

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, September 14, 2020, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 2, Richmond, Virginia. The following board members were present:

Oanh Pham Kim Dang
Renee' H. Gilanshah
Margaret B. LaPierre
Bo Machayo
Lonnie Quesenberry
Matthew D. Roberts
Sandra G. Smith

The following board members were not present:

Gilda Acosta
Darrin L. Hill
Alfred O. Mayes

DPOR staff present for all or part of the meeting included:

Mary Broz-Vaughan, Agency Director
Stephen Kirschner, Executive Director
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting by telephone:

Elizabeth Peay, Assistant Attorney General

Ms. LaPierre, Chair, determined a quorum was present and called the meeting to order at 9:10 a.m.

Call to Order

The Board took the Tentative Agenda under consideration. Ms. LaPierre asked for any amendments. Mr. Kirschner indicated that one case was removed from the Tentative Agenda after it was distributed to the Board (Item 23, File Number 2016-03426 Tam T. Dang). The respondent has requested an Informal Fact-Finding (IFF) Conference.

Approval of Agenda

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

The Board took the minutes of the July 13, 2020 Board Meeting under consideration. Ms. LaPierre asked for any amendments. There were none.

**Approval of Minutes
for the July 13, 2020
Meeting of the
Board for Barbers
and Cosmetology**

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to approve the minutes.

The members voting ‘yes’ were Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

The Board reviewed an email communication dated March 19, 2020 from esthetician licensee and spa owner, DeeAnn Slover, regarding the scope of practice of cosmetologists and estheticians pertaining to the performance of facials (See Addendum 1). The Board took the comments and suggestions in Ms. Slover’s correspondence under consideration.

Communications

Ms. LaPierre asked if there was public comment. There was none.

**Ms. Dang arrived at
the meeting**

Public Comment

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to consider and accept six (6) Consent Order cases as a block.

Cases

**Board Considers
and Approves
Consent Order
Cases As A Block**

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03350, Hien Dieu Uong**, the Board reviewed the record, which consisted of the Consent Order. Hien Dieu Uong did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2016-
03350, Hien Dieu
Uong**

By signing the Consent Order, Hien Dieu Uong acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3	\$ 2,500.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,650.00

In addition, for violation of Count 1, Hien Dieu Uong agrees to revocation of Cosmetologist license, Number 1201113157.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03401, Sarah Ngoc Le**, the Board reviewed the record, which consisted of the Consent Order. Sarah Ngoc Le did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03401, Sarah Ngoc Le

By signing the Consent Order, Sarah Ngoc Le acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3 (Four violations at \$500 each)	\$ 2,000.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,000.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,150.00

In addition, for violation of Count 1, Sarah Ngoc Le agrees to revocation of Cosmetologist license, Number 1201118875.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03440**, the Board reviewed the record, which consisted of the Consent Order. Vuong Kim Trieu did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03440, Vuong Kim Trieu

By signing the Consent Order, Vuong Kim Trieu acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3	\$ 2,500.00

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,650.00

In addition, for violation of Count 1, Vuong Kim Trieu agrees to revocation of Cosmetologist license, Number 1201119870.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02284, Tran Duy**, the Board reviewed the record, which consisted of the Consent Order. Tran Duy did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02284, Tran Duy

By signing the Consent Order, Tran Duy acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3	\$ 2,000.00
	(Four violations at \$500 each)	

SUB-TOTAL (MONETARY PENALTIES)		\$ 2,000.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,150.00

In addition, for violation of Count 1, Tran Duy agrees to revocation of Cosmetologist license, Number 1201112326.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02424, Leuyen Thi Vo**, the Board reviewed the record, which consisted of the Consent Order. Leuyen Thi Vo did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02424, Leuyen Thi Vo

By signing the Consent Order, Leuyen Thi Vo acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3	\$ 2,250.00

	SUB-TOTAL (MONETARY PENALTIES)	\$ 2,250.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$ 2,400.00

In addition, for violation of Count 1, Leuyen Thi Vo agrees to revocation of Cosmetologist license, Number 1201110708.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02428, Minhchau Thi Do**, the Board reviewed the record, which consisted of the Consent Order. Minhchau Thi Do did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02428 Minhchau Thi Do

By signing the Consent Order, Minhchau Thi Do acknowledges an understanding of the charges and admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.3	\$ 2,250.00

	SUB-TOTAL (MONETARY PENALTIES)	\$ 2,250.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$ 2,400.00

In addition, for violation of Count 1, Minhchau Thi Do agrees to revocation of Cosmetologist license, Number 1201112575.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the Consent Order.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to consider sixteen (16) Prima Facie cases as a block, accept the violations, and approve the sanctions.

**Board Considers
and Approves Prima
Facie Cases As A
Block**

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-02992, Bich Ngoc Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Bich Ngoc Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2016-
02992, Bich Ngoc
Thi Nguyen**

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Bich Ngoc Thi Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Bich Ngoc Thi Nguyen’s cosmetologist license number 1201118260, for violation of Count 1.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03074, Chau Minh Dang**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Chau Minh Dang did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2016-
03074, Chau Minh
Dang**

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Chau Minh Dang violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Chau Minh Dang's nail technician license number 1206018971, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03197, Phung Kim Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phung Kim Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03197, Phung Kim Tran

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Phung Kim Tran violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,250 each)	\$ 4,500.00

TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of Phung Kim Tran's cosmetologist license number 1201120431, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03210, Dung Kim Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Dung Kim

File Number 2016-03210, Dung Kim Nguyen

Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Dung Kim Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Dung Kim Nguyen's cosmetologist license number 1201120430, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03234, Thuy Kieu Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy Kieu Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03234, Thuy Kieu Thi Nguyen

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thuy Kieu Thi Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Thuy Kieu Thi Nguyen's cosmetologist license number 1201119591, for violation of Count 1.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03265, Duyen To Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Duyen To Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03265, Duyen To Tran

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Duyen To Tran violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Duyen To Tran’s cosmetologist license number 1201119866, for violation of Count 1.

The members voting ‘yes’ were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03378, Ratha Konh**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Ratha Konh did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03378, Ratha Konh

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Ratha Konh violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Ratha Konh's cosmetologist license number 1201117973, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03390, Phuong Thao Huynh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Thao Huynh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03390, Phuong Thao Huynh Nguyen

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Phuong Thao Huynh Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations at \$2,250 each)	\$ 4,500.00

TOTAL		\$ 4,500.00

The Board also imposes the following sanction: Revocation of Phuong Thao Huynh Nguyen's cosmetologist license number 1201119539, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03392, Quan Hoang Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Quan Hoang Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03392, Quan Hoang Tran

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Quan Hoang Tran violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
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(Three violations at \$2,250 each)

TOTAL	----- \$ 6,750.00
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The Board also imposes the following sanction: Revocation of Quan Hoang Tran's cosmetologist license number 1201118179, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03394, Hong Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hong Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03394, Hong Thi Nguyen

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Hong Thi Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
TOTAL		----- \$ 2,250.00

The Board also imposes the following sanction: Revocation of Hong Thi Nguyen's cosmetologist license number 1201115795, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03396, Hong Thi Thu Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hong Thi Thu Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03396, Hong Thi Thu Nguyen

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found

substantial evidence that Hong Thi Thu Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00
TOTAL		----- \$ 6,750.00

The Board also imposes the following sanction: Revocation of Hong Thi Thu Nguyen's cosmetologist license number 1201117749, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03397, Sambo Sok**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sambo Sok did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03397, Sambo Sok

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Sambo Sok violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00
TOTAL		----- \$ 6,750.00

The Board also imposes the following sanction: Revocation of Sambo Sok's cosmetologist license number 1201115281, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03399, Sang N. Hien**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sang N.

File Number 2016-03399, Sang N. Hien

Hien did not appear at the meeting in person, by counsel or by any other qualified representative.

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Sang N. Hien violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Sang N. Hien's cosmetologist license number 1201112063, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03410, Siriwan Jumreonsuk**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Siriwan Jumreonsuk did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03410, Siriwan Jumreonsuk

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Siriwan Jumreonsuk violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Siriwan Jumreonsuk's nail technician license number 1206018710, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03456, Xuan Nhut Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Xuan Nhut Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03456, Xuan Nhut Nguyen

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Xuan Nhut Nguyen violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations at \$2,250 each)	\$ 6,750.00

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Xuan Nhut Nguyen's cosmetologist license number 1201118175, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02301, Thanh V. Vu**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thanh V. Vu did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02301, Thanh V. Vu

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Roberts, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thanh V. Vu violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00

TOTAL		\$ 2,250.00

The Board also imposes the following sanction: Revocation of Thanh V. Vu's cosmetologist license number 1201111472, for violation of Count 1.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01204, Michelle Angelica Tatis**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Michelle Angelica Tatis appeared at the meeting in person and addressed the Board.

File Number 2020-01204, Michelle Angelica Tatis

Upon a motion by Mr. Quesenberry and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Michelle Angelica Tatis' permanent cosmetic tattooer license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01766, Gregory Leon Williams**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Gregory Leon Williams did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01766, Gregory Leon Williams

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Gregory Leon Williams' barber license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01803, Ashley Brooke Gunter**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ashley Brooke Gunter did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01803, Ashley Brooke Gunter

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Ashley Brooke Gunter's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01832, Chonlanut Rina Roberts**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Chonlanut Rina Roberts appeared at the meeting in person and addressed the Board.

File Number 2020-01832, Chonlanut Rina Roberts

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Chonlanut Rina Roberts' permanent cosmetic tattooer license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01833, Sugaring House Beauty Academy**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Chonlanut Rina Roberts appeared at the meeting in person and addressed the Board on behalf of Sugaring House Beauty Academy.

File Number 2020-01833, Sugaring House Beauty Academy

Upon a motion by Mr. Roberts and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Sugaring House Beauty Academy's esthetics school license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01847, Khadijah Pasha**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Khadijah Pasha appeared at the meeting in person and addressed the Board.

FILE Number 2020-01847, Iman Khadijah Pasha

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Khadijah Pasha's Master Esthetician license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01848, Shakir Aundre Moore**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shakir Aundre Moore appeared at the meeting in person and addressed the Board.

File Number 2020-01848, Shakir Aundre Moore

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Shakir Aundre Moore's barber license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01870, Jessica Marie Christian**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jessica Marie Christian appeared at the meeting in person and addressed the Board.

File Number 2020-01870, Jessica Marie Christian

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jessica Marie Christian's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01871, Braden Michael McCue**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Braden Michael McCue did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01871, Braden Michael McCue

Upon a motion by Mr. Quesenberry and seconded by Ms. Dang, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Braden Michael McCue's barber license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, and Ms. Smith. The member voting 'no' was Mr. Roberts. The motion passed by a majority.

In the matter of **File Number 2020-01872, Conner Mitchell Sherin**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Conner Mitchell Sherin did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01872, Conner Mitchell Sherin

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Conner Mitchell Sherin's tattooer license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02336, Whitney Lee Isom**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, Cosmetology Instructor for the Virginia Correctional Center for Women appeared at the meeting in person and addressed the Board on behalf of Ms. Isom.

File Number 2020-02336, Whitney Lee Isom

Upon a motion by Ms. Gilanshah and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Whitney Lee Isom's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02337, Patrick David Keys**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Patrick David Keys appeared at the meeting in person and addressed the Board.

File Number 2020-02337, Patrick David Keys

Upon a motion by Mr. Roberts and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Patrick David Keys' barber license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01204, Beauty Basics Inc.**, the Board reviewed the record, which consisted of the application files, transcript,

File Number 2020-02338, Beauty Basics

exhibits, and the Summary of the Informal Fact-Finding Conference. Beauty Basics Inc. did not appear at the meeting in person, by counsel or by any other qualified representative.

Inc dba Aveda Arts and Sciences Institute

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Beauty Basics Inc.'s cosmetology school and esthetic school licenses.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01204, Paula Sue Cox**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, Cosmetology Instructor for the Virginia Correctional Center for Women appeared at the meeting in person and addressed the Board on behalf of Ms. Cox.

File Number 2020-02356, Paula Sue Cox

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Paula Sue Cox's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. The member voting 'no' was Ms. LaPierre. The motion passed by a majority.

In the matter of **File Number 2020-02359, McCawley Rojas LLC**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. McCawley Rojas LLC did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-02359, McCawley, Rojas LLC dba JD Haircuts

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve McCawley Rojas LLC's salon license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02360, LaTonya Alice Smith**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, Cosmetology Instructor for the Virginia Correctional Center for

File Number 2020-02360, LaTonya Alice Smith

Women appeared at the meeting in person and addressed the Board on behalf of Ms. Smith.

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve LaTonya Alice Smith's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02361, Stephanie Dawn Dudley**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, Cosmetology Instructor for the Virginia Correctional Center for Women appeared at the meeting in person and addressed the Board on behalf of Ms. Dudley.

File Number 2020-02361, Stephanie Dawn Dudley

Upon a motion by Mr. Roberts and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Stephanie Dawn Dudley's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02362, Brittany Lee Nesselrodt**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Brittany Lee Nesselrodt appeared at the meeting in person and addressed the Board.

File Number 2020-02362, Brittany Lee Nesselrodt

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Brittany Lee Nesselrodt's cosmetologist license.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-02363, Wittney Madison Hair Gallery LLC**, the Board reviewed the record, which consisted of the application files,

File Number 2020-02363, Wittney

transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Petrice Myers and DeWitt Myers appeared at the meeting in person and addressed the Board on behalf of Wittney Madison Hair Gallery LLC.

**Madison Hair
Gallery LLC**

Upon a motion by Ms. Gilanshah and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Wittney Madison Hair Gallery LLC's salon license renewal application.

The members voting 'yes' were Ms. Dang, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Quesenberry, Mr. Roberts, and Ms. Smith. There were no negative votes. The motion passed unanimously.

EXAMINATIONS

Mr. Kirschner provided a report to the Board on the new examination vendor, PSI. He described ongoing issues with the vendor, primarily involving communication problems. Mr. Kirschner and Director of Examination, Ms. Webster, responded to questions from the Board.

**Report On
Examinations**

Ms. Rodriguez presented a comparison report on the exam score pass rates for 2019 and 2020. Pass rates for public schools are not yet available for the 2020 examination period.

Exam Statistics

**REGULATORY
ACTION AND
BOARD
GUIDANCE**

Mr. Kirschner presented a report on pending regulatory actions, noting that the revised Tattoo and Body Piercing Regulations remain in the Governor's Office for review.

Regulatory Report

The Board discussed the comments and suggestions made regarding esthetician and cosmetologist scope of practice in the correspondence received from Dee Ann Slover (See Communications).

NEW BUSINESS

There being no further business to be brought before the Board, Ms. LaPierre adjourned the meeting at 10:58 a.m.

Adjourn

Margaret B. LaPierre, Board Chair

Mary Broz-Vaughan, Board Secretary

ADDENDUM 1

DPOR Board for Barbers & Cosmetology, rr <barbercosmo@dpor.virginia.gov>

Where Can I Find a Scope of Practice for Professional Estheticians?

1 message

DeeAnn Slover <hthhandsthatheal@gmail.com>

Thu, Mar 19, 2020 at 5:53 PM

To: "DPOR: Board for Barbers & Cosmetology (DPOR)" <BarberCosmo@dpor.virginia.gov>

Hello!

My name is DeeAnn and I am both a licensed massage therapist and professional esthetician. I am a sole proprietor for a business called, Hands that Heal Massage & Body Treatments. I need some guidance on a Scope of Practice for a Professional Esthetician. In regulation 18 VAC 41-70-250, there is a Scope of Practice for Master Estheticians that only really covers chemical exfoliation.

I am struggling because most exfoliators have some form of vitamin, enzymatic or herbal ingredients. Realistically, following the guidelines in 18 VAC 41-70-250 limits my exfoliation option to brushes only. In fact, even exfoliators purchased in department, drug or retail stores have some form of alpha/beta hydroxyl acids, vitamin based, enzyme or herbal exfoliators in their list of ingredients.

Also, some cleansers, toners, masks and moisturizers have some form of vitamin, enzyme or herbal components to them.

I ask because I do not wish to break rules or laws. I just want to help folks with their skin care needs.

I recognize that I do not have the education or licensure to perform microdermabrasion or chemical peels. Nor do I have the experience necessary for some of the more powerful exfoliators, serums or masks. But, if I follow the guidelines you have set, I am grossly limited when exfoliating to using brushes.

I propose a couple of changes to 18 VAC 41-70-250.

1. Establish a Scope of Practice for Professional Estheticians and Cosmetologists who are performing facials. Because we are ideally taught similar practices in our schools, there is no guarantee that graduated pro esties or cosmetologists are following the guidelines in 18 VAC 41-70-250. I imagine they are doing what they are told to do by someone who should know the regs, but maybe does not keep up with them
2. Allow Pro Esties and Cosmetologists the use of exfoliators with vitamin based acids, enzymes or herbal exfoliators, by establishing specific parameters (maybe percentage based). Reputable skin care lines are very good about listing their ingredients, both the scientific and common names, as well as the percentage of said ingredient.

I thank you for your time and consideration of my request. As a retired US Air Force officer in my "encore career", I can appreciate following guidelines and regulations. As a professional esthetician, the safety of my clients is paramount. I would appreciate the ability to serve my clients better with an exfoliator that will accomplish greater results than merely using a brush on my clients' faces. Even a brush can be harsher than exfoliating with products containing vitamin acids, enzymes or herbal exfoliators.

Again, thank you for your time and consideration of my request. I pray you all remain healthy and safe during this COVID-19 crisis.

Respectfully Yours,
DeeAnn P. Slover
Owner, Hands that Heal Massage & Body Treatments