

**DRAFT**

**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

**Monday, May 17, 2021**

**Via Telephone Conference Pursuant to Executive Order 20-09**

**Access the meeting online or via telephone at:**

<https://IndianaEnhanced.Webex.com/join/PLAWebex>

[1.240.454.0887, Access Code 610915440](https://IndianaEnhanced.Webex.com/join/PLAWebex)

**CALL TO ORDER & ESTABLISHMENT OF QUORUM**

Diane Weisheit called the meeting to order at 9:00 a.m. and established a quorum pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting

**Board Members Present:**

Diane Weisheit, President  
Victoria Ross, Vice President  
Gregory Kenny  
Kendra Forrester

**Board Member Absent:**

Diana Bonn

**State Officials Present:**

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

**ADOPTION OF THE AGENDA**

A motion was made and seconded to adopt the agenda.

Ross/Kenny

4/0/0

Motion carried.

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

**ADOPTION OF THE MINUTES FROM THE APRIL 19, 2021 MEETINGS OF THE BOARD**

A motion was made and seconded to approve the minutes of the April 19, 2021 meetings.

Ross/Kenny

4/0/0

Motion carried.

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

**OFFICE OF THE ATTORNEY GENERAL'S REPORT**

The Office of the Attorney General provided a report regarding the status of their pending consumer complaints.

**CONSIDERATION OF MOTION TO DISMISS COMPLAINT WITHOUT PREJUDICE**

1. K & H Beauty LLC dba Simple Beauty, BS91600681, Pooja Mehra, ES21500289, Chau Quang Le, MS21300104, Dina S. Mitchell, BC09001378, and Sangita Patel, BC21600118, 2020SBCBE0008

A motion was made and seconded to dismiss the complaint without prejudice.

Ross/Kenny

4/0/0

Motion carried.

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

#### **ADMINISTRATIVE HEARINGS TO CONSIDER WITHDRAWAL OF PROBATION**

1. Ingrid Shadwick, BC08901006, 2019SBCBE0081

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

Ross/Forrester

4/0/0

Motion carried.

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

2. Shyann Lashay Greggs, BC21901542, 2019SBCBE0150

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

Ross/Forrester

4/0/0

Motion carried.

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

3. Sara Lenoir, BC21901306, 2019SBCBE0131

A motion was made and seconded to remove the probation status from the license.

Kenny/Ross

4/0/0

Motion carried.

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

4. Ahmad Nasir Foster, BA10800162, 2008SBCBE0016

A motion was made and seconded to remove the probation status from the license.

Kenny/Ross

4/0/0

Motion carried.

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

#### **ADMINISTRATIVE HEARING TO CONSIDER MOTION FOR CEASE AND DESIST**

1. Yefree Omar, 2020SBCBE0153

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

Ross/Forrester

4/0/0

Motion carried.

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

## ADMINISTRATIVE HEARINGS

1. NVP Barber Salon, BS91700926 & Velkis Lanza Banegas, BCP1500019, 2020SBCBE0019

A motion was made and seconded to hold Respondents in Default.

Ross/Forrester

4/0/0

Motion carried.

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

A motion was made and seconded to revoke the license of both Respondents.

Ross/Forrester

4/0/0

Motion carried.

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

2. Tan Worx 2, TB51700014, 2020SBCBE0034

A motion was made and seconded to hold Respondent in Default.

Ross/Kenny

4/0/0

Motion carried.

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

A motion was made and seconded that the state proved its case on all four counts.

Kenny/Ross

4/0/0

Motion carried.

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

A motion was made and seconded to impose a civil penalty of \$500.00 per violation for a total of \$2000.00, require reports to be filed with the board indicating new and existing staff are trained in the operation of all equipment, place the license on indefinite probation with no right to petition for removal for one year, impose the cost of the proceedings, and impost the \$5.00 fee to the health records and personal identifying information protection trust fund.

Kenny/Ross

4/0/0

Motion carried.

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

3. Charles L. Lofton, BC21100193, 2020SBCBE0108

A motion was made and seconded that the state proved its case on the one count.

Forrester/Ross

4/0/0

Motion carried.

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

A motion was made and seconded to place the license on indefinite probation with no right to petition for removal for six months, impose the cost of the proceedings, and impost the \$5.00 fee to the health records and personal identifying information protection trust fund.

Forrester/Kenny

4/0/0

Motion carried.

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

#### **ADMINISTRATIVE HEARINGS TO CONSIDER APPLICATION DENIAL APPEALS**

1. Princess Nails & Spa, 2021SBCBE0025

A motion was made and seconded to affirm the Board's decision to deny the application.

Ross/Kenny

4/0/0

Motion carried.

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

2. Elisa M. Toro, ES21700125, 2021SBCBE0018

A motion was made and seconded to reverse the denial and approve the application on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Kenny/Ross

4/0/0

Motion carried.

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

3. Nancy's Nails, Suong Thi Tuyet Vo, Owner, 2021SBCBE0069

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

Ross/Kenny

4/0/0

Motion carried.

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

4. Shannan M. Wilson, BC20100568, 2021SBCBE0070

A motion was made and seconded to reverse the denial and approve the application for renewal.

Forrester/Kenny

4/0/0

Motion carried.

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

5. Melinda Kay Cole, MA21300057, 2021SBCBE0071

A motion was made and seconded to reverse the denial and approve the application on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Kenny/Ross

4/0/0

Motion carried.

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

#### **CONSIDERATION OF MOTION TO DISMISS PENDING MATTER**

1. Fabilash Studio, 2021SBCBE0004

A motion was made and seconded to Dismiss the complaint because of the 2021 legislation regarding eyelash application.

Ross/Kenny

4/0/0

Motion carried.

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

#### **CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL**

1. Haley Jo Buck, BC21901300, 2019SBCBE0127

A motion was made and seconded to Dismiss the complaint.

Kenny/Ross

4/0/0

Motion carried.

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

#### **PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL**

1. Nicole Koski, BC21301292

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Ross/Kenny

4/0/0

Motion carried.

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

2. Khin Ly, MA21400176

A motion was made and seconded to approve the application for renewal on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Kenny/Ross

4/0/0

Motion carried.

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

3. Vu Tran, MA21800046

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

Ross/Forrester

4/0/0

Motion carried.

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

#### **PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE REINSTATEMENT**

1. Kailey Cooper, BC21400638

A motion was made and seconded to approve the application for reinstatement on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Ross/Forrester

4/0/0

Motion carried.

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

2. Khari Garrett, BC21302188

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

Ross/Kenny

4/0/0

Motion carried.

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

3. Candace Kolb, BC21013202

A motion was made and seconded to approve the application for reinstatement on indefinite probation with no right to petition for removal until the criminal matter is concluded.

Ross/Kenny

4/0/0

Motion carried.

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

4. Tina Mills, BC08812176

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

Ross/Forrester

4/0/0

Motion carried.

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

## **APPLICATION REVIEW**

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

Ross/Kenny

4/0/0

Motion carried.

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

## **COSMETOLOGY**

### **A. By Examination**

Peek, Ashley – **PROBATION** – 2011 Dealing meth, possession of Marijuana owes \$2551.02 in fines.

Scheneck, Ashleigh – **PROBATION** – multiple felony drug charges, owes fines and is on probation.

Eckman, Audra – **PROBATION** – incarcerated, felony charges of dealing meth.

Doty, Hayle – **PROBATION** – incarcerated, felony charges of dealing meth.

Vance, Tierney- **PROBATION** – received education while incarcerated, multiple felony dealing cocaine, still owes fines.

Pippin, Mallory- **PROBATION** – Criminal Misdemeanor, driving while suspended, entered into a diversion agreement, need proof of completed diversion.

## **ESTHETICIAN**

### **A. By Examination**

Webster, Britani – **PROBATION** – 2012 felony charges of assisting a criminal and owes \$100 in fines.

Barleston, Barbara – **DENIED** – First application was denied, as Ms. Barleston filled out her own education verification as the owner of the school, had someone sign next to her signature. Submitted a second verification form for the new application with a new instructor name, form looks to be manipulated, instructor indicated that Ms. Barleston completed only 528 hours as of her last day instructing at the school, 3.12.2021. The education form filed indicates April 7<sup>th</sup>, 2021 as the last date attended.

Zamora, Heidi – **PROBATION** – 2019 and 2020 assault and harassment charges, entered into a show cause agreement, and does not have proof of what the agreement is.

**B. By Reciprocity**

Pham, Hien – **DENIED** – originally licensed in Florida, education requirements do not meet Indiana requirements

Carlson, Francesca **DENIED** – originally licensed in Florida as a facial specialist, education requirements do not meet Indiana's

**MANICURIST**

**A. By Reciprocity**

Nguyen, Lang anh Ngoc – **DENIED** – Applicant obtained license by apprenticeship, no education.

Le, Huu – **DENIED** – 2017 obtained license in Ohio with only 200 hours of schooling and has not been licensed for 20 years.

**B. By Provisional**

Bui, Chau – **DENIED** – has no hours in sanitation, anatomy and disorder, chemistry, salesmanship and electric file, application indicated unlicensed practice at Nails R us in Indianapolis

Bui, Mo – **DENIED** – She is licensed in Texas does qualify for a provisional license.

Trinh, Thi le, ivy – **DENIED**- cannot determine if Vietnam issues a license, only has 190 hours of equivalent education.

**BARBER**

**A. By Examination**

Chester, Whitney – **PROBATION** – 2012 felony dealing controlled substance owes \$266 in fines, cosmo license is active on probation.

Jones, Da Juan – **PROBATION** – 2019 Felony charge of unlawful possession of firearm, 2 years of probation starting on 9.24.2019 and owes \$780 in fines.

Inskeep, Benjamin – **PROBATION** – 2013 felony charge of carrying handgun without a license within 1000 feet of a school, possession of marijuana, owes \$168, 2010 Misdemeanor, driving while suspended owes \$568, 2011 misdemeanor driving while suspended owes \$268.13, 2015 misdemeanor providing a minor alcohol owes \$50 in fines.

Jones, Marvin – **PROBATION** – 2018 felony charge domestic battery, criminal confinement, intimidation, on probation and owes \$300 in fines.

### **INSTRUCTOR**

#### **A. By Reciprocity**

Sanino, Rachel – **DENIED** – obtained license in Ohio by 1800 hours of work experience in a salon, no additional education.

### **FACILITY APPLICATIONS**

#### **A. Beauty Culture Salon**

Ivy Nails – **DENIED** – Failed inspection, reusing disposable implements, license not displayed, unlicensed employees working, and unsanitary implements.

Cruz Cutz – **DENIED** – Failed inspection, unlicensed employees, unlicensed employees working, and license not displayed.

12<sup>th</sup> Street Hair Design – **DENIED** – Failed inspection, Inspector attempted multiple times to make contact with the new owner to do inspection, phone was disconnected. Inspector remarks, “No communication attempted by applicant” \*\* DENY/DISAPPROVE application \*\* LT”.

Luxury Beauty Salon – **DENIED** - Failed inspection, Unlicensed employees and license not displayed.

### **ADJOURNMENT**

The meeting adjourned at 1:45 pm.

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Diana Weisheit, President

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Date: