

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, March 9, 2020, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present:

Oanh Pham Kim Dang
Margaret B. LaPierre
Alfred O. Mayes
Anne Rogers
Lonnie Quesenberry
Matthew D. Roberts

The following board members were not present:

Gilda Acosta
Renee' H. Gilanshah
Darrin L. Hill
Josie R. Mace

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 9:13 a.m. **Call to Order**

The Board took the agenda under consideration. Ms. LaPierre asked for any amendments. Mr. Kirschner indicated that four cases were removed from the Tentative Agenda after it was distributed to the Board. The cases, removed, as the respondents have requested IFF Conferences, were 2016-03253, Thy T. Dang; 2016-03286, Minh Duy Nguyen; 2016-03464, Yen Van Nhuc; and 2017-02423, Bach Tuyet Thi Tran.

**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. Dang, Ms. LaPierre, Mr. Mayes, Mr. Quesenberry, Mr. Roberts, and Ms. Rogers. There were no negative votes.

The motion passed unanimously.

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

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

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

Mr. Kirschner introduced three written communications, two of which were included in the electronic agenda provided to the Board in advance, and one of which was received at a later date and provided to the Board for its review at the meeting. Mr. Kirschner then afforded the Board an opportunity to review the communications, which included (1) an email from Leandra Doucet in support of reducing cosmetologist training hours; (2) an email from Kelvin L. Rosado regarding safety and sanitation for barbers; and (3) an email from Salvatore Spano, via the Governor's Office, objecting to a reduction in training hours.

Ms. LaPierre asked if there was public comment.

David Battiston an esthetics student, addressed the Board regarding concerns about using live models for esthetician practical examinations.

Ashlyn Landrum, a cosmetology student, addressed the Board regarding below-average school standards and made recommendations for more hands-on training in salons unrelated to apprenticeships, more online instruction, and a reduction of training hours to 800 – 1000 and supplemental education obtained outside of the school program.

Lisa Hall, a licensed barber, addressed the Board regarding her concerns about moves to deregulate the industry and the reduction of training hours. She also expressed concern about unlicensed activity and the lack of barber shop inspections.

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

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

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

Communications

Public Comment

Cases

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

In the matter of **File Number 2016-02955, Anh Phung Duong**, the Board reviewed the record, which consisted of the Consent Order. Anh Phung Duong did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-02955 Anh Phung Duong

By signing the Consent Order, Anh Phung Duong 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.A.3 (Three Violations)	\$ 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, Anh Phuong Duong agrees to revocation of her Cosmetologist license, Number 1201112928.

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

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

In the matter of **File Number 2016-03046, Bounheuang Fanekham**, the Board reviewed the record, which consisted of the Consent Order. Bounheuang Fanekham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03046 Bounheuang Fanekham

By signing the Consent Order, Bounheuang Fanekham 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.A.3 (Three Violations)	\$ 1,500.00
SUB-TOTAL (MONETARY PENALTIES)		\$ 1,500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 1,650.00

In addition, for violation of Count 1, Bounheuang Fanekham agrees to revocation of her Cosmetologist license, Number 1201113117.

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

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

In the matter of **File Number 2016-03053, Chau Kim Ly**, the Board reviewed the record, which consisted of the Consent Order. Chau Kim Ly did not appear at the meeting in person, by counsel, or by any other qualified representative. **File Number 2016-03053 Chau Kim Ly**

By signing the Consent Order, Chau Kim Ly 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.A.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, Chau Kim Ly agrees to revocation of her Nail Technician license, Number 1206019336.

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

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

In the matter of **File Number 2016-03070 Kimnai Suon**, the Board reviewed the record, which consisted of the Consent Order. Kimnai Suon did not appear at the meeting in person, by counsel, or by any other qualified representative. **File Number 2016-03070 Kimnai Suon**

By signing the Consent Order, Kimnai Suon 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.A.3	\$ 0.00
	(Three Violations)	
Count 2:	18 VAC 41-20-280.6	

SUB-TOTAL (MONETARY PENALTIES)	\$	0.00
BOARD COSTS	\$	150.00
TOTAL	\$	150.00

In addition, for violation of Counts 1 and 2, Kimnai Suon agrees to revocation of her Cosmetologist license, Number 1201118444.

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

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

In the matter of **File Number 2016-03151, Lien Nhuan Do**, the Board reviewed the record, which consisted of the Consent Order. Lien Nhuan Do did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03151 Lien Nhuan Do

By signing the Consent Order, Lien Nhuan 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.A.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, Lien Nhuan Do agrees to revocation of her Nail Technician license, Number 1206019362.

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

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

In the matter of **File Number 2016-03237 Thuy Trang Thi Huynh**, the Board reviewed the record, which consisted of the Consent Order. Thuy Trang Thi Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2016-03237 Thuy Trang Thi Huynh

By signing the Consent Order, Thuy Trang Thi Huynh 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.A.3 (Four Violations)	\$ 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, Thy Trang Thi Huynh agrees to revocation of her Cosmetologist license, Number 1201121444.

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

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

Upon a motion by Mr. Mayes and seconded by Ms. Rogers, the Board voted to consider the twenty-two (22) remaining Prima Facie cases as a block, accept the violations, and approve the sanctions.

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

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

In the matter of **File Number 2016-02934, Thanh-Thuy Thi Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thanh-Thuy Thi Le did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2016-
02934 Thanh-Thuy
Thi Le**

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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-Thuy Thi Le violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL \$ 6,850.00

The Board also imposes the following sanction: Revocation of Thanh-Thuy Thi Le's Cosmetologist license, 1201115409, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-02946, Andy Phan**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Andy Phan did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02946 Andy Phan

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Andy Phan violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Andy Phan's Cosmetologist license, 1201114084, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-02961, My Tien Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. My Tien Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02961 My Tien Thi Tran

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 My Tien Thi Tran violated the following sections of

its Regulations and imposes the listed monetary penalties:

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

The Board also imposes the following sanction: Revocation of My Tien Thi Tran's Cosmetologist license, 1201116442, for violation of Count 1.

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

In the matter of **File Number 2016-02965, Anh-Pham Nguyet Quach**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Anh-Pham Nguyet Quach did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02965 Anh-Pham Nguyet Quach

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Anh-Pham Nguyet Quach violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,000.00
TOTAL		\$ 8,750.00

The Board also imposes the following sanction: Revocation of Anh-Pham Nguyet Quach's Cosmetologist license, 1201112410, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-02977, Ivy Ton**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Ivy Ton did not appear at the meeting in person, by counsel or by any other qualified

File Number 2016-02977 Ivy Ton

representative.

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Ivy Ton violated the following sections 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 Ivy Ton's Cosmetologist license, 1201107188, for violation of Count 1.

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

In the matter of **File Number 2016-03032, Thi Mai Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thi Mai Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03032 Thi Mai Nguyen

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Thi Mai Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Thi Mai Nguyen's Cosmetologist license, 1201109504, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03079, Lam Thi Thao Pham**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Lam Thi Thao Pham did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03079 Lam Thi Thao Pham

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Lam Thi Thao Pham violated the following sections of its Regulations and imposes the listed monetary penalties:

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

The Board also imposes the following sanction: Revocation of Lam Thi Thao Pham's Cosmetologist license, 1201121711, for violation of Count 1.

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

In the matter of **File Number 2016-03204, Phuong Ngoc Huynh**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Ngoc Huynh did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03204 Phuong Ngoc Huynh

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Ngoc Huynh violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 4,600.00

The Board also imposes the following sanction: Revocation of Phuong Ngoc Huynh's Cosmetologist license, 1201116489, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03221, Thuy-Huyen T. Bach**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy-Huyen T. Bach did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03221 Thuy-Huyen T. Bach

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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-Huyen T. Bach violated the following sections 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 Thuy-Huyen T. Bach's Cosmetologist license, 1201111615, for violation of Count 1.

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

In the matter of **File Number 2016-03241, Thuy Chau Khanh Do**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy Chau Khanh Do did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03241 Thuy Chau Khanh Do

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Chau Khanh Do violated the following sections of its Regulations and imposes the listed monetary penalties:

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

TOTAL		\$ 6,750.00

The Board also imposes the following sanction: Revocation of Thuy Chau Khanh Do's Cosmetologist license, 1201118623, for violation of Count 1.

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

In the matter of **File Number 2016-03244, Thuy T. Dao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Thuy T. Dao did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03244 Thuy T. Dao

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 T. Dao violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Thuy T. Dao's Cosmetologist license, 1201121471, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03271, Giang Tran Huong Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Giang Tran Huong Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03271 Giang Tran Huong Le

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Giang Tran Huong Le violated the following sections 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 - \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL:		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Giang Tran Huong Le's Cosmetologist license, 1201119854, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03308, Daniel Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Daniel Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03308 Daniel Nguyen

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Daniel Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Two violations - \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 9,100.00

The Board also imposes the following sanction: Revocation of Daniel Nguyen's Cosmetologist license, 1201120651, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03327, Toan Thanh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Toan Thanh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03327 Toan Thanh Nguyen

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Toan Thanh Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

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

The Board also imposes the following sanction: Revocation of Toan Thanh Nguyen's Cosmetologist license, 1201119637, for violation of Count 1.

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

In the matter of **File Number 2016-03415, Sum Thi Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sum Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03415 Sum Thi Tran

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Sum Thi Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,000.00
TOTAL		\$ 6,500.00

The Board also imposes the following sanction: Revocation of Sum Thi Tran's Cosmetologist license, 1201114621, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03425, Tam Minh Tran**, the Board

File Number 2016-

reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tam Minh Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

03425 Tam Minh Tran

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Tam Minh Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

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

The Board also imposes the following sanction: Revocation of Tam Minh Tran's Cosmetologist license, 1201121463, for violation of Count 1.

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

In the matter of **File Number 2016-03435, Vivian Phuong Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Vivian Phuong Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03435 Vivian Phuong Tran

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Vivian Phuong Tran violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 9,100.00

The Board also imposes the following sanction: Revocation of Vivian Phuong Tran's Cosmetologist license, 1201109281, for violation of Counts 1 and 2.

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

In the matter of **File Number 2016-03446, Vy Thuy Hoang**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Vy Thuy Hoang did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03446 Vy Thuy Hoang

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Vy Thuy Hoang violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Three violations - \$2,250 each)	\$ 6,750.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 9,100.00

The Board also imposes the following sanction: Revocation of Vy Thuy Hoang's Cosmetologist license, 1201113067, for violation of Counts 1 and 2.

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

In the matter of **File Number 2017-02273, Tam Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tam Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02273 Tam Thi Nguyen

Concerning Count 1, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Tam Thi Nguyen violated the following sections 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 Tam Thi Nguyen's Cosmetologist license, 1201106827, for violation of Count 1.

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

In the matter of **File Number 2017-02300, Sonita Chea**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Sonita Chea did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02300 Sonia Chea

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Sonita Chea violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00

TOTAL		\$ 4,600.00

The Board also imposes the following sanction: Revocation of Sonita Chea's Nail Technician license, 1206019371, for violation of Counts 1 and 2.

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

In the matter of **File Number 2017-02425, Tien Hong Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tien Hong Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2017-02425 Tien Hong Nguyen

Concerning Counts 1 and 2, upon a motion by Mr. Mayes and seconded by Ms. Rogers, 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 Tien Hong Nguyen violated the following sections of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3 (Two violations - \$2,250 each)	\$ 4,500.00
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Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		\$ 6,850.00

The Board also imposes the following sanction: Revocation of Tien Hong Nguyen’s Cosmetologist license, 1201110333, for violation of Counts 1 and 2.

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

In the matter of **File Number 2020-00365, Luis F. Gonzalez Diaz**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Luis F. Gonzalez Diaz did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-00365 Luis F. Gonzalez Diaz

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 Luis F. Gonzalez Diaz license application, subject to the condition that he pay the outstanding monetary penalty for Consent Order File Number 2011-01521.

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

In the matter of **File Number 2020-01028, Russell Thomas Lucas**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Russell Thomas Lucas appeared at the meeting in person and addressed the Board.

File Number 2020-01028 Russell Thomas Lucas

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 deny Russell Thomas Lucas’ license renewal application.

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

EXAMINATIONS

Ms. Rodriguez presented on the 2019 exam score pass rates.

Exam Statistics

Mr. Kirschner provided the Board with a communication from the examination vendor, PSI, outlining its plans and target completion dates for addressing issues with its performance since assuming the administration of examinations on January 1, 2020. Mr. Kirschner discussed some of the difficulties arising out of the vendor transition and responded to questions. At the request of the Board, Mr. Kirschner stated that he would reach out to the licensed schools and apologize for the difficulties they and their students have experienced during the exam vendor transition.

**Report On
Examination
Vendor Transition**

**REGULATORY
ACTION AND
BOARD
GUIDANCE**

Mr. Kirschner reported to the Board on the 2020 session of the General Assembly and provided updates of bills that had been considered during the session, including the Agency's bill to create a hairstylist license and House and Senate bills to reduce training hours for barbers and cosmetologists to 1000. Mr. Kirschner informed the Board that all these bills failed to pass during this session.

Legislative Report

Mr. Kirschner reported on two fast-track regulatory actions that were under consideration. He advised the Board that action to amend the language for disinfectants in the Barbers and Cosmetology Regulations and Esthetic Regulations had taken effect on February 10, 2020. Mr. Kirschner further reported that the fast-track action to amend the regulation pertaining to the posting of apprentice licenses failed due to general public comments objecting to the change. He advised the Board that the proposed amendment will come back to the Board at the May 2020 meeting of the Board.

Regulatory Report

Mr. Kirschner advised the Board that the temporary fee reduction that was approved in 2016 and renewed in 2018 is set to expire on August 31, 2020. He provided the Board with an Analysis of Fee Structure and Financial Position prepared by the Department's Finance Section, which included a proposed fee structure which authorized another two year temporary fee reduction. Mr. Kirschner explained that the Board can approve the temporary fee reduction with a motion to initiate a regulatory action.

**Regulatory Action
– Temporary Fee
Reduction
Extension**

Upon a motion by Mr. Quesenberry and seconded by Mr. Roberts, the Board voted to initiate a regulatory action to temporarily reduce the fees per the proposal for the period of September 1, 2020 to August 31, 2022.

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

Mr. Kirschner advised the Board that the Standing Committee for Training would reconvene in conjunction with the May 2020 Board meeting to revisit the topics of tiered licensure and training hours. In addition, Mr. Kirschner stated that the Board will be asked review all existing Guidance Documents in preparation for the May 2020 meeting.

NEW BUSINESS

There being no further business to be brought before the Board, Ms. LaPierre adjourned the meeting at 10:20 a.m.

Adjourn


Margaret B. LaPierre, Board Chair


Mary Broz-Vaughan, Board Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Oanh Pham Kim "Tina" Dang
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

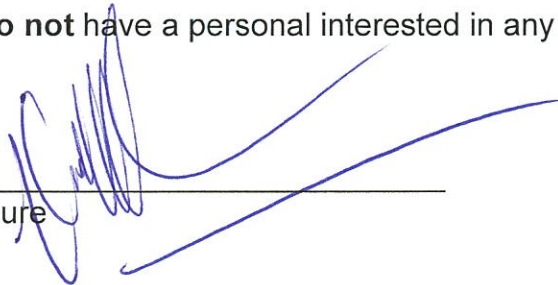
Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Signature



Date

3/9/2020

STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Margaret B LaPierre
2. Title: Board Chair
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Margaret B LaPierre
Signature

3/9/2020
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Alfred O. Mayes
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Anne Rogers
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.

Signature

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

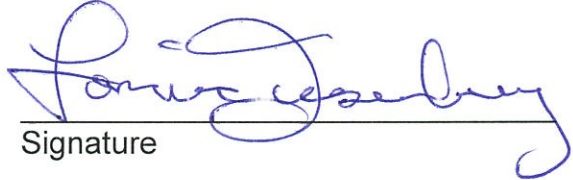
TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

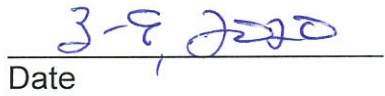
1. Name: Lonnie Quesenberry
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.
6. I **do not** have a personal interested in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

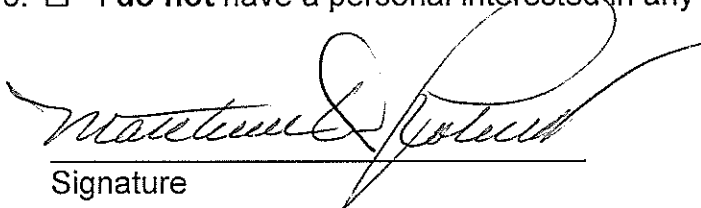
1. Name: Matthew D. Roberts
2. Title: Board Vice Chair
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: March 9, 2020
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction: _____

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

- _____
- I am able to participate in this transaction fairly, objectively, and in the public interest.
- or
- I did not participate in the transaction.

6. I **do not** have a personal interested in any transactions taken at this meeting.



Signature

3-9-20
Date