



MINUTES

**Nevada State Board of Cosmetology
Board Meeting Group
April 8 2019 NVBOC Meeting
Monday, April 8, 2019, 9:00 am - 5:00 pm
*SIMULCAST LAS VEGAS & CARSON CITY
Las Vegas Office of the Attorney General
555 East Washington Ave. #3900
Las Vegas, NV 89101
Rm: 4500**

**Carson City Office of the Attorney General
100 N. Carson St.
Carson City, NV 89701
Rm: Mock Courtroom**

In Attendance

Adam Higginbotham; Andrew Helms; Asheesh Bhalla; Bryan Baltazar; David Scarpelli; Debra Ritchey; Gary Landry; Gwendolyn Braimoh; Joanna Tran; Kai Stanton; Kara Ishitani; Leah Easter; Maggie Adams; Pamela Hayes-Fitzgerald; Rodney Moore; Tialutrell McCormick; Victoria Negrete

A. Roll Call

1 Roll Call

DAG-Rosalie Bordelove acting as council for the Board

B. Pledge of Allegiance

Non-Action Item

C. Mission Statement

The mission statement was read aloud by President Braimoh.

D. Comments from the General Public

The Board will entertain comments from the general public for any item that is or is not on the published agenda and is related to the Nevada State Board of Cosmetology.

No action can be taken on a matter unless it is included in an agenda.

Comments should be limited to three (3) minutes or less.

Mr. John Grieco-Academy of Hair Design- stated that he felt the law plainly stated that the word "medical" should not be used in the name of a school. Mr. Greico felt that the use of the word "medical" in the school's name would be undercutting schools that are already open and operating.

E. [Approval of Minutes from Previous Meeting](#)

Minutes were approved by vote

Move: Debra Ritchey Second: Kai Stanton Status: Passed

F. [Formal Request for Attorney General Opinion](#)

Request for A.G. Opinion as to whether using "medical" in the name of a cosmetology school violates state regulation(s)

The Board voted to have a formal opinion rendered by the Attorney General as to whether provisions of NRS 644 and/or NAC 644 prohibit the use of the word "medical" in the name of a school of cosmetology.

Move: Debra Ritchey Second: Kai Stanton Status: Passed

G. [Complaints](#)

1. The Dollhouse Hair Salon (S-14096) & Derrick Hansbrough (H-280) Leah

Operating a Salon with a 90+ Day Expired License

The Dollhouse Hair Salon S-14096 did not have any representatives present at the hearing. The Board found that there was sufficient evidence to show a violation of NRS 644A.610. In addition, respondent was subject to discipline for failing to comply with the requirements of NAC 644.711(c) when respondent misrepresented the status of the establishment as properly licensed by the Board. A total fine of \$4,000 was imposed and is due within 30-days of the date the Board order is signed. In addition to the \$4,000 penalties, the costs of the proceedings are owed in the amount of \$154.36 also due within 30-days from the date of the order.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

2. Edilbert Salon & Barbershop (S-18017) and Edilberto Mora (Owner) Leah

Operating a Salon with a 90+ Day Expired License

Edilberto Mora and Edilbert Salon and Barbershop, License No. S-18017 were assessed, jointly and severally, a fine of \$2,000 for violating NAC 644.711(c) when the respondents misrepresented the status of the establishment as properly licensed by the Board. The Board also found the respondents in violation of NRS 644A.610 by failing to pay the applicable

required fees for renewal of the cosmetology establishment license within 90 days after the salon license expired. A total fine in the amount of \$4,000 plus costs in the amount of \$154.36 is payable within 30 days from the date of the signed Order.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

3. Funeh African Hair Braiding (S-18002)

Leah

Operating a Salon with a 90+ Day Expired License

The Board found that Funeh salon was subject to discipline for failing to comply with the requirements of NAC 644.711(c) and NRS 644A.610 by failing to pay the applicable required fees for renewal of the cosmetology establishment license within 90 days after the date of expiration of the license. In determining the final penalty, the Board consider mitigating factors including money already paid to the Board. The total penalty imposed by the Board was \$500 plus costs in the amount of \$154.36. The costs must be paid within 30 days from the date of the signed order.

Move: Tialutrell McCormick Second: Debra Ritchey Status: Passed

4. Get Nailed (S-10236) and Duyen Tran

Leah

Operating a Salon with a 90+ Day Expired License

The Board concluded that Get Nailed Salon was subject to discipline pursuant to NRS 644A.850(1) for failing to comply with the requirements of NRS 644A.900(2) by permitting unlicensed individuals to perform cosmetology services in the salon establishment. In addition, the Board found that the respondents were in violation of NAC 644.711(c) when respondents misrepresented the qualifications of their employees to the public as properly licensed to perform cosmetology services by the Board. When determining the penalty, the Board considered that this is the respondents fourth offense for unlicensed activity. The Board imposed a total fine of \$4,000 payable within thirty days from the date of the Order plus \$540.26 in costs. Additionally, the Board voted unanimously to revoke the salon establishment license for Get Nailed Salon S-10236 for no less than 4 years from the date of the Order.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

5. Bang Ngo (N-14927), Bao Truong (A-6604), Today Nails (S-14989) and Strip Nails (S-187000)

Leah

Business License Suspended by Clark County

The Board determined that the respondents are subject to discipline pursuant to NRS 644A.850 (1)(d) because the business licenses of Bang

Ngo and Bao Ngoc Truong, individually and as owners of Today Nails and Strip Nails, has been revoked for having allegedly (1) received and purchased stole merchandise among other things. The Board imposed a fine of \$2,000 payable within 30 days from the date of the Order. In addition to the \$2,000 penalty, costs in the amount of \$154.36 are payable within 30 days of the Order.

Move: Joanna Tran Second: Debra Ritchey Status: Passed

6. Angels Touch Face and Body Spa (S-187088) Owned by Mesrop Berberian, Licensee in Charge Li Huang (C-40114)

Leah

Possible Violation of NRS 644A.850(1)(l)

The Board found that respondents were subject to the jurisdiction of the Board of Cosmetology, but in a mixed vote determined that the respondents did not commit the violation of solicitation as alleged in the complaint and as such no disciplinary action was imposed.

Move: Bryan Baltazar Second: Tialutrell McCormick Status: Passed

H. Vietnam School Report

Adam

School Presentation By Deputy Dir. A. Higginbotham

Deputy Director Higginbotham along with Hien Le and Lisa Nguyen, Service Specialists spoke about concerns related to the curriculum of schools in Vietnam. Director Higginbotham pointed to strong differences in the text books used in the U.S. versus Vietnam. In particular, the curriculum in the Vietnamese books do not cover with any specificity health/ sanitation. For this reason and others, Director Higginbotham requested that we not recognize the curriculum of Vietnam. For those individuals who are already licensed, their licenses will be reviewed upon renewal. If there are discrepancies found upon renewal, the license will be brought to the attention of DAG, Bhalla to determine whether a hearing is in order. Per DAG Bordelove, the Board at this time should be focusing on new licensees rather than existing licensees as we should consider due process of the current licensees.

The Board voted to not recognize Vietnamese credentials/hours based on a showing that the curriculum of these schools is not comparable to Nevada's cosmetology curriculum.

Move: Debra Ritchey Second: Kai Stanton Status: Passed

I. Petitions

1. Nu Quy Chau Ton (U-48090)

Adam

Petitioning to have the Board reconsider reciprocity application.

Ms. Ton appeared at the January 2019 meeting but did not have a translator present at that time.

Ms. Ton's petition was denied in a unanimous vote. The Board found that the discrepancies in Ms. Ton's documents (school records compared with legal IDs) cast doubt on the accuracy of her school hours/time cards.

Move: Kai Stanton Second: Tialutrell McCormick Status: Passed

2. Thi Kieu Linh Pham (ST-100195)

Adam

Requesting Board Review of Testing Application

Ms. Pham's application was approved by the Board. The Board found that even though her earlier documents were not verifiable, she had since presented sufficient documentation to show that she had completed a recognized cosmetology program and should be allowed to test for her license.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

3. Thinh Duy Nguyen (U-47850)

Adam

Would like Board to consider reciprocity application from Texas

Ms. Nguyen did not appear at the meeting. The petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

4. Thien Pham (N-43488)

Adam

Asking for Formal Review of Renewal Application

Mr. Pham did not show at the Board Meeting. His petition to renew his nail technology license was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

5. Thi Thuy Trang Tran (N-43547)

Adam

Asking to renew nail tech license. Graduate of Orange Valley College

Ms. Tran's petition to appear was denied based on discrepancies found between her school hours (hours purporting to show she was present at school) and documents that showed she was physically present in a different city/state on the same day(s)/time(s).

Move: Debra Ritchey Second: Joanna Tran Status: Passed

6. Tri Minh Pham (A-43188)

Adam

Would like the Board to overturn the office's decision requiring school documents before renewal

Mr. Pham would like to be able to renew his esthetics license. The Board has found discrepancies in his time cards that he's unable to rectify at this time.

In a unanimous motion the Board decided not to renew the esthetician license based on discrepancies found in Mr. Pham's application.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

7. Xuan Thi Kim Nguyen (N-43372)

Adam

Requesting Board Approval Renewal Application

Ms. Nguyen did not appear before the Board. The petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

8. Anthony Ton (N-16029)

Adam

Would like the Board to grant the ability to renew nail tech. license.

Mr. Ton did not appear before the Board. His petition to renew his nail technology license was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

9. Khanh Nguyen (Unlicensed)

Asking for Board to consider allowing the transfer of California license to Nevada. Individual attended a school banned by the Board.

Khanh Nguyen did not appear before the Board. The petition to appear was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

10. Ngan Thi Nguyen (N-48710)

Adam

Requesting Board Approve Reciprocity Application

Ms. Nguyen did not appear before the Board. Her petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

11. Spencer Lawson (H-1207)

Gary

Asking Board to reconsider denial of Hair Design License based on felony conviction

Mr. Lawson asked to be moved to the July 2018 meeting.

12. Tynara Nkem Uba

Requesting a variance which would waive the exhaust and plumbing

requirements for her salon

Ms. Uba's petition to utilize a portable sink for her salon establishment was granted.

Move: Debra Ritchey Second: Bryan Baltazar Status: Passed

13. Biviana Perez (C-41839)

Petitioning Because the Office Was Closed on Christmas Eve and Christmas Day. Late fees were imposed on license renewal as a result of not renewing by due date.

Ms. Perez was not present at the meeting. The petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

14. Jennifer Woods (M-10301)

Requesting late fees be waived

Ms. Woods was not present at the meeting. Her petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

15. Nicholette Hobbs (A-39767)

Requesting Reduction In Late Fees

Ms. Hobbs was not present. Her petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

16. Antonia Echevarria Rodriguez (C-23321)

Requesting fine reduction with good cause

Ms. Rodriguez was not present at the meeting. Her petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

17. Kadee Newton (A-45285)

Would like to have waxing be added to the limited license

Ms. Newton withdrew her petition to appear and will instead speak during public comment in July.

18. Tony Moreno (S-14071)

Appeal a violation: Failing to display license in place of business

Mr. Moreno did not appear. His petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

19. Samantha Boh (ST-45971)

Maggie

Appealing violation for unlicensed activity

Ms. Boh did not appear before the Board. Her petition for a violation waiver/reduction was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

20. Annette Collins (C-20078)

Requesting reimbursement of \$20 late renewal fee

Ms. Collins did not appear before the Board. Her petition for a \$20 reimbursement in late fees was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

21. Tatiana Neil "Maya Spa" (S-18183)

Appealing Violation for Expired Salon License

Neither Ms. Neil nor any representative from Maya Spa was present at the Board meeting. The petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

22. Magdalena Ciepalowicz (C-34023)

Requesting late renewal fee be waived

Ms. Ciepalowicz was not present at the meeting. Her petition was denied.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

23. Nancy C. Rice (MA-44549)

Maggie

Would like citation forgiveness for performing hair services with makeup license.

Ms. Rice's petition to have a fine waived/ reduced was denied. The Board found sufficient proof to support that Ms. Rice was performing hair services with a makeup registration.

Move: Kai Stanton Second: Victoria Negrete Status: Passed

24. Darianne M. Acevedo (A-47562)

Maggie

Appealing citation for practicing without a license

Petitioner was not present. The petition was denied.

Move: Debra Ritchey Second: Kai Stanton Status: Passed

25. Hatzirit Sanchez (MA-45610)

Maggie

Requesting a Fine Reduction

Maggie Adams, Compliance Specialist presented information on Ms. Sanchez which shows that Ms. Sanchez was offering nail services online. Ms. Sanchez only has a makeup artist license with the State Board of Cosmetology. Inspector David Scarpelli investigated the complaint. A citation in the amount of \$1,000 was issued from the office by Ms. Adams.

Citation for \$1,000 was upheld.

Move: Bryan Baltazar Second: Debra Ritchey Status: Passed

26. Carlos Gonzalez Owner of Angel Beauty Salon (S-18242)

Maggie

Appealing a Violation (Dispute Inspection Report Findings)

The Board found that there was sufficient documentation to show that Mr. Gonzalez was employing an unlicensed nail techologist to perform nail services in his salon establishment. As such, the fine issued to Mr. Gonzalez was not reduced.

Move: Kai Stanton Second: Tialutrell McCormick Status: Passed

27. Laura Nellis (C-43504)

Maggie

Appealing a Violation

Ms. Nellis was not present at the Board meeting. She withdrew her petition prior to the meeting date.

28. Maria Estrada Sandra's Salon (S-14052)

Appealing violation for unlicensed worker

Ms. Estrada o/b/o Sandra's Beauty Salon was not present at the meeting. Her petition was denied and a fine in the amount of \$1,000 was upheld.

Move: Kai Stanton Second: Debra Ritchey Status: Passed

29. Donnielle Gomes-Wilson (N-48673)

Maggie

Dispute Inspection Report Findings

Ms. Wilson was assessed a fine of \$4,500. The Board voted to make \$1,000 payable within 60 days. The remaining \$3,500 will be waived once Ms. Gomes-Wilson graduates from an accredited school of aesthetics. If Ms. Wilson does not graduate from esthetician school, the remaining \$3,500 will be owed to the Board.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

30. Monika Muller (C-43442)

Maggie

Appeal a Violation

The Board denied Ms. Muller's petition to have the \$500 citation issued on 1/31/19 waived. The Board found sufficient proof/documentation to show that Ms. Muller was performing services without a limited license.

Move: Kai Stanton Second: Kai Stanton Status: Passed

31. Himeko Sugaya (C-36415)

Requesting Fine Reduction

Ms. Sugaya's petition was denied by the Board. The Board found sufficient proof to show that Ms. Sugaya was performing services outside of a licensed salon without a limited license.

Move: Kai Stanton Second: Joanna Tran Status: Passed

Andrew

J. Theory Exam-Retake Fee

Discuss possible increase in the fee to retake the theory exam from \$75 to \$95.

The Board unanimously voted to increase the retake fee for the theory exam from \$75 to \$95.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

K. Approval of Emergency Meeting Minutes

The Board unanimously voted to approve the meeting minutes from the emergency meeting on 3/28/19.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

L. Assembly Bill 351

Discussion of Assembly Bill 351. This Bill was introduced by Rep. Lisa Krasner (R) on march 19, 2019.

The Board asked that Director Landry fight the Bill as written. The Board took issue with the reduction in training hours.

Move: Debra Ritchey Second: Tialutrell McCormick Status: Passed

Andrew

M. 2020 Budget

Discussion and Board Review of 2020 Budget

CFO, Andrew Helms reviewed the 2020 budget. The Board voted to accept the budget as outlined/presented.

Move: Kai Stanton Second: Bryan Baltazar Status: Passed

N. Executive Director's Report

Report from Director Landry

Director Landry gave an overview of staff/agency operations which was approved by a unanimous vote.

Move: Debra Ritchey Second: Kai Stanton Status: Passed

Andrew

O. Monthly Financial Reports

CFO, Andrew Helms discussed the last three months' financial reports.

Move: Debra Ritchey Second: Kai Stanton Status: Passed

Gary

P. Executive Director Review & Possible Salary Increase

Yearly review of Executive Director G. Landry

The Board voted to award Director Landry with a one-step salary increase effect July 1, 2019.

Move: Debra Ritchey Second: Victoria Negrete Status: Passed

Q. Election of Officers

Annual election of President, Vice President and Secretary-Treasurer

The Board voted to keep the officers the same for the next year.

Ms. Braimoh-Board President/Chair

Mr. Baltazar- V.P.

Ms. Ritchey- Secretary/Treasurer

Move: Kai Stanton Second: Tialutrell McCormick Status: Passed

R. Comments from the General Public

Mr. Don Eddy wanted to thank the Board for their time and dedication to their roles.

S. Comments By Board Members

Ms. Ritchey- Would like future discussion about salon owner liability in salons where there are no employees, but rather independent contractors

Ms. Tran- Would like to see investigation into Vietnamese ads purporting to sell cosmetology licenses

Ms. Stanton- Would like information on training for Board Members

Ms. Braimoh- Would like to see discussion related to requiring shampoo bowls in full service/ hair salons

T. Adjournment

The meeting adjourned at 5:45PM PST.