MANICURIST RECIPROCITY APPLICATION**

Le, Daniel Phuong – DENIED – graduated from a nail school not a cosmetology school – IC 25-8-11-4(3)

**MANICURIST EXAMINATION APPLICATION**

Nguyen, Cong T. – DENIED – Application photo is different person than that of the person who took the examination –

IC 25-8-14 & IC 25-1-11-5(a)(1)(A)

**MANICURIST PROVISIONAL APPLICATION**

Quintero Sanchez, Maria De Lourdes – APPROVED

**INSTRUCTOR RECIPROCITY APPLICATION**

White, Ethyl – DENIED – Unlicensed practice – IC 25-8-14 & IC 25-1-11-19(b)(1)

**INSTRUCTOR EXAMINATION APPLICATION**

Henke, Troy W. – TABLED – pending more documents regarding conviction and probation completion

**MANICURIST SALON APPLICATIONS**

B&R Nails – DENIED – Unlicensed practice & unsanitary conditions – IC 25-1-11-19(a)(1)(B) & 820 IAC 3-1-6

**MINUTE 09-121**

**RULES COMMITTEE REPORT**

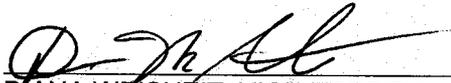
The board considered a proposed draft for mobile salon rules.

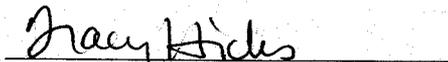
**MINUTE 09-122**

**ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 3:30 p.m.

DATED: 1-11-18

  
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DIANA WEISHEIT, VICE PRESIDENT

  
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ATTEST BY:  
TRACY HICKS, BOARD DIRECTOR

