

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, July 12, 2021, 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 for all or part of the meeting:

Gilda Acosta
Oanh Pham Kim Dang
Renee' H. Gilanshah
Margaret B. LaPierre
Alfred O. Mayes
Lonnie Quesenberry
Matthew D. Roberts
Sandra G. Smith

The following board members were not present:

Darrin L. Hill
Bo Machayo

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

Mary Broz-Vaughan, Agency Director
Stephen Kirschner, Executive Director
Joseph Crook, Regulatory Operations Administrator
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

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:14 a.m. **Call to Order**

The Board took the Tentative Agenda under consideration. Mr. Roberts asked for any amendments. Mr. Kirschner indicated that two cases were removed from the Tentative Agenda after it was distributed to the Board. Item 13, File Number 2016-03054 Kieu Thi Thu Nguyen and Item 23, File Number 2016-03395 Hong Nhung Nguyen were removed from the agenda, as the parties have requested Informal Fact Finding Conferences.

Approval of Agenda

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

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

The Board took the minutes of the May 17, 2021 Board Meeting under consideration. Mr. Roberts asked for any amendments. There were none.

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

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

Board Member Sandra Smith arrived late to the meeting, and did not participate in the previous actions.

Mr. Kirschner called the Board's attention to an email in the electronic agenda from endorsement applicant, Skye Shin, requesting an examination waiver for training obtained outside the United States and its territories. In addition the Board was directed to NABBA Conference information contained in the electronic agenda.

Mr. Roberts asked if there was public comment. There was none.

Mr. Kirschner recommended that the Board hear the disciplinary cases after the Prima Facie and Licensing cases to allow for the arrival of Board Member Ms. Dang, who was delayed in traffic, and to ensure a quorum of members present when one or more members are recused for the disciplinary cases.

In the matter of **File Number 2021-00952, Ryan Alexander Devivies**, the Board reviewed the record, which consisted of the Consent Order. Ryan Alexander Devivies did not appear at the meeting in person, by counsel, or by any other qualified representative.

By signing the Consent Order, Ryan Alexander Devivies 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 41-60-220.A.4 \$ 750.00

**Approval of Minutes
for the May 17, 2021
Meeting of the
Board for Barbers
and Cosmetology**

**Board Member
Sandra Smith
arrived at the
meeting**

Communications

Public Comment

CASES

**Disciplinary Cases
deferred to end of
cases**

**2021-00952, Ryan
Alexander Devivies**

SUB-TOTAL (MONETARY PENALTIES)	\$	750.00
BOARD COSTS	\$	150.00
TOTAL	\$	900.00

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

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

Mr. Kirschner advised the Board that the principle in **Prima Facie Case Number 2020-01860, Hue N. Vu** (Agenda Item No. 28), had corresponded with Board staff requesting reconsideration of the case.

File Number 2016-01860, Hue N. Vu

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to remand **Case Number 2016-01860, Hue N. Vu**, to the Department for further proceedings.

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

A motion was made by Ms. LaPierre and seconded by Mr. Mayes, that the Board consider the fifteen (15) Prima Facie cases as a block, accept the violations, and approve the sanctions. The Board voted to accept the violations and approve the sanctions of the fifteen (15) remaining Prima Facie cases.

Board Considers and Approves Prima Facie Cases As A Block

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

In the matter of **File Number 2016-02971, Mylien Thi Dinh**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Mylien Thi Dinh did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-02971, Mylien Thi Dinh

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Mylien Thi Dinh 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 Mylien Thi Dinh's cosmetologist license number 1201123305 for violation of Count 1.

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

In the matter of **File Number 2016-03125, Nhi Viet-Nguyen Tran**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Nhi Viet-Nguyen Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03125, Nhi Viet-Nguyen Tran

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Nhi Viet-Nguyen Tran violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00
TOTAL		----- \$ 2,500.00

The Board also imposes the following sanction: Revocation of Nhi Viet-Nguyen Tran's cosmetologist license number 1201112753 for violation of Count 1.

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

In the matter of **File Number 2016-03186, Diem Kieu Thi Cao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Diem Kieu Thi Cao did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03186, Diem Kieu Thi Cao

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Diem Kieu Thi Cao violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 5,000.00
	(Two violations at \$2,500 each)	-----
TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Diem Kieu Thi Cao's cosmetologist license number 1201114793 for violation of Count 1.

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

In the matter of **File Number 2016-03254, Long Thanh Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Long Thanh Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03254, Long Thanh Le

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Long Thanh Le violated the following section of its Regulations and imposes the listed monetary penalties:

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

The Board also imposes the following sanction: Revocation of Long Thanh Le's cosmetologist license number 1201112643 for violation of Count 1.

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

In the matter of **File Number 2016-03291, Minh Tran Anderson**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Minh Tran Anderson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03291, Minh Tran Anderson

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Minh Tran Anderson 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 \$2,500 each)	\$ 5,000.00

TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Minh Tran Anderson's cosmetologist license number 1201119905 for violation of Count 1.

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

In the matter of **File Number 2016-03321, Hao T. Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hao T. Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03321, Hao T. Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Hao T. 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 \$2,500 each)	\$ 7,500.00

TOTAL		\$ 7,500.00

The Board also imposes the following sanction: Revocation of Hao T. Nguyen's cosmetologist license number 1201112990 for violation of Count 1.

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

In the matter of **File Number 2016-03323, To Nhu Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. To Nhu Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03323, To Nhu Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 To Nhu 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 To Nhu Nguyen’s cosmetologist license number 1201121070 for violation of Count 1.

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

In the matter of **File Number 2016-03374, Quyen B. Dao**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Quyen B. Dao did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03374, Quyen B. Dao

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Quyen B. Dao violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00

TOTAL		\$ 2,500.00

The Board also imposes the following sanction: Revocation of Quyen B. Dao's cosmetologist license number 1201113184 for violation of Count 1.

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

In the matter of **File Number 2016-03382, Phuong Thanh Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Phuong Thanh Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03382, Phuong Thanh Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Thanh 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 \$2,500 each)	\$ 5,000.00

TOTAL		\$ 5,000.00

The Board also imposes the following sanction: Revocation of Phuong Thanh Nguyen's cosmetologist license number 1201120258 for violation of Count 1.

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

In the matter of **File Number 2016-03389, Hong Thi Le**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hong Thi Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03389, Hong Thi Le

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Le violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00

TOTAL		\$ 2,500.00

The Board also imposes the following sanction: Revocation of Hong Thi Le's nail technician license number 1206018811 for violation of Count 1.

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

In the matter of **File Number 2016-03419, Hue-Huong Thi Nguyen**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Hue-Huong Thi Nguyen did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03419, Hue-Huong Thi Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Hue-Huong 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 \$2,500 each)	\$ 7,500.00

TOTAL		\$ 7,500.00

The Board also imposes the following sanction: Revocation of Hue-Huong Thi Nguyen's cosmetologist license number 1201114681 for violation of Count 1.

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

In the matter of **File Number 2016-03432, Tu Diem Doan**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Tu Diem Doan did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03432, Tu Diem Doan

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Tu Diem Doan 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 Tu Diem Doan's cosmetologist license number 1201112874 for violation of Count 1.

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

In the matter of **File Number 2016-03441, Jessica Ho**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Jessica Ho did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03441, Jessica Ho

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Jessica Ho violated the following sections 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
Count 2:	18 VAC 41-20-280.6	\$ 2,350.00
TOTAL		----- \$ 6,850.00

The Board also imposes the following sanction: Revocation of Jessica Ho's cosmetologist license number 1201119734 for violation of Counts 1 and 2.

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

In the matter of **File Number 2020-01210, Paul Dexter Osborne**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Paul

File Number 2020-01210, Paul Dexter Osborne dba Sean Paul Barber Braids

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

**and Beauty
Academy**

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Paul Dexter Osborne violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.A.4	\$ 1,350.00

TOTAL		\$ 1,350.00

The Board also imposes the following sanction: Revocation of Paul Dexter Osborne's cosmetology school license number 1205001373 for violation of Count 1.

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

In the matter of **File Number 2020-02803, Robious Hair LLC**, the Board reviewed the record, which consisted of the Notice of Prima Facie Case, Report of Findings, including exhibits, and the Recommendation. Robious Hair LLC did not appear at the meeting in person, by counsel or by any other qualified representative.

**File Number 2020-
02803, Robious Hair
LLC**

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, 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 Robious Hair LLC violated the following section of its Regulations and imposes the listed monetary penalties:

Count 1:	18 VAC 41-20-280.6	\$ 1,400.00
Count 2:	18 VAC 41-20-280.6	\$ 1,400.00

TOTAL		\$ 2,800.00

The Board also imposes the following sanction: Revocation of Robious Hair LLC's cosmetology salon license number 1202017312 for violation of Counts 1 and 2.

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

In the matter of **File Number 2020-01420, D’yonta Marques Norman**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. D’yonta Marques Norman did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01420, D’yonta Marques Norman

Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve D’yonta Marques Norman’s barber license.

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

Board Member Oanh Dang arrived late to the meeting, and did not participate in the previous actions.

Board Member Ms. Dang arrived to the meeting

In the matter of **File Number 2020-02778, Jeanne Marie Vuncanon**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jeanne Marie Vuncanon appeared at the meeting in person and addressed the Board.

File Number 2020-02778, Jeanne Marie Vuncanon

Upon a motion by Ms. Gilanshah and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jeanne Marie Vuncanon’s cosmetologist license.

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

In the matter of **File Number 2021-00366, Wink Boutique LLC**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Haley Joanna Muller, Responsible Manager for Wink Boutique LLC, appeared at the meeting in person and addressed the Board.

File Number 2021-00366, Wink Boutique LLC dba Anecdote

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Wink Boutique LLC’s cosmetology salon license.

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

In the matter of **File Number 2021-00417, Lonnita Rene Wanzer**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Lonnita Rene Wanzer did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-00417, Lonnita Rene Wanzer

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Lonnita Rene Wanzer's cosmetologist license by endorsement.

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

In the matter of **File Number 2021-00834, Valentyna Topcha**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Valentyna Topcha was represented by counsel, Peter Anthony Jabaly, who appeared in person and addressed the Board on behalf of Ms. Topcha.

File Number 2021-00834, Valentyna Topcha

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Valentyna Topcha's application for an esthetician and master esthetician license.

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

In the matter of **File Number 2021-01039, Louis Antonio Valentin**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Louis Antonio Valentin did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01039, Louis Antonio Valentin

Upon a motion by Ms. LaPierre and seconded by Ms. Acosta, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Louis Antonio Valentin's barber license.

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

In the matter of **File Number 2021-01120, Tiffani Caitlyn Brown**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffani Caitlyn Brown did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01120, Tiffani Caitlyn Brown

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tiffani Caitlyn Brown's nail technician license.

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

In the matter of **File Number 2021-02207, Phillip Lamont Jordan**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Phillip Lamont Jordan appeared at the meeting in person and addressed the Board.

File Number 2021-02207, Phillip Lamont Jordan

Upon a motion by Ms. Acosta and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Phillip Lamont Jordan's tattooer license.

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

Ms. Acosta recused herself from the meeting.

Ms. Acosta Recused

In the matter of **File Number 2016-03082, Ngoan Thi Nguyen**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Ngoan Thi Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Ngoan Thi Nguyen.

File Number 2016-03082, Ngoan Thi Nguyen

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial

evidence that Ngoan Thi Nguyen violated the following section of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

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

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

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

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Ngoan Thi Nguyen's cosmetologist license number 1201120425 for violation of Count 1.

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

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03130, Thu Thi Anh Le**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Thu Thi Anh Le did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Thu Thi Anh Le.

File Number 2016-03130, Thu Thi Anh Le

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Thu Thi Anh Le violated the following sections of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

(Three violations)
Count 2: 18 VAC 41-20-280.6

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

Concerning Counts 1 and 2, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 6,750.00
	(Three violations at \$2,250 each)	
Count 2:	18 VAC 41-20-280.6	\$ 2,300.00

TOTAL (MONETARY PENALTIES)		\$ 9,050.00

In addition, the Board imposes revocation of Thu Thi Anh Le's cosmetologist license number 1201112439 for violation of Counts 1 and 2.

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

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03183, Diane Diep Truong**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Diane Diep Truong did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Diane Diep Truong.

File Number 2016-03183, Diane Diep Truong

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Diane Diep Truong violated the following sections of its Regulations:

Count 1: 18 VAC 41-20-280.A.3

Count 2: 18 VAC 41-20-280.9

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

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,250.00
Count 2:	18 VAC 41-20-280.9	\$ 2,000.00
TOTAL (MONETARY PENALTIES)		\$ 4,250.00

In addition, the Board imposes revocation of Diane Diep Truong’s cosmetologist license number 1201109178 for violation of Counts 1 and 2.

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

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2016-03376, Hoi Chau**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Hoi Chau did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Hoi Chau.

File Number 2016-03376, Hoi Chau

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Hoi Chau violated the following section of its Regulations:

Count 1: 18 VAC 41-20-280.A.3
(Three violations)

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

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

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

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Hoi Chau's cosmetologist license number 1201118629 for violation of Count 1.

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

As a Board representative in this case, Ms. Acosta was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Quesenberry recused himself from the meeting.

Mr. Quesenberry
Recused

In the matter of **File Number 2016-03201, Dieu Thi Co**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Dieu Thi Co did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board was provided with an emailed statement from Dieu Thi Co.

File Number 2016-
03201, Dieu Thi Co

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Dieu Thi Co violated the following section of its Regulations:

Count 1:	18 VAC 41-20-280.A.3
	(Three violations)

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

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

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

TOTAL (MONETARY PENALTIES)		\$ 6,750.00

In addition, the Board imposes revocation of Dieu Thi Co’s cosmetologist license number 1201121664 for violation of Count 1.

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

As Board representatives in this case, Ms. Acosta and Mr. Quesenberry were not present, did not participate in the discussion, and did not vote on this matter.

Mr. Kirschner advised the Board that Dung Thi An Cao had provided a written request to the Board to postpone its hearing of her case until the September 20, 2021 Board Meeting.

File Number 2020-01538, Dung Thi An Cao

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to postpone Dung Thi An Cao’s case to the September 20, 2021 Board Meeting.

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

As a Board representatives in this case, Ms. Acosta and Mr. Quesenberry were not present, did not participate in the discussion, and did not vote on this matter.

Ms. Acosta and Mr. Quesenberry returned to the meeting

Ms. Rodriguez provided a report to the Board on examination pass rates for private and public schools for 2019 and 2020.

Exam Statistics

Mr. Kirschner reported to the Board regarding issues that arose during public school testing for 2021 and what steps are being taken to address them. Shannon Webster, Director of Examinations, also reported to the Board on what steps were being taken to resolve problems with public school testing.

Report on Examinations and Exam Content Committee

The Board was advised that the Exam Content Committee is scheduled to meet on Tuesday, September 21, 2021. At present, Mr. Roberts, Mr. Quesenberry, and Ms. LaPierre are Board representatives on the Committee.

REGULATORY ACTION AND BOARD GUIDANCE

Mr. Kirschner presented a report on pending regulatory actions, noting that the revised Tattoo and Body Piercing Regulations are currently in the 60-day public comment period. The Board will review any public comments received at the September 20, 2021 Board meeting, and the final regulations must be approved by the November 2021 Board meeting.

Regulatory Report

Mr. Kirschner also reported to the Board on two other pending regulatory actions, the first to provide an exception to training requirements allowing experience in lieu of substantially equivalent training and the second to implement changes to the instructor program curriculum.

Mr. Crook discussed a proposed Guidance Document regarding substantially equivalent master esthetician training from other states. The proposed Guidance Document, entitled, "Out-of-State Master Esthetics Training" and intended to interpret 18 VAC 41-70-20.B.2 to include both esthetics training and master esthetics training when determining eligibility for the applicable exam, was reviewed by the Board. (Addendum 1)

Guidance Document On Out-of-State Master Esthetics Training

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the Guidance Document as written.

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

Mr. Kirschner led the Board through a review of all of its existing Guidance Documents and provided staff recommendations of proposed repeals, retentions, and revisions.

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to approve the following actions:

1. Repeal the following Guidance Documents:
 - a. Barbering Scope of Practice
 - b. Endorsement Applicants Not Eligible for Temporary Permits
 - c. Barber Schools Previously Approved to Teach Training Equivalent to the Master Barber Curriculum
2. Retain the following Guidance Documents as is:
 - a. Non-Traditional or Online Instruction
 - b. Barber and Cosmetology Endorsement – Endorsement Candidate from States Offering Only One Licensing Exam
 - c. Barber, Cosmetology, Esthetics School Locations – Interpretation of Location
 - d. Esthetics – Cleaning Multiuse Items That Cannot Be Immersed
 - e. Approved Health Education Certifying Agencies
 - f. Cosmetology Instructors May Teach Nail or Wax Instructor Program
 - g. Master Barber Applicants Who Have Already Completed Training Equivalent to the Master Barber Curriculum
 - h. Master Barber Endorsement
 - i. Definition of Clock Hours
3. Revise the following Guidance Documents (Addendum 2):
 - a. Assessment of a Student’s Competence in Esthetics
 - b. Barber and Cosmetology Schools – Awarding Credits and/or Hours to Transfer Students
 - c. Substantial Equivalence
 - d. Barber and Cosmetology Chief Examiners – Cosmetologists Can Serve as Nail Technician Examiners or a Wax Technician Examiner
 - e. License Required for Certain Procedures
 - f. Application Review Matrix – Criminal History

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

NEW BUSINESS

Mr. Kirschner discussed the formation of a Master Barber Apprenticeship Committee to develop standards for an apprenticeship for master barber training and proposed alternative processes for developing these standards. Mr. Mayes requested that staff develop a draft document to bring to the

Master Barber Apprenticeship Committee

September 20, 2021 meeting for the Board's consideration. Mr. Kirschner agreed to prepare a draft document.

Mr. Kirschner advised the Board that staff is currently revising the School Self-Inspection Form and will provide the revised form for the Board's review at the September 20, 2021 Board meeting.

**School Self-
Inspection Form
Revision**

Ms. Rodriguez directed the Board to conference announcements and registration information for the upcoming NABBA and NIC Conferences. Mr. Kirschner indicated to the Board that a Board representative could be sponsored to attend the NABBA Conference. Mr. Mayes had previously expressed interest in attending the conference. Mr. Kirschner stated that the Board can consider sending a staff person to the NIC Conference.

**NABBA Conference
and NIC Conference**

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to sponsor Mr. Mayes as a Board representative to the NABBA Conference in Washington, DC, September 19 – 23, 2021.

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

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to sponsor a staff person as a Board representative to the NIC Conference in Louisville, Kentucky, October 1 – 4, 2021.

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

There being no further business to be brought before the Board, Ms. LaPierre adjourned the meeting at 11:48 a.m.

Adjourn

Matthew D. Roberts, Board Chair

Mary Broz-Vaughan, Board Secretary