



**STATE OF TENNESSEE**  
**DEPARTMENT OF COMMERCE AND INSURANCE**  
**STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TN 37243  
615-741-2515

## **MINUTES**

The State Board of Cosmetology and Barber Examiners held a meeting August 3, 2015 at 10:00 a.m. in Nashville, Tennessee.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting.

Ron Gillihan, Chairman called for “Pledge of Allegiance”.

Roxana Gumucio, Executive Director called roll. The following members were present: Anita Allen, Nina Coppinger, Bobby Finger, Ron Gillihan, Yvette Granger, Patricia Richmond, Judy McAllister, Mona Sappenfield, and Amy Tanksley. Not in attendance Kelly Barger, Frank Gambuzza and Dianne Teffeteller.

Others present were: Roxana Gumucio, Executive Director, Laura Martin, Attorney for the Board, and Betty Demonbreun, Administrative Assistant.

### **MINUTES-**

Minutes for the June 1, 2015 board meetings were submitted for changes and/or approval.

Motion made by Patricia Richmond and seconded by Judy McAllister to approve the June 1, 2015 minutes. Motion carried unanimously.

### **APPEAR BEFORE THE BOARD-**

#### **New Cosmetology School Application, Nashville Barber and Style Academy:**

Mr. Melvin Smith appeared before the board to present a new cosmetology school application. Nashville Barber and Style Academy is located in Madison. The Barber School license was approved at the June meeting to have a change in location to this building. The space is over

6,000 square feet. The school provided a floor plan, application, enrollment agreement, fee and 20 completed contracts. The board discussed the option of a board member inspecting new schools now that the law does not make it mandatory. Given that this school has both programs, the recommendation is that a board member also completes an inspection.

MOTION made by Amy Tanksley and seconded by Yvette Granger to approve new school application pending an inspection by a board member and field inspector. Motion carried unanimously.

### **Barber School Change in Location, Music City Barber College, LLC:**

A request for a change in location from International Barber Style College, LLC was presented to the board. The old location at Annex Avenue in Nashville had the lease expire. The owner, Uchendi Nwani, was unable to attend the board meeting because he attended the instructor continued education session at TSU. Mr. Nwani submitted a letter and had a conversation with the Executive Director explaining that for accreditation purposes, the original school license number must be maintained. This request also includes changing the school name to Music City Barber College LLC because the sign already exist in that building. The Board was provided a floor plan, application and fee to complete the process.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to approve change in location and name change requests pending an inspection by a field inspector. Motion carried unanimously.

### **New Cosmetology School Application, Middle Tennessee School of Hair Desing:**

Ms. Amber Malone, along with her attorney Josh Hankins, appeared before the board with a new cosmetology school application. Ms. Malone requested the board consider all the previously requested documents and revisions to her applications to open what was Lyles School of Cosmetology. The new school name is Middle Tennessee School of Hair Design, located in Nashville.

On May 4, 2015, a new school application was again presented to the Board. At that meeting, the board denied the application and listed items they believed needed to be presented for the approval of a new license. They also requested that until everything was completed the school not re-present the application request. On May 14, 2015, a meeting was held between representatives from Commerce and Insurance, Ms. Malone and one other family member. The purpose of this meeting was to follow through with the board's request from the May 4, 2015 board meeting. The goal was to guide the new owners so that their complete application met the requirements and a recommendation for approval could be made. Following that advice, a check list was reviewed and handed to Ms. Malone. The request was made that all documents be presented at least two weeks in advance of a scheduled meeting so everything could be properly

reviewed and that if any questions came up, that the Director would be available to assist. No request for assistance was made.

Part of the documents presented included a good business plan, a very thorough and detailed lease and operating agreement. These documents were emailed timely and reviewed by the board's legal counsel, who determined that they met what was requested. The pending documents were the 20 student contracts required by code. The concern with those documents is that on July 27 at 7:17 PM, twenty two (22) contracts were received and almost all of them included the second page with the payment schedule blank or with incomplete lines where important financial obligations needed to be recorded. The Director questioned this and on July 29 at 9:07 AM, contracts were emailed with the second page altered and all documents showing money owed. One of the problems with this is that they were completed on previously initialed contracts, not new contracts. Upon questioning this, the explanation, via email from Ms. Malone, was "all are in agreement to paying the balance that was owed to the former school (Lyles)". The office has been told that is not what was meant and that in fact these students actually have credits. The office was also told new contracts would be presented at the meeting. All the information is presented to the board on the iPads and the final decision to approve or deny is in the board members hands.

Legal Counsel Anthony Glandorf explained that the board could deny the application based on the fact that the documents, as submitted, included 20 contracts that were completed and signed as blanks and later altered. This constitutes violation of Tenn. Code Ann. § 62-4-127 (b).

Ms. Perla Salazar, former student of Lyles School of Hair Design explained that she is waiting for the new school to be licensed and that she wants to attend that school.

Motion made by Amy Tanksley and seconded by Judy McAllister to grant school license upon verification of the 20 contracts. Roll call reflects four votes to approve and five votes to deny. After the vote the Board requested for Ms. Amber Malone to come back at the October 5<sup>th</sup>, 2015 board meeting with corrected contracts.

## **APPLICATIONS FOR EXAMINATION-**

Applications for examination for Kelley Ann Adcock, Somer Brocksmith, Molly Lyn Davidson, Candice Graham, Jeffrey Mason, Demario Sanford and Kevin Watson. All applicants have felonies; their applications to take the Tennessee examination are submitted for the board's approval. The required information, disclosure from the student and letter of recommendation is submitted.

Motion made by Nina Coppinger and seconded by Patricia Richmond to approve each application for examination with a signed Agreed Order. Motion carried unanimously.

Application for licensure with hours in manicuring for Nhi Tran. Ms. Tran Planned to attend the board meeting and answer questions in person but contacted the board over a week ago to explain that an emergency came up and she could not attend. She originally applied for reciprocity from Texas. She was denied because the school she attended is one of several schools that the board is not accepting hours from because of disciplinary problems that these schools have been cited for. Records indicate she was a student at Lyles School of Cosmetology and based on board decisions she was provided with a withdrawal document so she could complete her hours elsewhere since that school closed. Ms. Tran completed the curriculum at Lebanon School late May 2015; she tested and passed both exams. As of June 23, 2015 she would have been eligible to be licensed however in early June she was found working in a shop prior to obtaining her license.

Motion made by Amy Tanksley and seconded by Patricia Richmond to approve request. Motion carried unanimously.

## **MISCELLANOUS REQUESTS –**

### **Request for Waivers:**

Request for instructor license from Kari Hensley. Pursuant to Public Chapter 450, a licensee must be licensed in the field they will be teaching for three (3) continuous years. This law went into effect July 1, 2015. Ms. Hensley has been an active cosmetologist since October 2013 and therefore does not meet the requirement for an instructor license. Given this is a new law, information was provided to all cosmetology schools in early June but there was certainty that it would affect many individuals already completing their instructor programs or in the testing stage. Ms. Hensley appeared before the board to explain her situation and in person request consideration not only because she did not know about the law but she presented a letter addressing health concerns. Legal counsel has spent considerable amount of time trying to guide the board office in determining what, if anything could be done for these applicants caught in the middle. At this point it is clear that the board has the authority to extend the six month time for licensure relevant to Rule 0440-1-.10 (1) for good cause and these requests would fall in that category.

MOTION made by Mona Sappenfield and seconded by Yvette Granger to waive the six months for licensure. Motion carried unanimously.

Request for instructor license from Kandeia Vincent-Woods. Pursuant to Public Chapter 450, a licensee must be licensed in the field they will be teaching for three (3) continuous years. This law went into effect July 1, 2015. Ms. Vincent-Woods has been an active natural hair stylist since September 2013 and therefore does not meet the requirement for an instructor license. The board office explained that her request would be presented for consideration of an extension to At this point it is clear that the board has the authority to extend the six month time for licensure relevant to Rule 0440-1-.10 (1) for good cause and these requests would fall in that category.

MOTION made by Mona Sappenfield and seconded by Judy McAllister to waive the six months for licensure. Motion carried unanimously.

Based on the two requests above, the Executive Director requested permission from the board to grant the six month extension to any future instructors that fall into this situation through the end of the year. This gives schools enough time to implement processes and properly guide candidates.

MOTION made by Patricia Richmond and seconded by Judy McAllister to allow Executive Director Permission to approve extension for these applicants only. Motion carried unanimously.

Request from cosmetologist Wayne Byrd for waiver of requirement to take examination because his license lapsed. Pursuant to Tenn. Code Ann. § 62-4-117 (d) a license that has lapsed for three (3) years or longer shall not be reinstated unless the applicant passes the state law and practical exam. Mr. Byrd was unable to appear before the board to explain his situation but submitted a letter. His personal license had late payments going back to 2006. Because of these late payments, his license was not renewed completely since April 2010. On April 2, 2015 his license lapsed. There is no room in the statute for waiver of the exams except in Mr. Byrd's case the online system allowed him to pay a lesser amount than what he owed, told him he renewed and all this took place after the lapsed date. The receipt he provided from April 25, 2014, shows he was able to pay \$53.04 and the system gave him a receipt stating that he had renewed his license. He posted this proof at his station and never did any follow-up when the license failed to reach him. Although several other issues could have flagged him that there was a problem going back to 2010, he states that he was also misinformed. The ultimate final issue with the online system makes this a very unusual situation and one that deserves a different consideration. He still currently owes \$50 and is ready to pay but would request that the board consider the situation and waive the exam.

MOTION made by Mona Sappenfield and seconded by Nina Coppinger to approve the request. Motion carried unanimously.

Request from Zacrina Gaye for waiver of rule 0440-1-.10 requiring applicant to obtain their original license within six (6) months after passing the examination. Ms. Gaye passed her cosmetologist practical examination on November 5, 2014. Under the Cosmetology statute the applicant must reapply for the examinations within six months after applicant is notified unless there is good cause. Ms. Gaye was more than two months passed the required timely. She provide an email explanation of her situation with none of the reason being extreme or out of the ordinary.

MOTION made by Yvette Granger and seconded by Nina Coppinger to deny request. Motion carried unanimously.

Request from Sarah Ruth Williams for waiver of rule 0440-1-.10 requiring applicant to obtain their original license within six (6) months after passing the examination. Ms. Williams passed her cosmetologist practical examination on August 26, 2014. Under the Cosmetology statute the applicant must reapply for the examinations within six months after applicant is notified unless there is good cause. Ms. Williams was four months passed the required timely. She provide an email explanation of her situation with two deaths in the family, however she provided no exact dates or death certificates for the consideration of these occurrences in relationship to the six months.

MOTION made by Patricia Richmond and seconded by Judy McAllister to deny request. Motion carried unanimously.

Request from Ashley Elaine Cochran for waiver of rule 0440-1-.10 requiring applicant to obtain their original license within six (6) months after passing the examination. Ms. Cochran passed her exams but has yet to present her payment or paperwork. She appeared in person and asked for consideration.

MOTION made by Yvette Granger and seconded by Judy McAllister to deny request. Motion carried unanimously.

Request from instructor Hester Faye Moffitt-Smith for an extension of her required continuing education hours to the August 2015 session in Pigeon Forge. She became an instructor in 1994 and had paid for and planned to attend the Knoxville session but ended up in the hospital. She provided proof of being out of work in July as well as proof pf payment for the August session. Pursuant to Tenn. Code Ann. § 62-4-114(a) (2) and instructor may request this waiver one time.

MOTION made by Amy Tanksley and seconded by Yvette Granger to approve request. Motion carried unanimously.

Request from instructor Heather Lynn Michaud for an extension of her required continuing education hours required by April to the July 2015 session she attended in Nashville. She became an instructor in 2013 and miscalculated when she needed to attend. Pursuant to Tenn. Code Ann. § 62-4-114(a) (2) and instructor may request this waiver one time.

MOTION made by Patricia Richmond and seconded by Yvette Granger to approve request. Motion carried unanimously.

Request from instructor Naricka Shontah Gray for an extension of her required continuing education hours required by June 2015. Ms. Gray became licensed as an instructor in 2013 so this would be the first session she needed to have attended. She attended the session in Knoxville on July 12 and 13 and would like that to meet the requirement for this renewal cycle. Pursuant to Tenn. Code Ann. § 62-4-114(a) (2) and instructor may request this waiver one time.

MOTION made by Amy Tanksley and seconded by Judy McAllister to approve request. Motion carried unanimously.

Request from Debbie Fletcher Dalton for an acceptance of the continuing education hours received at Knoxville on July 12 and 13. She was previously approved for the extension because she did not attend in 2014 as required so the board approved her until the June 2015 session scheduled in Franklin. That session was cancelled and out of her control.

MOTION made by Amy Tanksley and seconded by Patricia Richmond to approve request. Motion carried unanimously.

Request from Jameshua Clark for waiver of Tenn. Code Ann. § 62-4-123 requiring students complete school seven (7) years from the original date. Ms. Clark stated that she started school in 2008 and went for one year completing 431 hours. She is now enrolled at one of the TCAT schools and says she has 920 hours. She provided a letter explaining her situation and requesting an extension so she does not lose all her hours.

MOTION made by Yvette Granger and seconded by Patricia Richmond to deny request. Motion carried unanimously.

### **School Change Requests:**

Southern Institute of Cosmetology, located in Memphis, Tennessee requested a name change of the school that was approved in May 2015 to combine locations and students with Plaza Beauty School. The new organization has decided as the next stage in this venture to change the schools name to The Center for Cosmetology Education. This will also complete their requirements with their accrediting agency.

MOTION made by Patricia Richmond and seconded by Judy McAllister to approve change in school name. Motion carried unanimously.

Empire Beauty School (s) and The Hair Design School (s) are a total of five branches and they are requesting permission to add a non-refundable application fee in the amount of \$25 to all their future enrollment agreements. They provided samples of the agreement and that is the only change they plan on making.

MOTION made by Amy Tanksley and seconded by Patricia Richmond to approve request. Motion carried unanimously.

Aveda Instituted presented a letter explaining their current contracts with students on 3 days per week/10 hours per day programs. Ms. Kalli Blackwell, VP Operations and Compliance contacted the board to discuss the new law passed on July 1, 2015 and how it affects their school. Public Chapter 402 states that in no event shall a student attend school more than eight hours per day or forty hours per week. The request for consideration is for contracts signed prior to the Public Chapter becoming law. A letter was presented with numbers of students affected and the request to honor these agreements through June 2016 at which time all those students should have graduated.

MOTION made by Patricia Richmond and seconded by Yvette Granger to approve request. Motion carried unanimously.

Similar situations have been brought to light by Paul Mitchell Schools and other schools approved by previous boards under the previous law. In their contracts students exceed the eight hours or go over the forty hours per week. The Executive Director asked for permission to review those specific requests and as long as they were about students with signed contracts that needed to be completed, the decision would be in line with the board's recommendations.

MOTION made by Judy McAllister and seconded by Patricia Richmond to allow the Executive Director permission to send letters approving/denying request. Motion carried unanimously.

A request from Donna Hastings with Tennessee College of Applied Technology was presented at the June 1, 2015 board meeting in reference to high school students attending Career Technical Education courses and the ratios. After careful consideration, the board requested a plan for tracking and measuring attendance to be provided and that staggering the full time students with the High School students is not a problem as long as the teaching ratio is always 20:1. Ms. Hastings presented the possible scenarios that they plan on offering.

MOTION made by Amy Tanksley and seconded by Patricia Richmond to approve request. Motion carried unanimously.

#### **APPLICATIONS FOR RECIPROCITY-**

The Reciprocity Committee of the State Board of Cosmetology and Barber Examiners met at 8:50 AM on Monday, August 3<sup>rd</sup> to review reciprocity applications and make recommendations to the Board.

Attending were Board members Nina Coppinger, Ron Gillihan, and Patricia Richmond. Also present were Roxana Gumucio, Executive Director, Laura Martin, Attorney for the Board, and Betty Demonbreun, Administrative Assistant.

The applications reviewed consisted of the following:

Application for reciprocity of master barber license from Michigan for Fadi Abdelsamad. Certification from Michigan shows initial license issued June 2014 by examination with a passing score for the theory and practical. Mr. Abdelsamad was presented to the board in August 2014 and the decision was that he take the Tennessee exams. Because of the language barrier, he requested the board reconsider his situation. He appeared before the board to answer questions and provided a letter.

Recommendation - is that the applicant take the practical exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from Michigan for Tricia Golembiewski. Certification from Michigan only certifies 400 hours and states licensure by examination. Ms. Golembiewski is also licensed in Florida. She provided a transcript supporting 600 hours and tax records for years 2011 – 2014 and pay check information for part of 2015. She provided a letter explaining the hardship that additional hours would impose. Her fiancé is in the military and her move to Florida and now Tennessee are due to his transfers.

Recommendation - is that the applicant take the Tennessee exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from Arkansas for Jessica James, now Jessica Winkelman. Only requires 600 hours and her initial license was issued in 2014 therefore she does not have the necessary experience. She has provided a letter stating the school in her area that she has contacted to take the additional 150 hours she was instructed via a letter from the board to take. She states that they will not take all her hours and that they are requesting she complete at least 300 hours. Her request is that given to cost and time factor that the board allows her to test.

Recommendation - is that the applicant take the Tennessee exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Milissa McGavin. Certification shows initial licensure in 2003 with no practical exam. Ms. McGavin provided a school transcript reflecting 41 credits which is four credits short of 1,500 hours. A letter submitted explains that she is holding down different jobs to support her four children.

Recommendation - is that the applicant take the practical exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation.  
Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia for Hong Nguyen. Certification from shows initial licensure in May 2010 with 525 hours and examination. Ms. Nguyen provided tax records from 2010 – 2014 for proof of working in the industry. She could not complete her application listing the school she attended, number of hours or time frame.

Recommendation - is that the applicant be approved for a reciprocal license.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from New York for Madeline Nguyen. Certification from shows initial licensure in May 2015 with international hours accepted and no exam.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from Florida for Ngoc Nga Nguyen. Certification shows initial licensure in Florida in 2008 with no exams. Ms. Nguyen is also licensed in Kentucky and took the practical exam only. That license expired while we waited for a board meeting. She is a licensed manicurist in Tennessee since 2014. Tax records indicate are provided but there is no clear indication on experience in manicuring versus aesthetics. Tax records reflect Tennessee address as well as Florida.

Recommendation - is that the applicant take the Tennessee exam.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation.  
Motion carried unanimously.

Application for reciprocity of manicurist license from Florida for Thiannie Nguyen. Certifications from Florida, California, Alabama and Virginia were provided. Ms. Nguyen was first licensed in 1998 in California with 400 hours. Her active license is in Florida. Tax records provided for 2010 – 2013 and some for prior years.

Recommendation - is that the applicant be approved for a reciprocal licensee.

Motion made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Wisconsin for Thuy Thi Vi Nguyen. Certification from shows initial licensure in May 2013 with international hours accepted and no exam.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology instructor license from Michigan for Caitlin Nuremberg. Certification shows initial licensure, which includes instructor, is from June 2015 with 500 instructor's hours by examination. Ms. Nuremberg obtained her Tennessee cosmetology license on June 4, 2015. Because Michigan does not require an instructor practical exam, only theory, she was sent a letter to take the practical. The law changed effective July 1, 2015, and states that to obtain an instructor license you must be licensed for three continuous years. Because Ms. Nuremberg was still out of State and working, she could not take the exam until July 2. She has taken and passed the practical instructor exam. She has a job and her employers have been assisting her with the process. Given that the reciprocity law for licensure is a bit different from the initial licensure in Tennessee she requested consideration stating she did substantially meet all the requirements.

Recommendation - is that the applicant be approved for a reciprocal licensee.

Motion made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity with a hair designer license from Georgia for Brittney Parnell. Certification from shows initial licensure in June 2013 with 1,325 hours and examination. The license type is not equivalent to the cosmetology license in Tennessee. She presented a letter from her employer stating work experience since 2010. Georgia allows apprenticeship and working in shops under some conditions therefore it appears she has the five years' experience.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Wisconsin for Bach Minh Pham. Certification shows initial licensure in October 2014 with international hours accepted and no exam. Mr. Pham was presented to the board at the May 2015 board meeting and the decision was the same as it is to other international applicants, he was required to pass the Tennessee exams.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Mississippi for Pippet Ruark. Certifications from Mississippi show 600 hours from cosmetology discipline moved over to barbering and 600 obtained in 2014. The completed cosmetology hours are from June 2015 so it's not clear what their laws aloud however he is still substantially short on number of hours.

Recommendation - is that the applicant take additional hours and the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Michigan for Jim Adam Sahlan. Certification shows initial licensure in November 2014 with international hours accepted and no exam.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from New York for David Salvador. Certification shows initial licensure in November 2014 with no indication of number of hours completed. New York has different hours and the schools themselves can determine this. Given that he does not have the five years' work experience more documentation is needed to determine if hours need to be completed prior to examination. Mr. Salvador appeared before the board to answer their questions.

Recommendation - is that the applicant provide proof of hours to determine qualifications.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Alabama for Ruth Sides. Certification shows initial licensure in March 2014 because of September 2013 grandfathering law. She states on her application that she completed over 1,200 hours in 1984. A letter from employer and some tax records were presented to prove work experience. She also states that she passed a state board exam and was licensed in the County she lived in. That is how Alabama's law worked until 2013.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to deny recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Oregon for Gretchen Stephens. Certification shows initial licensure in 1998 as Hair Design and Cosmetology in December 2004 with 1,450 hours. Oregon does not require a practical exam. Ms. Stephens provided a letter explaining her situation and tax records to support experience.

Recommendation - is that the applicant be approved for a reciprocal licensee.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician hours from Vietnam for Le Tham. School documentation shows cosmetology curriculum and a total of 2,000 hours obtained. To be consistent with other international applicants the education information is acceptable but examination if required.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from New York for Linda Truong. Certification shows initial licensure in 2005 because a practical and written exam were passed at that time.

New York records don't reflect initial licensure if the license was allowed to expire. She currently shows a license in New York between 2009 and effective until September 2015. She also has a Georgia license since April 2015. A letter from Ms. Truong states she worked in Georgia with her Texas license. To date, we have not been able to obtain her Texas license.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia for Thao Vo. Certification from Georgia shows initial licensure in September 2011 with 525 hours required and examination. Ms. Vo also has a cosmetology license from Texas but it is from a school the board is currently not accepting hours from. She has decided to not pursue that license at this time. She presented tax records for 2012 – 2014.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Pennsylvania for Amanda Chuplis. Certification shows initial licensure in March 2009. She stated that she does not have tax records to support work in the industry because her husband is in the military so they had to move around and she took care of her children. She provided letters from clients.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Pennsylvania for Amanda Gerstner. Certification shows initial licensure in February 2006 by examination and with 1,250 hours. She did not provide work history for the last two consecutive years but has a letter from employer from 2005 through 2012.

Recommendation - is that the applicant be approved for a reciprocal licensee.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Florida for Thanh Loan Mai. Certification shows initial licensure in July 2009 and no examination. Letter from accountant states confirmation of her profession as a manicurist since 2008.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Wisconsin for Nhien Nguyen. Certification shows initial licensure in 2014 by examination. Mr. Nguyen was very anxious to receive his license. As office staff asked questions and try to verify what was submitted it became clear that there were inconsistencies. Further conversations directly with the Wisconsin State Board determined that the certification was not a true and accurate document.

Recommendation - is that to deny applicant reciprocity.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Alabama for Kenneth Patton. Letter from the County in Alabama that Mr. Patton works or lives in still allows a certificate instead of a State license. Mr. Patton has provided tax records, photographs, shop license information and a letter all showing proof of work in the industry since 2007.

Recommendation - is that the applicant be approved for a reciprocal licensee.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to deny recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Alabama for Katherine Shaffer. Certification shows initial licensure in July 2011 by examination. Because she does not substantially meet the requirements nor have the five years of licensure, she needs to complete 300 additional hours.

Recommendation - is that the applicant complete 300 hours and take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Ron Gillihan to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber license from Alabama for Marcellus Suddeth. Certification shows initial licensure April 2014 because of September 2013 grandfathering law. Mr. Suddeth has provided a personal letter and one from an employer showing work in the industry but not for the last five consecutive years.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Ron Gillihan and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of master barber hours and license from the United Kingdom for Le Ryan Bouch. Mr. Bouch appeared in person before the board. He has three years of apprentice experience and educational information to support his application reflecting 3,000 hours. To be consistent with other international applicants the education information is acceptable but examination if required.

Recommendation - is that the applicant take the Tennessee exam.

MOTION made by Patricia Richmond and seconded by Nina Coppinger to approve recommendation. Motion carried unanimously.

The committee meeting adjourned at 9:45 AM.

As a whole, the board discussed the recommendations and decisions.

MOTION made by Ron Gillihan and seconded by Bobby Finger to approve all decisions made by the reciprocity committee as amended. Motion carried unanimously.

## **LEGAL REPORT- STAFF ATTORNEY**

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 8:10 AM on Monday, June 1<sup>st</sup> to review the allegations of **135** complaints and make recommendations to the Board.

Attending were Board members, Bobby Finger and Amy Tanksley. Not in attendance Frank Gambuzza and Dianne Teffeteller.

**COSMETOLOGY CASES**  
**NEW CASES**

1. Case No.: L15-COS-RBS- 2015005461  
**First License Obtained:** 11/01/1995  
**License Expiration:** 07/31/2016  
**Complaint history:** 2007053101, closed by Consent Order and payment of \$1000 civil penalty; 2014011831, Formal Charges Authorized

A complaint was filed by a consumer on February 26, 2015. The consumer alleges that while she was receiving a manicure, a manicurist cut her cuticle and that it began to bleed. The Manicurist did apply styptic to her nails and continued the manicure, painting the nail that was still bleeding. After the consumer left, she said her finger continued to bleed. She called the salon and requested a refund. She was refused a refund. The owner of the salon had contacted counsel and explained that the cut was an unfortunate accident and that he did not think his employee had handled the accident incorrectly. He also said that he had his employee discard the bottle of polish that was used on the consumer to stop any cross infecting from her bleeding finger into the polish bottle.

**Recommendation: Dismiss this case. The salon reacted to her cut correctly. Send an inspector to the salon to ensure that sanitary practices are up to the state standards.**

**Decision: Recommendation Accepted**

2. Case No.: L14-COS-RBS- 2015005661 (salon) – Shop status is now closed in RBS

**First License Obtained:** 10/16/2013  
**License Expiration:** 06/30/2016  
**Complaint history:** None

3. Case No.: L14-COS-RBS-20150056621 (manager)

**First License Obtained:** 06/27/1995  
**License Expiration:** 06/30/2017  
**Complaint history:** None

4. Case No.: L14-COS-RBS- 20150056631 (unlicensed)

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

5. Case No.: L14-COS-RBS-20150056641 (unlicensed)

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

All respondents received notice of violations on February 26, 2015. At the time of inspection the inspector witnessed two individuals in the shop braiding and/or styling customers' hair without licenses by this Board. In response to an agreed citation which assessed \$1000 against each unlicensed person and \$2000 against the shop and the manager, the owner of the salon has written counsel saying that they are requesting a hearing on behalf of themselves and every respondent from this date in her shop. The shop has since closed.

**Recommendation: Close and flag the case against the shop. Authorize each other complaint for formal hearing. Allow authority to settle beforehand with a consent order assessing \$1000 to both unlicensed individuals and the manager.**

**Decision: Recommendation Accepted**

**6. Case No.: L15-COS-RBS-2015005791**

**First License Obtained:** 03/29/2004  
**License Expiration:** 03/31/2014  
**Complaint history:** None

**7. Case No.: L15-COS-RBS- 20150057921**

**First License Obtained:** 09/25/1991  
**License Expiration:** 02/28/2016  
**Complaint history:** None

Respondent, who is the same person in both complaints, received a notice of violation on February 23, 2015. At the time of inspection the shop was operating on an expired license. The owner was not wearing a nametag and the shop did not have a sign. The owner has told the Board office that she is closing her shop and has asked that the \$100 she put towards her renewal fee be applied to her complaint.

**Recommendation: Ensure the shop is actually closed. Apply the \$100 to the complaint against the shop. Dismiss both cases.**

**Decision: Recommendation Accepted**

**8. Case No.: L15-COS-RBS- 2015005801 (shop)**

**First License Obtained:** 04/16/2007  
**License Expiration:** 08/31/2017  
**Complaint history:** 2013003981, closed by Consent Order and payment of \$500 civil penalty

**9. Case No.: L15-COS-RBS- 20150058021 (manager)**

**First License Obtained:** 09/16/2008  
**License Expiration:** 09/30/2016  
**Complaint history:** None

Respondents received notices of violation on February 25, 2015. At the time of inspection there was a hot wax pot in a back room that was hot. The room looked like it was used for storage but also had some tools set up for waxing. The salon is licensed to offer manicures only. The inspector also took pictures of many stations that were left in

unsanitary conditions. The manager has written counsel explaining that she has never waxed anyone, not had anyone waxed customers while she has been working there. She said that the pot was turned on accidentally because it was connected to the main plug which was used to turn on a rice cooker. The owner told her that the shop use to offer that service when they employed a full service cosmetologist but that they had never had the proper shop license for that service. The manager also denies being the manager, but her letter offers a description of her role in the shop that does sound like a managerial role. The owner had a complaint opened against him that was resolved with a letter of warning.

**Recommendation: Close the case against the manager with a warning letter concerning her duties as a manager. Dismiss the case against the shop as the owner has already been disciplined.**

**Decision: Recommendation Accepted**

**10. Case No.: L15-COS-RBS 2015005841**

**First License Obtained:** 10/06/1999

**License Expiration:** 08/31/2016

**Complaint history:** None

Respondent received a notice of violation on February 24, 2015. At the time of inspection no one present would say that they were the manager. One employee who was licensed at the time of inspection was displaying her old expired license instead of her valid license. The inspection sheet was not displayed. There was hair in some of the drawers that held hair products.

**Recommendation: Close this case with a letter of warning since she has no prior history. Cite the rule on manager's duties, sanitation, and posting licenses and inspections sheets.**

**Decision: Recommendation Accepted**

**11. Case No.: L15-COS-RBS –2015005861**

**First License Obtained:** 03/25/2015

**License Expiration:** 03/31/2017

**Complaint history:** None

Respondent received a notice of violation on March 2, 2015. At the time of inspection the owner did not have a shop license, and thought she only needed her personal license. She asked the inspector how to apply for a shop license. She received a license to operate the shop about a month after the inspections. She has contacted counsel through an accountant who has expressed that this \$1000 from the agreed citation would be difficult to pay during the startup period of her business.

**Recommendation: Authorize for formal hearing and allow authority to settle beforehand with a consent order assessing \$100, since she did become licensed so quickly after the inspection**

**Decision: Recommendation Accepted**

**12. Case No.: L15-COS-RBS-2015006071 (salon)**

**First License Obtained:** 08/05/2013

**License Expiration:** 07/31/2017  
**Complaint history:** 2014020601, closed by Consent Order and payment of \$750 civil penalty

**13. Case No.: L15-COS-RBS-2015006072 (owner)**

**First License Obtained:** 05/13/2004  
**License Expiration:** 05/31/2016  
**Complaint history:** 2014020621, closed by Consent Order and payment of \$750 civil penalty

Respondent, who is the same person for each case received a notice of violation on March 4, 2015. At the time of inspection the salon, which is licensed only for manicuring had a hot wax machine set up and ready to use. This same shop and owner was cited for this same violation in August 2014.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle the matter beforehand with a consent order assessing \$500.**

**Decision: Recommendation Accepted**

**14. Case No.: L15-COS-RBS- 2015006391 (Unlicensed)**

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Respondent received a notice of violation on February 26, 2015. At the time of inspection the shop had four employees working on client's hair. Three of the employees did not have licenses; the shop did not have a license. The respondent has not responded to this complaint.

**Recommendation: Authorize for formal hearing. Allow authority to settle the matter before hand with a consent order assessing \$3000.**

**Decision: Recommendation Accepted**

**15. Case No.: L15-COS-RBS- 2015006431 (shop)**

**First License Obtained:** 11/06/2012  
**License Expiration:** 09/30/2016  
**Complaint history:** None

**16. Case No.: L15-COS-RBS- 20150064321 (manager)**

**First License Obtained:** 12/06/2007  
**License Expiration:** 12/31/2015  
**Complaint history:** 2014022621, closed by Consent Order and payment of \$750 civil penalty

Respondents received notices of violation on March 6, 2015. At the time of inspection the inspector witnessed man giving a manicure to a client. As the inspector was taking down the shop's information the man left the shop. The owner told the inspector that the man did not have a license and that he only knew his first name.

**Recommendation: Authorize both cases for formal hearing. Allow authority to settle beforehand with a consent order assessing \$1000 to each respondent.**

**Decision: Recommendation Accepted**

17. Case No.: L15-COS-RBS- 2015006621

**First License Obtained:** 03/28/2014

**License Expiration:** 03/31/2016

**Complaint history:** None

Respondent received a notice of violation on March 10, 2015. At the time of inspection an employee was giving a manicure to a customer who left during the course of the inspection. The owner would not give the inspector any information on the employee who left. The owner was sent and agreed citation for \$1000 and has paid the civil penalty.

**Recommendation: Dismiss this case since the owner had already paid a \$1000 fine.**

**Decision: Recommendation Accepted**

18. Case No.: L15-COS-RBS- 2015006641

**First License Obtained:** 06/10/2004

**License Expiration:** 05/31/2017

**Complaint history:** 2009007261, closed and flagged

Respondent received a notice of violation on March 9, 2015. At the time of inspection the salon was advertising waxing services and had a hot wax station set up and warm. The salon is licensed to perform manicures only.

**Recommendation: Authorize for formal hearing. Allow authority to settle the matter beforehand with a consent order assessing \$500.**

**Decision: Recommendation Accepted**

19. Case No.: L15-COS-RBS- 2015006664 (shop)

**First License Obtained:** 10/23/2013

**License Expiration:** 09/30/2015

**Complaint history:** 2014000671, closed by Consent Order and payment of \$1000 civil penalty

20. Case No.: L15-COS-RBS -2015006661 (unlicensed) (owner)

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

21. Case No.: L15-COS-RBS -2015006662

**First License Obtained:** 09/03/2014

**License Expiration:** 09/30/2016

**Complaint history:** None

**22. Case No.: L15-COS-RBS- 2015006663**

**(Manager, owner)**

**First License Obtained: 07/22/2013**

**License Expiration: 07/31/2015**

**Complaint history: None**

Respondents received notice of violations on March 7, 2015 pursuant to an inspection. At the time of inspection there were five employees working on customers. Two individuals had no license, including the manager. The one employer had a license but it was not displayed.

**Recommendation: Close the case against the licensed employee who had not posted her license with a letter of warning. Authorize the complaints against the owner and shop for formal hearing against the shop license. Authorize other complaints for formal hearing. Allow authority to settle each matter before hand with a consent order. Assess \$1000 to the unlicensed individuals. Assess \$2000 to the owner/shop and include a letter of warning about posting licenses.**

**Decision: Recommendation Accepted**

**23. Case No.: L15-COS-RBS- 2015006711**

**First License Obtained: 12/04/2009**

**License Expiration: 11/30/2017**

**Complaint history: None**

**24. Case No.: L15-COS-RBS-2015006712**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Respondents received notices of violation pursuant to an inspection. At the time on of inspection there was no owner or manager present. A woman who possesses a California license identified herself as the manager. Both respondents contacted counsel saying that the owner had run to grab lunch and that her friend, who is unlicensed by this Board had been visiting her and had offered to keep an eye on the shop while she ran out.

**Recommendation: Close with letters of warning to the individuals. Authorize for formal hearing against the shop. Allow Authority to settle beforehand with a consent order assessing \$500.**

**Decision: Recommendation Accepted**

**25. Case No.: L15-COS-RBS-2015006731**

**First License Obtained: 07/05/2001**

**License Expiration: 07/31/2017**

**Complaint history: None**

The respondent received a notice of violation on March 11, 2015. The Respondent was the manager of the shop at the time of inspection. When the inspector arrived he saw four employees giving manicures to customers. When he proceeded to the back of the

shop to check IDs only three employees were still there. The customer of the fourth employee told the inspector that the women giving her a manicure had told her she had an emergency and that she had to leave. The manager said he did not know who the customer was talking about. The manager was validly licensed by this board but did not have his license on him that day.

**Recommendation: Authorize for formal hearing. Allow authority to settle beforehand with a consent order assessing \$1000. Include a warning about posting his license where he is working.**

**Decision: Recommendation Accepted**

**26. Case No.: L15-COS-RBS- 2015006801**

**First License Obtained:**

**License Expiration:**

**Complaint history:** 2008001161, closed by Consent Order and payment of \$3000 civil penalty; 2013019411, closed with a Letter of Warning; 201403331 & 2014009041, closed by Consent Order and payment of \$500 civil penalty; 2014023391, closed by a Letter of Warning

A complaint was filed against this respondent on March 31, 2015. The complainant is a past employee who alleges that the shop is using unlicensed nail techs and is offering waxing services without a license. A further inspection of this shop showed that 38 out of 38 employees present at the time of inspection were licensed. Additionally, this shop has been targeted in the past from consumer complaints alleging unlicensed activity and continually passes each subsequent shop inspection.

**Recommendation: Dismiss this case.**

**Decision: Recommendation Accepted**

**27. Case No.: L15-COS-RBS- 2015006831**

**First License Obtained:** 12/30/2014

**License Expiration:** 12/31/2016

**Complaint history:** None

A consumer complaint was filed on March 13, 2015 against the respondent. The complainant had an allergic reaction to the gel nails that she received at the Respondent's manicure salon. Complainant alleges that when she asked, she was refused a refund. The Respondent contacted counsel saying while they didn't offer her a refund they did offer to remove the gel product and repaint her nails with a different product free of charge.

**Recommendation: Dismiss this case. This is a contractual matter.**

**Decision: Recommendation Accepted**

**28. Case No.: L15-COS-RBS- 2015006841**

**First License Obtained:** 08/28/2012

**License Expiration:** 08/31/2016

**Complaint history: None**

A consumer complaint was filed against the responded on March 31 2015. The complainant alleges that the respondent is a past employee who has been contacting the clients she had at the complainant's salon and making appointments with them in her home. The Complainant has provided Facebook pictures as evidence. The Respondent contacted counsel and said that she gave a few friends haircuts or treatments when she was unemployed but never for a fee. She is now employed full time in a field outside of cosmetology. Facebook does have posts that could suggest some unlicensed activity occurred, but there are very few and could also just be of friends. She does report being employed in the medical field on her page and there have been no more than a few posts from last march showing her practicing cosmetology.

**Recommendation: Close with a letter of warning.**

**Decision: Recommendation Accepted**

**29. Case No.: L15-COS-RBS 2015006861-**

**First License Obtained: 03/11/2005**

**License Expiration: 03/31/2017**

**Complaint history: 2005033371 closed w/no action; 2006011841, dismissed; 2012002111, closed by Consent Order and payment of \$500 civil penalty; 2013011431, closed w/no action**

**30. Case No.: L15-COS-RBS 2015006862- (owner)**

**First License Obtained: 10/14/2004**

**License Expiration: 10/31/2016**

**Complaint history: None**

The respondents, who are the same person received notices of violation on March 12, 2015. At the time of inspection of the salon there were four employees who were working on customers' hair. The owner told the inspector that none of the girls had ids on them or had licenses with this board. None of the employees would give the inspector their names or mailing information.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle beforehand with consent order assessing \$4000.**

**Decision: Recommendation Accepted**

**31. Case No.: L15-COS-RBS- 2015006971 (shop)**

**First License Obtained: 08/13/1993**

**License Expiration: 10/31/2016**

**Complaint history: None**

**32. Case No.: L15-COS-RBS-2015006972- (manager)**

**First License Obtained: 06/01/1965**

**License Expiration:** 10/31/2016  
**Complaint history:** None

Respondents, the shop and manager, received notice of violations on March 17, 2015 pursuant to an inspection. At the time of the inspection, the shop's license was expired. There is no prior history.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle beforehand with a consent order assessing \$100 to each respondent.**

**Decision: Recommendation Accepted**

**33. Case No.: L15-COS-RBS- 2015007191**

**First License Obtained:** 02/05/2013  
**License Expiration:** 01/31/2017  
**Complaint history:** None

Complaint was filed by an employee of the respondent. The complainant alleges that her name was given to an inspector as the manager of the salon. States she is not the manager. The salon said they gave her name and information as the head aesthetician, but never as the manager of the salon. Complainant said she did not talk to anyone in the salon about this before filing a complaint.

**Recommendation: Dismiss the case as an internal issue at the salon.**

**Decision: Recommendation Accepted**

**34. Case No.: L15-COS-RBS- 2015007281 (shop)**

**First License Obtained:** 08/05/2011  
**License Expiration:** 07/31/2017  
**Complaint history:** None

**35. Case No.: L15-COS-RBS- 2015007282) (owner)**

**First License Obtained:** 12/26/2007  
**License Expiration:** 12/31/2015  
**Complaint history:** None

**36. Case No.: L15-COS-RBS-2015007283**

**First License Obtained:** 10/12/1992  
**License Expiration:** 02/28/2017  
**Complaint history:** None

Respondents received notice of violation on March 13, 2015 pursuant to an inspection. At the time of inspection the shop license was expired and there was not a manager or owner present. The inspector also observed one employee work on a customer's hair that had an expired license.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license and against the expired licensee. Allow authority to settle the matter beforehand with a consent order assessing \$100 to the employee and \$500 to the shop.**

**Decision: Recommendation Accepted**

**37. Case No.: L15-COS-RBS-2015007351**

**First License Obtained:** 06/21/2012  
**License Expiration:** 05/31/2016  
**Complaint history:** 2013020081, closed by Amended Consent Order and payment of \$1250 civil penalty

Respondent received a notice of violation on March 17, 2015 pursuant to an annual inspection. At the time of inspection there was no manager present, the shop did not have a sign posted, and there were three unlicensed individuals working on customers' hair. Only one employee would speak directly to the inspector. She told the inspector that the three employees working had no license, but that none of them had any identification on them and that she wouldn't give their names to the inspector.

**Recommendation: Authorize the complaint for a formal hearing. Allow authority to settle beforehand with a consent order for \$3000.**

**Decision: Recommendation Accepted**

**38. Case No.: L15-COS-RBS- 201500752**

**First License Obtained:** 11/13/2012  
**License Expiration:** 11/30/2016  
**Complaint history:** None

Respondent received a notice of violation on March 10 2015 pursuant to an inspection. At the time of inspection the respondent, who was the manager of the shop, was working on a client with an expired license and was not wearing name tag. There was an employee not wearing a nametag, and the shop inspection sheet want posted.

**Recommendation: Authorize complaint for formal hearing. Allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**39. Case No.: L15-COS-RBS-2015007741**

**First License Obtained:** 12/11/2009  
**License Expiration:** 07/31/2016  
**Complaint history:** None

Respondent received a notice of violation on March 20, 2105 pursuant to an inspection. At the time of inspection the owner's license was expired. The owner has already closed paid for this on the complaint that opened against her personal license.

**Recommendation: Close this case since the owner has already paid a fine for this.**

**Decision: Recommendation Accepted**

**40. Case No.: L15-COS-RBS- 2015007761**

**First License Obtained:** 04/13/2015  
**License Expiration:** 03/31/2017  
**Complaint history:** None

41. Case No.: L15-COS-RBS- 2015007771

**First License Obtained:** 06/16/1997  
**License Expiration:** 06/30/2015  
**Complaint history:** None

Respondents received a notice of violation pursuant to an inspection on March 20, 2015. At the time of inspection the shop was open and there was one licensed manicurist present working on a client. The shop was not licensed at the time of inspection.

**Recommendation: Close the complaint against the manicurist with a letter of warning. Authorize the complaint against the shop for formal hearing. Allow authority to settle the matter beforehand with a consent order assessing \$1000.**

**Decision: Recommendation Accepted**

42. Case No.: L15-COS-RBS- 2015008041

**First License Obtained:** 01/23/2013  
**License Expiration:** 12/31/2014  
**Complaint history:** None

43. Case No.: L15-COS-RBS- 2015008051-

**First License Obtained:** 11/09/2007  
**License Expiration:** 11/30/2015  
**Complaint history:** 2014016971, Formal Charges Authorized

Respondents received notices of violation on March 20, 2015 pursuant to an inspection. The shop has changed location and has not filed relocation papers. The manager was working on clients and has a suspended license.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle beforehand with a consent order assessing \$500 to the shop and \$500 to the manager.**

**Decision: Recommendation Accepted**

44. Case No.: L15-COS-RBS- 2015008151 (shop)

**First License Obtained:** 11/01/2007  
**License Expiration:** 04/30/2017  
**Complaint history:** 2008015551, Closed by Final Order and payment of \$500 civil penalty

45. Case No.: L15-COS-RBS- 2015008161 (owner)

**First License Obtained:** 08/04/2006  
**License Expiration:** 08/31/2016  
**Complaint history:** None

46. Case No.: L15-COS-RBS- 2015008171 (unlicensed)  
(Applicant # 177110)

**First License Obtained:** N/A  
**License Expiration:** N/A  
**Complaint history:** None

Respondents received notices of violation on March 19, 2015 pursuant to an inspection. At the time of inspection there was an employee performing a manicure on a customer who is not licensed by this board. The unlicensed individual had written to tell us that she has a cosmetology license from Mexico and had already applied for reciprocity with Tennessee. She was hired at this shop in the meantime and has been doing administrative tasks while waiting for her license. She said on that date her cousin came in asked for a manicure, so the respondent gave her a manicure free of charge. She says she tried to clear this up with the inspector but that the language barrier kept her from fully explaining herself. She was sent an agreed citation for \$1000. At this time since she is waiting on reciprocity she said she is unable to pay this fine and asks the board to reconsider this fine.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Authorize the complaint against the unlicensed individual for formal hearing. Allow authority to settle beforehand with consent order for \$250 to both respondents.**

**Decision: Recommendation Accepted**

47. Case No.: L15-COS-RBS- 2015008241

**First License Obtained:** 06/25/2009  
**License Expiration:** 06/30/2015  
**Complaint history:** 2012015691, closed by Consent Order and payment of \$500 civil penalty

48. Case No.: L15-COS-RBS- 2015008251 (manager)

**First License Obtained:** 08/15/2012  
**License Expiration:** 08/31/2016  
**Complaint history:** None

49. Case No.: L15-COS-RBS- 2015008261

**First License Obtained:** 03/31/2015  
**License Expiration:** 03/31/2017  
**Complaint history:** None

Respondents received notices of violation on March 24, 2015 pursuant to an inspection. On that date, an inspector saw one of the respondents performing a manicure on a client. The man had filed for reciprocity with the board but was still waiting for his application to be processed. He was subsequently licensed several weeks later.

**Recommendation: Authorize all complaints for formal hearing. Allow authority to settle the matter beforehand with a consent order assessing \$250 to each respondent.**

**Decision: Recommendation Accepted**

50. Case No.: L15-COS-RBS-2015008271 (shop)

**First License Obtained:** 11/30/1992  
**License Expiration:** 09/30/2016  
**Complaint history:** None

**51. Case No.: L15-COS-RBS-2015008281 (manager)**

**First License Obtained:** 05/03/1979  
**License Expiration:** 11/30/2015  
**Complaint history:** None

Respondents received notices of violation pursuant to an inspection. On that date the shop and/or manager allowed an employee to practice on a customer on an expired license. The licensee has settled their complaint with the Board office.

**Recommendation: Authorize for formal complaint. Allow authority to settle beforehand with a consent order assessing \$100.**

**52. Case No.: L15-COS-RBS-2015008321 (shop)**

**First License Obtained:** 02/15/2013  
**License Expiration:** 01/31/2017  
**Complaint history:** None

**53. Case No.: L15-COS-RBS-2015008331 (owner)**

**First License Obtained:** 04/25/1995  
**License Expiration:** 04/30/2017  
**Complaint history:** None

Respondent's received a notice of violation on March 20, 2015 pursuant to an inspection. On that date the inspector saw that the shop was open for inspection and the shop license was expired.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle the matter beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**54. Case No.: L15-COS-RBS-2015008371**

**Shop is now under closed status**

**First License Obtained:** 05/24/2012  
**License Expiration:** 04/30/2016  
**Complaint history:** None

A consumer complaint was filed against the respondent on April 20, 2015. The complainant is an ex-employee of the respondent. She says that the respondent harassed her several times, including following her home on one occasion. She put in her two weeks' notice and said that the respondent has refused to give her last paycheck and has not yet sent her a W2 form. The respondent contacted counsel and said that the complainant refused to give the respondent her Social security card number so that they could report her income to the IRS. This complaint was referred the Department of Labor by counsel.

**Recommendation: Close this case and flag. If the Dept. of Labor makes a finding that the shop is withholding wages, reopen a complaint against the owner on that basis.**

**Decision: Recommendation Accepted**

**55. Case No.: L15-COS-RBS-2015008611 (shop)**

**First License Obtained: 12/01/2004**  
**License Expiration: 11/30/2016**  
**Complaint history: 2008015511, 2010014181 & 2010029421, Closed by Amended Consent Order and payment of \$2,500 civil penalty; 2009017281, closed with a Letter of Warning;**

**56. Case No.: L15-COS-RBS-2015008621 (owner)**

**First License Obtained: 10/08/2003**  
**License Expiration: 10/31/2015**  
**Complaint history: None**

Respondents received notices of violation on March 26, 2015. At the time of the inspection the shop had four employees braiding client's hair. The owner told the inspector that none of the employees had identification on them and that none of them were licensed by the board. They would not tell the inspector their names.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle the matter beforehand with a consent order assessing \$4000.**

**Decision: Recommendation Accepted**

**57. Case No.: L15-COS-RBS-2015009081**

**First License Obtained: 09/21/2011**  
**License Expiration: 09/30/2017**  
**Complaint history: 2011032291, closed w/no action; 2011032341; closed by Consent Order and payment of \$1000 civil penalty; 2014000661, closed by Consent Order and payment of \$500 civil penalty;**

**58. Case No.: L15-COS-RBS-2015009091**

**First License Obtained: 09/01/2005**  
**License Expiration: 09/30/2017**  
**Complaint history: 2014016691, closed by Consent Order and payment of \$2,250 civil penalty;**

Respondents received notices of violation on April 2, 2015. On that date when the inspector entered he saw two men in the shop. One was working on a customer; the other was sitting at a table set up to work on customers. The two men left through the

back door when the inspector went to speak with the owner. The owner said one of the men didn't have a license; he didn't know why the other left.

**Recommendation: Dismiss the complaint against the owner. Authorize the complaint against the shop for civil penalty. Allow authority to settle beforehand with a civil penalty of \$2000.**

**Decision: Recommendation Accepted**

**59. Case No.: L15-COS-RBS- 2015009301**

**First License Obtained: 02/06/2012**

**License Expiration: 01/31/2016**

**Complaint history: None**

A consumer complaint was filed by a Licensed Massage Therapist against the Respondent. The complaint alleges that the Respondent, who is a licensed aesthetician, is offering massages beyond the scope of her license. The complaint also alleges that her advertising of her company is suggestive of inappropriate conduct.

An undercover inspection of the shop revealed that there are no untoward services offered by the respondent.

Additionally, the advertising that was used by the Respondent could be seen as unprofessional activity as is defined by this Board. The Board is potentially correct to regulate the advertising of their licensees without violating first amendment protections of commercial speech if; 1) there is a substantial governmental (Board) interest in regulating the speech, 2) The government (the Board) demonstrates that the regulation directly or materially advances the interests of the government (Board), and 3) the regulation on speech is only as broad or restrictive as is necessary..

**Recommendation: The Board should discuss their interpretation of the word *massage* in the aesthetics definition. The Board should review the advertisements attached to the end of this report and discuss whether the Board interprets this as *unprofessional, immoral, or dishonorable*; and if they believe that regulation of this advertisement would meet the three prong test as is described above.**

**IF the Board finds that the Respondent's definition of massage is broader than the Boards, send a letter of instruction. If the Board finds that the advertising is unprofessional, legal recommendation is to send a letter of instruction advising the respondent of the regulation that the Board intends to impose on licensees.**

**Decision: Close this case without a finding.**

**60. Case No.: L15-COS-RBS- 2015009311 Unlicensed**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

A consumer filed a complaint against the respondent on April 2, 2015. After having her hair done by the respondent she noticed that over the next month her hair began falling out. She went to another salon where they determined that the respondent had not properly washed out the hair dye chemicals. The complainant asked around and

heard she was not licensed. She went on verify.tn and called the Board office. There are no records of the respondent ever being licensed by this board.

**Recommendation: Authorize for formal hearing. Allow authority to settle beforehand with a consent order assessing \$1000.**

**Decision: Recommendation Accepted**

**61. Case No.: L15-COS-RBS- 2015009351**

**First License Obtained:** 03/21/1994  
**License Expiration:** 09/01/2016  
**Complaint history:** Complaints # 7301, 8302, 9283, 9781, 2000032481, 2001036321, 2001036341, 2001036421, 2001053341, 2002099431, 2002115141, 2003170361: all Dismissed; 2004198561, Letter of Warning; 2005009291, Dismissed; 2005037361, Dismissed; 2006028071, Dismissed; 2008005951, Dismissed, 2008007401, Dismissed; 2008018031, Closed w/no action; 2008023021, Closed w/no action; 2009000071, 2009018081, 2009021641, 2009025971, 2010009271, 2011019391, all closed w/no action; 2014002891, closed for lack of proven disciplinary action;

A customer at the school's student salon filed a complaint against the school. She says they were rude, charged her twice and gave her pneumonia. She offers no evidence of these claims. The school contacted counsel. They kicked out this woman halfway through her haircut because she was making racist remarks to the student who had been assigned to her. They show their records for the day that show they only charged her twice.

**Recommendation: Dismiss this as contractual dispute. Send an inspector to the school to witness how customers are treated in the salon.**

**Decision: Recommendation Accepted**

**62. Case No.: L15-COS-RBS- 2015004621**

**First License Obtained:** 03/21/1994  
**License Expiration:** 09/01/2016  
**Complaint history:** Complaints # 7301, 8302, 9283, 9781, 2000032481, 2001036321, 2001036341, 2001036421, 2001053341, 2002099431, 2002115141, 2003170361: all Dismissed; 2004198561, Letter of Warning; 2005009291, Dismissed; 2005037361, Dismissed; 2006028071, Dismissed;

2008005951, Dismissed, 2008007401, Dismissed; 2008018031, Closed w/no action; 2008023021, Closed w/no action; 2009000071, 2009018081, 2009021641, 2009025971, 2010009271, 2011019391, all closed w/no action; 2014002891, closed for lack of proven disciplinary action;

A consumer complaint was filed against this school in February of this year. The complainant was a past student who alleged, that the school was 1) harassing her as veteran and not accommodating her injuries, 2) that absences and leave policies were not clearly defined, and clearly recorded, meaning the school did not have an accurate records of student's hours, 3) that there were derogatory racial comments made to students by teachers and 4) That the school was mishandling federal aid. An investigation of the school has been conducted over the last several months. Inspectors could not find any students to corroborate that the teacher in questions had made racial slurs; one student did say that she knew it happened but then later would not return phone calls and would not sign an affidavit to this. No students reported witnessing the complainant being harassed because of her injuries as a veteran; the school says she never reported these injuries. The investigator inquired into the schools absence policy and they do have a clear policy in their contract, we could not substantiate that the policy is or isn't used on a daily basis. The investigator was first sent away from the school when he asked for the files of those students who the respondent said would have knowledge of her complaint. The inspector was sent back to the school with a letter from counsel reminding them of their legal obligation to make files available to the Board for inspection. We were then sent their files. The investigator did contact all of these students and spoke with them; each student indicated that they did not want to be involved in this matter.

This Department also partnered with the Department of Education so we could defer to their findings on the schools use of federal aid. The Dept. of Education did find that two years in a row the school has been found to be unable to keep competent records as is required by their department to receive federal aid. The Dept. of Education has not yet taken action against this school for these infractions. The possibility of prosecution by that Department is still pending.

**Recommendation: Given the schools lengthy history, reports of contracts not properly followed through and seriousness of mishandling federal aid funds, authorize the complaint against the school for formal hearing. Allow authority to settle the matter beforehand with a consent order assessing \$500 (\$250 for contract issues and \$250 for the aid part).**

**Decision: Recommendation Accepted**

63. Case No.: L15-COS-RBS- 2015009401 (shop)

**First License Obtained:** 04/28/2006

**License Expiration:** 04/30/2016

**Complaint history:** None

64. Case No.: L15-COS-RBS- 201500941 (owner)

**First License Obtained:** 03/18/1993

**License Expiration:** 04/30/2017

**Complaint history:** None

Respondents received notices of violation on April 8, 2015. On that date the inspector saw that the shop was open for business and the shop license was expired. The owner seemed to think this was a mistake and said her accountant told her that there was proof of a payment in her file. She never contacted the Board office to offer this proof of payment.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle the matter beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

65. Case No.: L15-COS-RBS- 2015009501

**First License Obtained:** 10/14/1998

**License Expiration:** 08/31/2016

**Complaint history:** 2012002211, closed by consent order and payment of \$500 civil penalty;  
2012023731, closed with a Letter of Warning; 2013017811, closed by consent order and payment of \$500 civil penalty;  
2014007641, closed by consent order and payment of \$750 civil penalty;

66. Case No.: L15-COS-RBS- 2015009511

**First License Obtained:** 06/29/2006

**License Expiration:** 06/30/2016

**Complaint history:** None

Respondents received notices of violation on April 9, 2015 pursuant to an inspection. At the time of inspection the shop was open for business an employee was performing waxing services. The employee was not licensed by this board and would not give her name to the inspector. There was no owner or manager present.

**Recommendation: Authorize for formal hearing. Allow authority to settle beforehand with a consent order assessing \$1000 to each complaint.**

**Decision: Recommendation Accepted**

67. Case No.: L15-COS-RBS-2015009591 (cosmetologist)

**First License Obtained:** 04/29/2005

**License Expiration:** 04/30/2017

**Complaint history:** None

68. Case No.: L15-BAR-RBS-2015009571 (shop)

First License Obtained: 04/28/2014  
License Expiration: 04/30/2016  
Complaint history: None

69. Case No.: L15-BAR-RBS-2015009581 (owner)

First License Obtained: 08/29/2012  
License Expiration: 08/31/2016  
Complaint history: None

Respondents received notices of violation pursuant to an inspection on April 9, 2015. At the time of the inspection the shop was a licensed barber shop and was employing a cosmetologist.

**Recommendation: Dismiss all complaints with a letter of warning and directions on obtaining a dual license.**

**Decision: Recommendation Accepted**

70. Case No.: L15-COS-RBS-2015009621 (shop)

First License Obtained: 11/03/2006  
License Expiration: 10/31/2015  
Complaint history: 2007062051, closed by consent order and payment of \$500 civil penalty;  
2008023671, closed by consent order and payment of \$2,000 civil penalty;  
2011025441, closed by consent order and payment of \$2,000 civil penalty;

71. Case No.: L15-COS-RBS-2015009631 (manager)

First License Obtained: 12/15/2010  
License Expiration: 12/31/2016  
Complaint history: None

Respondents received notices of violation April 10, 2015. On that date the inspector walked in and saw a woman giving a customer a pedicure. She immediately got up and ran out the back door throwing her gloves in the trash the owner gave the inspector the woman's name but would not give an address. This is the shop's third complaint for unlicensed activity.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle the matter before hand a with a consent order assessing \$1000 to each respondents.**

**Decision: Recommendation accepted for 71. For #70, Allow authority to settle the matter before hand a with a consent order for revocation of the shop license.**

72. Case No.: L15-COS-RBS-2015009641 (shop)

First License Obtained: 12/13/2012  
License Expiration: 11/30/2014

**Complaint history:** None

**73. Case No.: L15-COS-RBS-2015009651 (owner)**

**First License Obtained:** 08/06/2008

**License Expiration:** 08/31/2016

**Complaint history:** None

Respondents received notices of violation pursuant to an inspection on April 9, 2015. On that date the shop was open for business and had an expired shop license.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**74. Case No.: L15-COS-RBS-2015009671 (shop)**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

**75. Case No.: L15-COS-RBS-2015009681 (owner)**

**First License Obtained:** 11/29/2012

**License Expiration:** 11/30/2016

**Complaint history:** None

Respondents received notices of violation on April 9, 2015 pursuant to an inspection. On that date the inspector saw the shop was open for business and working on customers. The shop was not licensed. The shops' license had not been issued because the owner's check for the license had to be returned. The shop was subsequently licensed.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**76. Case No.: L15-COS-RBS-2015009761**

**First License Obtained:** 09/27/1994

**License Expiration:** 09/30/2016

**Complaint history:** None

Respondent received a notice of violation on April 10, 2015. The respondent was the manager of a shop and had an expired license.

**Recommendation: Authorize the complaint for formal hearing; allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**77. Case No.: L15-COS-RBS-2015009771**

**First License Obtained:** 06/23/2011

**License Expiration:** 06/30/2017

**Complaint history: None**

Respondent received a notice of violation on April 10, 2014. At the time of inspection the shop's manager/owner had an expired license. The manager offered no services.

**Recommendation: Authorize the complaint for formal hearing; allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**78. Case No.: L15-COS-RBS-2015009811 (shop)**

**First License Obtained: 10/28/2013**

**License Expiration: 07/31/2016**

**Complaint history: None**

**79. Case No.: L15-COS-RBS-2015009821 (unlicensed)**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

Respondents received notices of violation on April 14, 2015. On that date the inspector found one women in the shop doing hair. She told the inspector they were not usually open that day and that she didn't have a license yet as she had just move from another state and had not applied for reciprocity. The shop owner contacted counsel and says her shop was not open that day and that the inspector went in through back door that opened by the building manager. She claims to have no knowledge of who this person was in her shop. She says she thinks the building manager has given others access to her property and is terminating her lease with the company.

**Recommendation: Close with a letter of warning because shop has no priors, include a stipulation that owner and manager are responsible for everything that happens in the shop.**

**Decision: Recommendation Accepted**

**80. Case No.: L15-COS-RBS- 2015010191**

**First License Obtained: 11/06/2012**

**License Expiration: 09/30/2016**

**Complaint history: None**

Consumer filed a complaint against the respondent on April 14, 2015. The complainant claims she received a fungus from the shop and it caused her lose her toenail. She offers no evidence or explanation as to how she got the fungus from the shop. The shop contacted counsel says all her claims are false.

**Recommendation: Dismiss and send an inspector to the shop to ensure sanitation standards are being met.**

**Decision: Recommendation Accepted**

**81. Case No.: L15-COS-RBS- 2015010321 (shop)**

**First License Obtained: 01/28/2004**

**License Expiration:** 01/31/2016  
**Complaint history:** None

**82. Case No.: L15-COS-RBS- 2015010331 (owner)**

**First License Obtained:** 08/09/1983  
**License Expiration:** 05/31/2016  
**Complaint history:** None

Respondents received notices of violation pursuant to an inspection, on that date the manager was operating the shop and she had an expired personal license. This is the shop's first violation on 30 years and she has asked the board to reconsider her \$100 fine.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license; allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**83. Case No.: L15-COS-RBS- 2015010351 (owner)**

**First License Obtained:** 10/26/1989  
**License Expiration:** 04/30/2016  
**Complaint history:** None

**84. Case No.: L15-COS-RBS- 2015010361 (manager)**

**First License Obtained:** 12/12/2008  
**License Expiration:** 12/31/2016  
**Complaint history:** None

Respondents received notices of violation pursuant to an inspection. At the time of inspection, the employee respondent's license was expired. The shop was also cited and has settled that case.

**Recommendation: Dismiss against the owner since he already paid a shop fee. Authorize the complaint against the employee for formal hearing. Allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**85. Case No.: L15-COS-RBS- 2015010411 (shop)**

**First License Obtained:** 08/22/2013  
**License Expiration:** 08/31/2017  
**Complaint history:** None

**86. Case No.: L15-COS-RBS- 2015010421 (owner)**

**First License Obtained:** 08/19/2013  
**License Expiration:** 08/31/2017  
**Complaint history:** None

**89. Case No.: L15-COS-RBS- 2015010431 (unlicensed)**

**First License Obtained:** N/A

**License Expiration:** N/A  
**Complaint history:** None

Respondents received notices of violation pursuant to an inspection. At the time of inspection the shop was employing a man who was not licensed by this Board. He is licensed in Alabama and tried to get reciprocity here in 2013 but says he never finished the application.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license, and against the unlicensed employee. Allow authority to settle the matter beforehand with a consent order assessing \$1000 to each respondent.**

**Decision: Recommendation Accepted**

90. Case No.: L15-COS-RBS- 2015010581

**First License Obtained:** 06/30/1999  
**License Expiration:** 11/30/2016  
**Complaint history:** 2005029751, closed by consent order and paid of \$500 civil penalty under a different shop owner

A complaint was filed against eh respondent by a customer. She said he was given a mani/pedi by a man who had warts on his hands. The owner has written counsel and said that man was her husband, that he is under the care of a physician and that he has been told he will not be contagious to customers. He is in the process of having them removed. He will wear gloves in the future until they are all removed.

**Recommendation: Close this case and send an inspector to ensure sanitation standards are being met.**

**Decision: Recommendation Accepted**

91. Case No.: L15-COS-RBS-2015010661 (shop)

**First License Obtained:** 08/13/2008  
**License Expiration:** 07/31/2014  
**Complaint history:** None

92. Case No.: L15-COS-RBS-2015010671 (owner)

**First License Obtained:** 02/11/1973  
**License Expiration:** 11/30/2016  
**Complaint history:** None

Respondents received notices of violation on April 17, 2015 pursuant to an inspection. On that date the shop was open for business with an expired shop license.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle beforehand with consent order assessing \$100.**

**Decision: Recommendation Accepted**

93. Case No.: L15-COS-RBS-2015010681

**First License Obtained:** 06/12/1996

**License Expiration:** 12/31/2015

**Complaint history:** None

The respondent shop received a notice of violation pursuant to an inspection. At the time of inspection there was one employee present who said she was not a manager.

**Recommendation: Dismiss with a letter of warning that the shop must operate with a manager.**

**Decision: Recommendation Accepted**

**94. Case No.: L15-COS-RBS- 2015012111 and 2015012101**

**First License Obtained:** 04/28/2000

**License Expiration:** 09/01/2015

**Complaint history:** 2003137671, Dismissed; 2005018781 & 2005027821, Dismissed; 2010002381,

closed  
no action;  
of Warning;  
consent order and  
civil penalty; 20014018281  
2014018291, closed by signing a consent  
order for the voluntary license suspension;  
2014024371, closed with a Letter of Warning

with no action; 2010017621 with

2010024651 closed w/ Letter

2013016331, closed by

payment of \$750

&

Two complaints were opened administratively by the Board office regarding the cosmetology school license number 77 and the Barber school license number 31 for the following reasons;

On April 10, 2015, the Respondent school Administration submitted monthly hour reports for March student hours. The reports were faxed. Both cosmetology and barber hours were faxed together for a total of six pages. The instructors list included two master barber instructors and two cosmetology instructors. A total of 20 full time and 40 part time students were listed. At least 52 students are for cosmetology disciplines, most of them are manicurist students. A previous complaint specifically about failure to accurately and ethically maintain, report and give hours to students was opened in 2014. This complaint resulted in the cosmetology school license being suspended for about one month. The board reinstated the license with the stipulation that going forward, all monthly hour reports sent to the Board office would be without error.

A previous complaint was also opened against the barber license for poor record keeping and not tracking barber hours accurately. The March hours faxed on April 10, 2015 showed master barber instructors along with cosmetology instructors when in fact they cannot teach the cosmetology disciplines.

Additionally, on March 31, 2015 the board office received a letter from a complainant who is a previous student from Pyramid Beauty School. His letter stated that the hours and attendance information from the respondent were full of errors. These errors resulted in the complainant disputing his records with the Veterans Administration. The mistakes in the records of his attendance and hours caused the VA to attempt to garnish his income. He was able to successfully dispute the records and stop the garnishment. On April 14, 2015 the Board Attorney and the Executive Director,

conducted a telephone interview with the complainant. The Veterans Administration (VA) also conducted a telephone interview of all the allegations he had against the school. He has agreed to testify to the allegations as follows:

1. School held hours hostage and failed to accurately track or report hours on more than one occasion to the VA or to the board office for various reasons.
2. The school owner offered to get additional funds from federal aid when the student had no interest or need for the money. He witnessed this same offer to other veterans and some went ahead and took out money without understanding the implications or needing the money for school purposes. She told some veterans that if they did not sign up for the aid, they would not be able to continue attending the school
3. He witnessed a gun pulled out on the floor when customers were present.
4. That the owner repeatedly made attempts to circumvent the Fire Marshall's code and/or inspections.

The owner from this school has responded. She refutes all allegations. She also says that the complainant in questions was suspended from her school for not attending class. She says he owes her money still for tuition.

**Recommendation: Authorize for this complaint for formal hearing. Allow authority to settle the matter beforehand with a consent order for revocation.**

**Decision: Recommendation Accepted**

**95. Case No.: L15-COS-RBS- 2015013051 (unlicensed)**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

A consumer complaint was filed against the respondent by a past coworker. The complaint alleges that the Respondent, who is a licensed massage therapist, is offering hydra facials, without being licensed by this Board. The respondent contacted legal counsel and stated that she is offering this service, but she thought that since she was an LMT that this allowed her to perform this service. The hydrafacial uses water to clean and exfoliate the surface of the skin. There is no curriculum for LMTs to learn or offer facials by statute at this time.

**Recommendation: Close this case with a letter of warning explain that as an LMT she is exempt from our statute only when she is engaged in practices that are licensed by the LMT Board. Facials are not licensed by that Board.**

**Decision: Recommendation Accepted**

**New Barber Cases**

**96. Case No.: L15-BAR-RBS- 2015008351**

**First License Obtained:** 03/31/2011

**License Expiration:** 03/31/2013

**Complaint history:** 2011008471 & 2012024871 closed with no action and flagged the shop's license

file so that the Board may consider the matters should the Respondent attempt to apply for a license in the future

97. Case No.: L15-BAR-RBS- 2015008361 (owner)

**First License Obtained:** 10/23/1991

**License Expiration:** 07/31/2016

**Complaint history:** None

Respondents received notices of violation pursuant to an inspection. At the time of inspection the shop was open for business and the shop's license was expired.

**Recommendation Authorize the complaints against the owner and shop for formal hearing against the shop license. Allow authority to settle the matter beforehand with consent order for \$100.**

Decision: Recommendation Accepted

98. Case No.: L15-BAR-RBS- 2015005081 (shop)

**First License Obtained:** 04/06/2010

**License Expiration:** 03/31/2016

**Complaint history:** 2013023381, closed by an Agreed Order and payment of \$250 civil penalty and \$200 costs; 2014022841, Closed with a Letter of Warning

99. Case No.: L15-BAR-RBS-2015005082 (licensee)

**First License Obtained:** 12/19/2006

**License Expiration:** 12/31/2016

**Complaint history:** None

Respondents both received notices of violation pursuant to an inspection. At the time of inspection the shop allowed the second respondent to practice on an expired license.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle beforehand with a consent order assessing \$100 to each respondent.**

Decision: Recommendation Accepted

100. Case No.: L15-BAR-RBS-2015005511

**First License Obtained:** 08/29/2006

**License Expiration:** 08/31/2016

**Complaint history:** None

101. Case No.: L15-BAR-RBS-2015005512 (owner)

**First License Obtained:** 06/28/2001

**License Expiration:** 06/30/2017

**Complaint history:** None

Respondent's received notices of violation pursuant to an inspection. The shop is both a cosmetology and barber shop. At the time of inspection the barber shop license had not

been renewed in about 6 months. The owner contacted the office said she had not renewed her barber shop license because she thought that when the boards merged she would only need to renew her cosmetology shop license.

**Recommendation: Authorize both cases for formal hearing against the shop license. Allow authority to settle beforehand with a consent order assessing \$100.**

**Decision: Recommendation Accepted**

**102. Case No.: L15-BAR-RBS-2015006963 (shop)**

**First License Obtained:** 10/21/2008  
**License Expiration:** 10/31/2014  
**Complaint history:** 2011029581, closed with a Letter of Warning; 2012024851, closed with a Cease and Desist letter; 2014005701, formal hearing set

**103. Case No.: L15-BAR-RBS-2015006961 (barber)**

**First License Obtained:** 12/17/1992  
**License Expiration:** 08/31/2015  
**Complaint history:** None

**104. Case No.: L15-BAR-RBS-2015006962 (owner)**

**First License Obtained:** 03/07/2001  
**License Expiration:** 03/31/2015  
**Complaint history:** None

Respondent's received notices of violation pursuant to an inspection. At the time of inspection an employee was working with a customer on an expired license. The shop was operating on an expired license, and there was no owner or manager present.

**Recommendation: Authorize the complaints against the owner and shop for formal hearing against the shop license. Authorize the other two complaints for formal hearing. Allow authority to settle beforehand with a consent order assessing \$100 to each respondent. Include a letter of warning concerning the shop manager to the shop.**

**Decision: Recommendation Accepted**

**105. Case No.: L15-BAR-RBS-2015008631**

**First License Obtained:** 03/15/2013  
**License Expiration:** 02/28/2017  
**Complaint history:** None

Respondent received a notice of violation pursuant to an inspection. On that date the shop the respondent was operating on an expired license. Her master barber license was also expired. She was cited under the shop license as well and has settled that case.

**Recommendation: Dismiss this complaint since she has already been punished under her shop license.**

**Decision: Recommendation Accepted**

**106. Case No.: L15-BAR-RBS-2015009451 (shop)**

**First License Obtained: 02/28/2003**  
**License Expiration: 02/28/2015**  
**Complaint history: None**

**107. Case No.: L15-BAR-RBS-2015009461 (owner)**

**First License Obtained: 01/03/2002**  
**License Expiration: 01/31/2014**  
**Complaint history: None**

Respondents received notices of violation pursuant to an inspection. At the time of inspection the owner, was the only employee in the shop and he was giving a customer a haircut. The shop license was expired and the owner's personal license was expired and suspended.

**Recommendation: Authorize both complaints for formal hearing. Allow authority to settle the matters beforehand with a consent order assessing \$100 to the shop and the \$100 to the personal license.**

**Decision: Recommendation Accepted**

**108. Case No.: L15-BAR-RBS-2015009701 (unlicensed)**

**First License Obtained: N/A**  
**License Expiration: N/A**  
**Complaint history: None**

**109. Case No.: L15-BAR-RBS-201500971**

**First License Obtained: 10/15/1996**  
**License Expiration: 10/31/2016**  
**Complaint history: None**

Respondents received notices of violation pursuant to an inspection. On that date, the shop was not licensed by this board. The owner's personal license was suspended, but it was shown that this suspension was in part because of a mistake made by Child services.

**Recommendation: Dismiss the case against the individual with a letter of warning regarding practicing on a suspended license. Authorize for formal hearing for the complaint against the shop. Allow authority to settle beforehand with a consent order assessing \$250.**

**Decision: Recommendation Accepted**

**110. Case No.: L15-BAR-RBS-2015010061**

**First License Obtained: 01/13/2014**  
**License Expiration: 12/31/2015**  
**Complaint history: None**

Complainant is a past employee of the Respondent. Complainant alleges that after he left his job in November from the respondent shop, that he realized that he left his

license with the shop. He has called the shop on multiple occasions and has even driven the shop's location. He tried speaking with a manager who will not return his phone calls. Four months had past when this complaint was filed and the complainant still did not have their license.

**Recommendation: Issue a letter of warning to the respondent citing unprofessional conduct.**

**111. Case No.: L15-BAR-RBS-2015010131**

**First License Obtained: 12/14/2012**  
**License Expiration: 11/30/2016**  
**Complaint history: 2013018421, closed by consent order and payment of \$1,000 civil penalty**

Respondent shop received a notice of violation for allowing their manager to work with customers without a license posted. The employee did have a valid license at the time of inspection and has settled his complaint with the Board.

**Recommendation: Dismiss with a letter of warning.**

**Decision: Recommendation Accepted**

**112. Case No.: L15-BAR-RBS-2015011001**

**First License Obtained: 09/01/2004**  
**License Expiration: 08/31/2018**  
**Complaint history: 2008015201, closed with no action**

**113. Case No.: L15-BAR-RBS-2015011011**

**First License Obtained: 03/10/2003**  
**License Expiration: 03/31/2009**  
**Complaint history: None**

**114. Case No.: L15-BAR-RBS-2015011021 (unlicensed)**

**First License Obtained: N/A**  
**License Expiration: N/A**  
**Complaint history: None**

Respondents received notices of violation pursuant to an inspection. On that date respondent shop's license and the owners were not current with this board. There was also an unlicensed employee working with a customer. The shop had multiple employees working with customers at the time of inspection.

**Recommendation: Authorize all complaints for formal hearing. All authority to settle beforehand with a consent order to the owner for \$100, a consent order to the shop for \$1000 and a consent order tot the unlicensed person for \$1000.**

**Decision: Recommendation Accepted**

### **Represented Cases**

**115. Case No.: L14-COS-RBS-2015003211**

**First License Obtained:** 12/04/2014  
**License Expiration:** 09/01/2015  
**Complaint history:** 2010027761, Dismissed w/no action

Respondent was sent a Consent order from this office for \$17000 as was authorized by this Board in April 2015. Respondent school did not timely renew their license to practice in September 2014 and continued operating. Respondent also owns a school in Kentucky which has been disciplined for selling hours. Respondent did send in a Response to the Consent order that denies all allegations. The Respondent has shut down their Tennessee school location.

**Recommendation: Close this case since the school is closed. Flag the respondent to appear before the Board in attempt to open a new school or shop.**

**Decision: Recommendation Accepted**

**116. Case No.: L14-COS-RBS- 2014032391**

**First License Obtained:** 03/29/1994  
**License Expiration:** 03/31/2016  
**Complaint history:** None

Owner of this shop was cited for allowing an unlicensed person to work at her shop. She has already paid the \$1000 for her shop license. She has no prior history and has asked if her penalty will be reconsidered.

**Recommendation: Close this case; she has already been sufficiently punished.**

**Decision: Recommendation Accepted**

**117. Case No.: L14-COS-RBS- 2014022831**

**(Manager of the shop)**

**First License Obtained:** 06/27/2014  
**License Expiration:** 06/30/2016  
**Complaint history:** None

Respondent received an agreed citation assessing a civil penalty of \$1000 each pursuant to an inspection on September 9, 2014. Respondent was mistakenly cited as the owner.

**Recommendation: Close this case.**

**Decision: Recommendation Accepted**

**118. Case No.: L14-COS-RBS 2014025851**

**First License Obtained:** 01/07/1998  
**License Expiration:** 01/31/2016  
**Complaint history:** None

Respondent was sent a letter of warning to settle a complaint that was opened because during inspection his shop's license was expired. He has settled the complaint against his shop license with the board. This complaint is against his personal license, for the same violation from the same day.

**Recommendation: Close this case since he has been sufficiently disciplined.**

**Decision: Recommendation Accepted**

**119. Case No.: L15-COS-RBS -2015006491**

**First License Obtained:** 3/18/1994  
**License Expiration:** Revoked  
**Complaint history:** 200207502 dismissed, 2005009111 dismissed, 2006034011 dismissed, 2012011531 closed with a letter of warning and referred to an outside agency, 2013022791 letter of warning, 2014007531 closed with a consent order of license revocation and payment of \$1,000 civil penalty

The Board authorized that a \$5000 consent order be sent to this School at the June Board meeting in response to an investigation that revealed the school had been operating for several months unlicensed. The Inc. that owns this school has since been closed and the school is attempting to re-open under a completely new LLC. The Respondent of the school that this complaint was opened against is no longer operating a school under this Board. The Department has put in every effort to ensure that the new school that is opening will have new management and not be subject to any control from the respondent in this complaint.

**Recommendation: Since this respondent no longer operates a school, close this case with a letter of warning. Flag this respondent to be required to come before the Board if they attempt to officially, or unofficially operate a school that is licensed by this Board.**

**120. Case No.: L15-COS-RBS- 2014025691**

**First License Obtained:** 07/24/2013  
**License Expiration:** 06/30/2015  
**Complaint history:** None

Respondent was sent a consent order in March 2015. The respondent paid the civil penalty but did not sign the CO. Many attempts have been made to contact this respondent for their signature, but all attempts have failed.

**Recommendation: Close and flag this case. If they have another complaint opened against them, reference this case as a part of their history.**

**Decision: Recommendation Accepted**

**121. Case No.: L14-BAR-RBS-2014029161**

**First License Obtained:** 01/24/2008  
**License Expiration:** 01/31/2016  
**Complaint history:** None

Respondent was sent a consent order in March 2015. The respondent paid the civil penalty and signed the shop's consent order, but not her own consent order. Many attempts have been made to contact this respondent for their signature on the proper CO, but all attempts have failed.

**Recommendation: Close and flag this case. If they have another complaint opened against them, reference this case as a part of their history.**

**Decision: Recommendation Accepted**

**122. Case No.: L14-BAR-RBS-2013008331-**

**First License Obtained: 10/22/2010**

**License Expiration: 09/30/2014**

**Complaint history: 2014012481, Formal Charges Authorized**

Respondent shop was sent a consent order in 2012 for operating with an expired license. This case was to be set for litigation. The shop in question is closed, the license is closed in our files and there is currently no shop operating at that location.

**Recommendation: Close and flag both open cases for Board consideration if they attempt to reopen this shop.**

**Decision: Recommendation Accepted**

**123. Case No.: L14-COS-RBS-2013024451-**

**First License Obtained: 06/25/2007**

**License Expiration: 06/30/2015**

**Complaint history: None**

Respondent shop was sent a consent order in 2013 for operating without a manager and for having sanitary violations. This case was to be set for litigation. The shop in question is closed, the license is closed in our files and there is currently no shop operating at that location.

**Recommendation: Close and flag this case for Board consideration if they attempt to reopen this shop**

**Decision: Recommendation Accepted**

**124. Case No.: L14-COS-RBS-2014022221-**

**First License Obtained: 05/04/2001**

**License Expiration: 04/30/2015**

**Complaint history: None**

Respondent shop was sent a consent order in 2014 for a consumer complaint where the complainant was injured during a manicure. This case was to be set for litigation. The shop in question is closed, the license is closed in our files and there is currently no shop operating at that location.

**Recommendation: Close and flag this case for Board consideration if they attempt to reopen this shop**

**Decision: Recommendation Accepted**

**125. Case No.: L14-COS-RBS-2011031831-**

**First License Obtained: 04/15/2011**

**License Expiration: 04/30/2013**

**Complaint history: none**

Complaint was opened by the Board office on 2011 on an allegation that the respondent was selling copies of his licenses. There are no witnesses, no copies and no

other individuals have been found using his license. The Board office employee who reported the allegation did not record where this allegation came from, and no longer works for the Department.

**Recommendation: Dismiss this case.**

**Decision: Recommendation Accepted**

**126. Case No.: L14-COS-RBS-2014015891**

**First License Obtained: 08/20/2012**

**License Expiration: 08/31/2016**

**Complaint history: None**

The respondent was sent a consent order for working with a posted copy of his license and not his license. Further investigation shows that he was properly licensed at the time of violation and that there are no other individuals found using this license.

**Recommendation: Close this case with a letter of warning.**

**Decision: Recommendation Accepted**

**127. Case No.: L15-COS-RBS- 2014030251 (unlicensed)**

**First License Obtained: n/a**

**License Expiration: n/a**

**Complaint history: None**

Respondent was sent a consent order for unlicensed activity. Many attempts have been made to contact this respondent for their signature, but all attempts have failed. Several searches have been conducted and so far it appears that the Respondent gave the inspector fake information at the time of citation.

**Recommendation: Close and flag this case. If they have another complaint opened against them, reference this case as a part of their history.**

**128. Case No.: L15-COS-RBS- 2015016001 (unlicensed)**

**First License Obtained: N/A**

**License Expiration: N/A**

**Complaint history: None**

**129. Case No.: L15-COS-RBS- 2015015991**

**First License Obtained: 10/21/2011**

**License Expiration: 10/31/2017**

**Complaint history: None**

**130. Case No.: L15-COS-RBS- 2015015981**

**First License Obtained: 08/23/2011**

**License Expiration: 08/31/2017**

**Complaint history: None**

**131. Case No.: L15-COS-RBS- 2015012231**

**First License Obtained: 07/20/2010**

**License Expiration: 06/30/2016**

**Complaint history:** None

**132. Case No.: L15-COS-RBS- 2015012261**

**First License Obtained:** 11/21/2000

**License Expiration:** 11/30/2016

**Complaint history:** None

All Respondents paid and signed agreed citations after their complaints had been referred to legal.

**Recommendation: Close these cases.**

**Decision: Recommendation Accepted**

**133. Case No.: L15-COS-RBS- 2014012191 (unlicensed)**

**First License Obtained:** N/A

**License Expiration:** N/A

**Complaint history:** None

The respondent was sent a consent order for working with a posted copy of his license and not his license. Further investigation shows that he was properly licensed at the time of violation and that there are no other individuals found using this license.

**Recommendation: Close this case with a letter of warning.**

**Decision: Recommendation Accepted**

**134. Case No.: L14-COS-RBS- 2014027821**

**First License Obtained:** 08/08/1997

**License Expiration:** 07/31/2016

**Complaint history:** None

The respondent was sent a consent order for working on an expired shop license. Respondent called counsel and stated that he received a letter from the department regarding his shop license renewals that his payment was not process due to an administrative error which prevented him from receiving his shop license timely.

**Recommendation: Close this case with a letter of warning.**

**Decision: Recommendation Accepted**

**135. Case No.: L14-COS-RBS- 20150015611**

**First License Obtained:** 5/23/2006

**License Expiration:** 5/31/2016

**Complaint history:** none

Respondent paid and signed agreed citation after their complaint had been referred to legal.

**Recommendation: Close this case.**

**Decision: Recommendation Accepted**

MOTION made by Amy Tanksley and seconded by Patricia Richmond for approval of the Legal Report as amended. Motion carried unanimously.

The meeting adjourned at 8:55 AM.

As a whole, the board discussed the recommendations and decisions.

MOTION made by Bobby Finger and seconded by Mona Sappenfield for approval of the Legal Report as amended. Motion carried unanimously.

Legal Counsel for the board, Laura Martin presented a paper version of the Rules previously submitted for final approval to the Attorney General's Office. These Rules were returned for clarification of one item. Laura gave the board specific instructions of what they needed to do and what language the Attorney General's Office changed. The board read the documents. Laura answered questions.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield for approval of the revised rules as written. Motion carried unanimously by roll call.

Ms. Martin also presented the board with a paper version of the current proposed rules. Most of the items on this next round are a result of rules needed to implement the 2015 law changes, items the rule making committee has been working on and suggestions from legal counsel or the Executive Director. The board was asked to take them home to work on. They were instructed of the importance that draft rules not be shared and always be viewed as work product.

**Cosmetology Consent Orders – June and July - Totaling \$50,050.00**

MOTION made by Nina Coppinger and seconded by Judy McAllister for approval of all consent orders. Motion carried unanimously.

**Agreed Citations – Paid in June and July \$28,150.00**

MOTION made by Judy McAllister and seconded by Patricia Richmond for approval Agreed Citations paid and close the complaints. Motion carried unanimously.

**Agreed Citations – Letters of warning**

The following 2 case numbers were sent letters of warnings as part of the agreed citation process:

201501708

201501709

MOTION made by Judy McAllister and seconded by Patricia Richmond for approval of the letters and to close the complaints Motion carried unanimously.

## **NEW BUSINESS**

### **2015 Continued Education Seminars:**

The 2015 approved continued education seminars have been going strong. Evaluations have been received in the board office from the providers that have completed their sessions and for the most part they look great. The board is always welcome to request to see them given that we don't print the results, we save them electronically.

Unfortunately, one of the things that came up this year is that several of the education providers have changed dates, locations or even cancelled sessions. A total of five sessions have been affected so far and this impacts instructors plans, board members scheduled to attend PSI and the board office. The board will be considering 2016 session at the November board meeting. The rules and laws do not clearly stipulate the requirements so legal counsel for the board and the Executive Director have drafted some additional proposed language to add in the current rules being worked on to make these commitments a bit more solid and professional.

### **New School Application Forms:**

The board office has been busy updating letter heads, email signatures and various templates to include the States new logo and new standard formats. No special approvals will be requests to the dozens of items that have been updated, if the only change has to do with layout, font, logo or cosmetic in nature. However if there is a substantive change, the board will need to review the forms and approve.

A new cosmetology school application and a new barber school application were presented to the board for approval. The old forms had not been updated in a couple of decades. The new forms look very similar to the shop applications. The cosmetology application had to be revised because schools no longer require bonds and that was all of page two.

MOTION made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve both application forms. Motion carried unanimously.

**Report with possible new renewal fees:**

As presented previously by the Deputy Commissioner to the board, we have been entrusted with consideration of raising the fees for the licensees of this board. A report was emailed and handed to every board member so they could look at the numbers and consider presented.

MOTION made by \_\_\_\_\_ and seconded by \_\_\_\_\_ to approve the board office to send letters authorizing postsecondary education to each of the schools listed above. Motion carried unanimously

**Sunset Hearing:**

Chairman Ron Gillihan, Assistant Commissioner Brian McCormack, Deputy General Counsel Michael Driver and Executive Director Roxana Gumucio all attended the Sunset Hearing on June 18, 2015. The Committee asked questions and was in general very complimentary of the changes and progress achieved so far. They approved to board to continue operations. We will be expected to do a Q&A in two years to bring the legislative offices up to date with the changes and progress.

Clarification of item presented in June: The last school presented in compliance with Public Chapter 863 and 818 to the board at the June 1<sup>st</sup> board meeting was The Salon Professional Academy, located in Nashville. The documents presented to the board and what was approved and subsequently mailed a letter is the Salon Professions. However, during the board meeting the executive Director stated a different schools name was stated out loud in error.

A reminder to all board members that any time need to be reimbursed for per diem or travel expenses those items must be turned in timely. Human Resources has emphasized that payment of expenses after the pay period are exceptions, they require additional work and justifications and should be avoided at all costs. Board members were encouraged to send emails immediately after attending a continued education session where they represented the board and needed to be reimbursed, inspected a school or any other time.

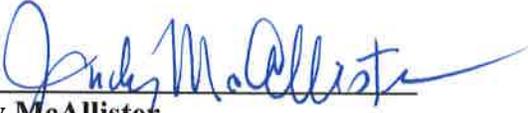
**Additional Questions:**

**Motion to adjourn**

MOTION to adjourn made by Bobby Finger and seconded by Judy McAllister. Motion carried unanimously.

\_\_\_\_\_  
**Dianne Teffeteller**

\_\_\_\_\_  
**Nina Coppinger**

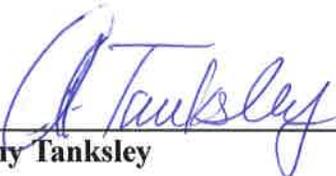
  
\_\_\_\_\_  
**Judy McAllister**

  
\_\_\_\_\_  
**Kelly Barger**

  
\_\_\_\_\_  
**Patricia J. Richmond**

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**Mona Sappenfield**

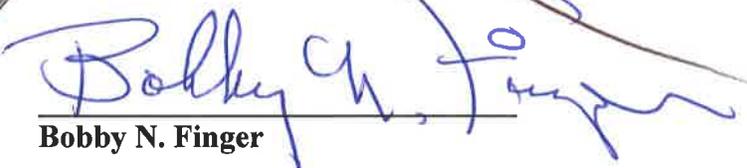
  
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**Frank Gambuzza**

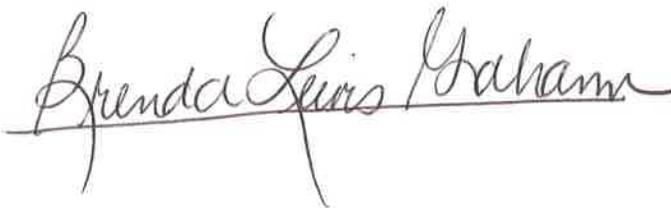
  
\_\_\_\_\_  
**Amy Tanksley**

  
\_\_\_\_\_  
**Anita Allen**

  
\_\_\_\_\_  
**Yvette Granger**

  
\_\_\_\_\_  
**Ron R. Gillihan**

  
\_\_\_\_\_  
**Bobby N. Finger**

  
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