

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
Will meet on Monday January 23, 2023 at 10:00 a.m.
Indiana State Library, History Reference Room,
315 W. Ohio Street, Indianapolis, Indiana 46202

CALL TO ORDER & ESTABLISHMENT OF QUORUM

10:00 A.M.

Diane Weisheit called the meeting to order at 10:00 a.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
Victoria Ross, Vice President
Diana Bonn
Gregory Kenny
Kendra Forrester

State Officials Present:

Tracy Hicks, Board Director, Indiana Professional Licensing Agency
Marianna Kassenbrock, Assistant Director
Claire Dyer, Board Advisory Counsel, Office of the Attorney General

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

Ross/Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

ADOPTION OF THE MINUTES FROM THE NOVEMBER 14, 2022 MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of November 14, 2022.

Ross/Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

OFFICE OF THE ATTORNEY GENERAL'S REPORT

Written and verbal report provided.

The OAG proposed having ALJ hearings for older complaints. Claire Dyer advised the board that these should be heard by the entire board.

ADMINISTRATIVE HEARINGS TO CONSIDER WITHDRAWAL OF PROBATION

1. Tiara Dawn Peoples, BC21300279, 2013 SBCBE 0027

A motion was made and seconded to continue the hearing until all other hearings are complete to give her a chance to pay the fee.

Ross/Kenny

4/1/0

Motion carried.

Voting in favor: Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

Voting against: Diana Weisheit

A motion was made and seconded to withdraw probation

Ross/Forrester

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Gregory Kenny, and Kendra Forrester

Voting against: Diana Bonn

2. Shaylah Shepard, BC222000603, 2022 SBCBE 0086

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. Jacinda Myers, ES22200420, 2022 SBCBE 0094

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

ADMINISTRATIVE HEARINGS TO CONSIDER APPLICATION DENIAL APPEALS

1. Hari Hair Extensions, 2022 SBCBE 0247

A motion was made and seconded to reverse the probation.

Kenny/Ross

4/1/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Gregory Kenny, and Kendra Forrester

Voting against: Diana Bonn

2. Duyen My Vo-Yang, 2022 SBCBE 0257

A motion was made and seconded to affirm the denial.

Ross/Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

A motion was made and seconded to report Recalibrated School to the OAG for investigation.

Ross/Bonn

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

ADMINISTRATIVE HEARING TO CONSIDER MOTION FOR CEASE AND DESIST

1. Tran Thi Cuc, 2021 SBCBE 0231

This matter was continued before the meeting.

2. Duy Scott Nguyen, 2022 SBCBE 0216

A motion was made and seconded that the State proved it's case and to issue a Cease & Desist Order.

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. Jasmine Rios, 2022 SBCBE 0217

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

4. Ngai Giao Thi Nguyen, 2022 SBCBE 0218

Hearing was not conducted due to the Motion for Dismissal filed.

5. Boa Tran Nguyen, 2022 SBCBE 0219

Hearing was not conducted due to the Motion for Dismissal filed.

ADMINISTRATIVE HEARING TO CONSIDER MODIFICATION OF PROBATION

1. Administrative Hearing in the Matter of Merrillville Beauty College, SC41800006, and Howard Hawkins Jr., BC21400163, BI11200012, & BA10900163, 2020 SBCBE 0020

A motion was made and seconded to reduce his fines by half and extend

Kenny/Kendra Forrester

5/0/0

Motion failed.

Voting in favor:, Gregory Kenny, and Kendra Forrester

A motion was made and seconded to extend the time to pay fines by one year.

Bonn/Ross

4/1/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, and Kendra Forrester

Voting in opposition: Gregory Kenny

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE REINSTATEMENT

1. Jordan Boyd, BA11500064

A motion was made and seconded to approve reinstatement on probation due to pending criminal matter.

Kenny/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. Megan Hutton, BC20600055 – no show (1:01 p.m.)

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

After she appeared at 1:50 p.m., the board reconsidered their motion and moved to reinstate on indefinite probation with no right to petition for removal of probation until the criminal obligation is complete.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. Sarah Miller, BC21800191

A motion was made and seconded to reinstate on probation.

Forrester/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

4. Kimberlee Redman, BC20807921

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

5. Steven Toliver, BI11200042

A motion was made and seconded to approve reinstatement.

Bonn/Kenny

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

6. Kayla Warner, BC21800796

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL

1. Ikon Nails, 2022 SBCBE 0215

A motion was made and seconded to dismiss the matter.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. Perfect Threading Salon, 2021 SBCBE 0272

A motion was made and seconded to dismiss the matter.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. William Lee Moore, 2018 SBCBE 0144

A motion was made and seconded to dismiss the matter.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

4. Jennifer Lockridge, 2019 SBCBE 00631

A motion was made and seconded to dismiss the matter.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

5. Ashley Benjamin, 2017 SBCBE 0027

A motion was made and seconded to dismiss the matter.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

SET ASIDE NOTICE OF PROPOSED DEFAULT AND CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. Jimmy's Nail Spa, BS31300003, 2021 SBCBE 0176

A motion was made and seconded to set aside the Notice of Proposed Default and accept the proposed settlement agreement.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. Jimmy-Dung T. Vo, MA20601620, 2021 SBCBE 0174

A motion was made and seconded to set aside the Notice of Proposed Default and accept the proposed settlement agreement.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. Samuel Long, MA21300236, 2021 SBCBE 0175

A motion was made and seconded to set aside the Notice of Proposed Default and accept the proposed settlement agreement.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

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

1. Tuong Cat Nguyen, MA21400328, 2021 SBCBE 0235

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. L T Royal Nails, LLC, BS91800727, 2021 SBCBE 0236

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. TJ Nails, BS91500681 & Billy V. Tran, MA20402511, 2021 SBCBE 0159 & 0162

A motion was made and seconded to table consideration until the OAG can file with the missing pages.

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

4. Pizazz, BS30802600 & Karen Carter, BC02276304, 2022 SBCBE 0208

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

5. Rockhurst Barber Shop, BS31003981, 2022 SBCBE 0043

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

6. Gina Cook, BC29901304, 2022 SBCBE 0044

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

7. Bella P.C. Nails, BS91700656 & Christina Nguyen, MA29702003, 2020 SBCBE 0206

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

8. Angel Nails, BS92000693, 2022 SBCBE 0072

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

9. My Tien Dang, MA21100356, 2022 SBCBE 0073

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

10. Huy Nguyen, MA20602409, 2022 SBCBE 0071

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

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

CONSIDERATION OF MOTIONS TO DISMISS

1. Nice Nails Full Service Salon & Spa, MS31300022, 2021 SBCBE 0203

A motion was made and seconded to dismiss the matter.

Bonn/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. Thoa Thuyet-Thi Le, MA20500725, 2021 SBCBE 0204

A motion was made and seconded to dismiss the matter.

Bonn/Forrester 5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

3. Yen Q. Nguyen, MA20200558, 2022 SBCBE 0132

A motion was made and seconded to dismiss the matter.

Bonn/Forrester 5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

4. Mai Thuy Anh, 2021 SBCBE 0232

A motion was made and seconded to dismiss the matter.

Bonn/Forrester 5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

5. Luan V. Truong, MA21400352, 2022 SBCBE 223

A motion was made and seconded to dismiss the matter.

Bonn/Forrester 5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

CONSIDERATION OF MOTIONS TO CONSOLIDATE ACTIONS

1. Gorgeous Nails, LLC, BS9100740 2022 SBCBE 0206 & Keng Cheng Lim, MA21011073, 2022 SBCBE 0207

A motion was made and seconded to approve consolidation.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

2. Madame Barbara's Accelerated Cosmetology School, SC41800014, 2022 SBCBE 0171 & Barbara Barleston, CI21011813, MA22000164, & BC08812091, 2022 SBCBE 0172

A motion was made and seconded to approve consolidation.

Ross/Forrester

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

CONSIDERATION OF PRAECIPE FOR HEARING

1. Sassy Nail & Spa, BS91400745 & Amy Ha, BC20908381, 2020 SBCBE 0066

A motion was made and seconded to set this for final hearing.

Bonn/Ross

5/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Diana Bonn, Gregory Kenny, and Kendra Forrester

DISCUSSION OF PROPOSED RULES REVIEW COMMENTS

The Board reviewed comments from the Governor's office to address their concerns.

APPLICATION REPORT

A motion was made and seconded to accept the application report below.

Ross/Bonn

4/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Gregory Kenny, and Kendra Forrester

COSMETOLOGY

A. By Examination

1. 3814119, Kami Clemens – **PROBATION** – Pending criminal matter.
2. 3809123, Kali Lantz – **PROBATION** - Pending criminal matter.
3. 3760420, Kelsey Kirkpatrick – **PROBATION** - Pending criminal matter.
4. 3811916, Cheyenne Bumpus – **PROBATION** - Pending criminal matter.
5. 3792055, Allison Stevens – **PROBATION** - Pending criminal matter.
6. 3811008, Xena Stevens – **PROBATION** - Pending criminal matter.
7. 3740150, Talisha Thomas – **PROBATION** - Pending criminal matter.
8. 3830461, Ensia Ibrahimovic – **PROBATION** – Pending criminal matter.

9. 3833822, Sauna Carson – **PROBATION** – Pending criminal matter.

B. By Reciprocity

1. 3815413, Hoang Phan – **DENIAL** – Reciprocity from Vietnam. License issued by school, not government. Vietnam's requirements are not substantially similar to IN requirements.
2. 3805221, Hongtao Liu – **DENIAL** - Applicant is applying by reciprocity from NY for cosmetology license with only a NY manicurist license.

ESTHETICIAN

A. By Examination

1. 3817737, Kaaysanel Buckley – **PROBATION** - Pending criminal matter.
2. 3829324, Dayten Merrell – **PROBATION** – multiple DUIs. Jury trial set for 3/31/23. Currently on court ordered probation.

B. By Reciprocity

1. 3829405, Lauren Christman – **DENIAL** - Applicant was licensed in OH on 11/29/22. We require 1 year experience to bring Ohio's Esthetician license up to IN standards.
2. 3761833, Karina Plasencia-Lopez – **DENIAL** - education (no licensing) from Dominican Republic with 900 hours. Applying by reciprocity from NY which does not meet IN standards. (Has to have 1 year experience w NY license, only has 6 months.)

MANICURIST

A. By Examination

1. 3835388, Janet Jones – **PROBATION** - Pending criminal matter.

B. By Reciprocity

1. 3772038, Ngoc Kim Phan - **DENIAL** - FL original license (no exam required), second license from PA (lesser standards than IN) and TX (acceptable standards for IN licensure.)
2. 3831210, Tiep Luu – **DENIED** - Applying by Reciprocity from WI (does not meet requirements, does not have two years experience.) Obtained WI license with reciprocity from FL (Does not meet IN requirements. FL does not require exam.)
3. 3818432, Nhung T. Dang - **PROBATION** - Pending criminal matter.
4. 3815350, Thao Le – **DENIAL** - Applied by reciprocity from NV with violation. She let an unlicensed person use her license to perform nail services. Was disciplined by NV.

BARBER

A. By Examination

1. 3728772, George Dixon – **PROBATION** – Pending criminal matter.
2. 3787201, Christopher Owens - **PROBATION** - Pending criminal matter.
3. 3820410, Landon Buller – **DENIAL** – Recalibrated Christian student. MVR documents do not support enrollment date, grad date or number of hours completed. LA asking for transcript.
4. 3823375, Zee Klea – **DENIAL** – Recalibrated Christian student. MVR reports do not agree. MVR report on 12/14/21 shows total hours of 1375 and \$1516 owed and last

day attended 11/14/21. MVR report on 1/14/22 says last day 11/14/21 with 1500 hours and \$0 owed. Graduated 12-4-2021. Passed exam 10/26/22.

5. 3830383, Juan Martinez – **DENIAL** – Recalibrated Christian student. MVR and Certificate of Education do not agree. Applicant could not graduate on the date listed as he did not complete course until 11/29/2022.
6. 3821646, Michael Smith – **PROBATION** - Pending criminal matter.
7. 3822012, David Brown – **PROBATION** - Pending criminal matter.
8. 3820169, Charles Oakley – **PROBATION** - Pending criminal matter.

B. By Reciprocity

1. 3691331, Ramon Alvarez – **DENIAL** - NY licensure does not meet IN requirements. Transcripts show 605.5 hours for a barber license. Only licensed 4 years in NY. PR docs show completion of court ordered requirements.
2. 3828629, Elliott Koenig – **PROBATION** - Pending criminal matter.
3. 3691331, Ramon Alvarez – **DENIAL** - NY licensure does not meet IN requirements. Transcripts show 605.5 hours for a barber license. Only licensed 4 years in NY. Positive Response documents show completion of court ordered sentencing.

C. By Provisional

1. 37566398, Ana Lopez Rocha - **DENIAL** - Lacking hours in sanitation, salesmanship, management, skin, hair facials, electricity/light therapy, chemistry, shampoo/massage, scalp treatment, history of barbering, shaving, honing and stropping, personal hygiene/professional ethics, equipment care, anatomy & physiology, and hairpieces.

FACILITY APPLICATIONS

A. Beauty Culture Salon

1. 3765824, Provoke Pixie Salon – **PROBATION** - Pending criminal matter.
2. 3807943, IMack Barbershop – **PROBATION** (previously denied) – Passed second inspection.
3. 3777461, Pro Nails – **DENIAL** – Failed inspection.
4. 3775075, Oriental Nails 1 – **PROBATION** (previously denied) – Passed second inspection.
5. 3799754, Cindy Nails & Spa – **DENIAL** – Failed inspection.
6. 3822047, La Nails 2381 LLC – **DENIAL** – Second application, second failed inspection (unlicensed workers).
7. 3809783, Nails and Spa Lounge, LLC – **DENIED** (previously denied for failed inspection) – Second application with a failed inspection.
8. 3715656, Sephora – **DENIAL** – Failed inspection.
9. 3821564, 360 Barber Studio – **DENIAL** – Second application, second failed inspection.
10. 3819271, Fresh Factory (Main St., Lafayette) – **DENIAL** – Fresh Factory (Earl St.) and same owner (Kevin Vargas) are under litigation for failed inspections (employing unlicensed workers.)
11. 3777467, Pro Nails – **DENIAL** – failed inspection

AMEND AGENDA TO ADD ELECTION OF OFFICERS

A motion was made and seconded to amend the agenda to add Election of Officers and appoint the same members as President and Vice President.

Bonn/Ross

4/0/0

Motion carried.

Voting in favor: Diana Weisheit, Victoria Ross, Gregory Kenny, and Kendra Forrester

ADJOURNMENT

The meeting adjourned at 4:47 p.m.