

THE STATE OF NEW HAMPSHIRE  
BARBERING, COSMETOLOGY & ESTHETICS BOARD  
CONCORD, NEW HAMPSHIRE

In the Matter of:  
Thi Nhat Van  
Personal Cosmetology License No. 23517  
Shop License N. 3218  
(Adjudicatory Proceedings)

**SETTLEMENT AGREEMENT**

1. On March 7, 2014, the New Hampshire Board of Barbering, Cosmetology and Esthetics filed an Order of Emergency License Suspension and Notice of Hearing relating to a shop licensee Thi Nhat Van for a nail salon business located at 49 Fort Eddy Road, Concord, New Hampshire. The business is known as Jade Nails.

2. The Emergency Order stated among other things that an employee of the shop that had performed a manicure upon a customer and failed to follow the proper blood disposition procedure following a cut on the customer's cuticle. It is alleged that the failure of the employee to comply with the regulation may have contributed to an infection for which the customer later received treatment. In addition, a shop inspection was conducted on March 5, 2014 by Inspector Beulah Stockman. As a result of the inspection, she found numerous deficiencies regarding the cleanliness of the facility and that proper sanitation and disinfection procedures were not being followed by employees.

3. The manager and present owner of the facility is Katie Vong. Ms. Vong is divorced from the licensee Thi Nhat Van and was awarded under the terms of her divorce all interest in the Jade Nail Salon. In 2012, Ms. Vong created a New Hampshire Corporation called Katie's Jade Nails, Corp. She has been operating the business in the corporate form since that time. She was not aware until speaking with counsel that the present license in the name of Thi Nhat Van should be changed to the corporate name. She is prepared to do so at this time and will complete the proper procedure for doing so immediately and that all further proceedings under the terms of this settlement agreement shall apply to Katie Vong as a Personal Licensee and Katie's Jade Nails, Corp. as the Shop Licensee.

4. On March 11, 2014, a follow-up inspection was conducted by Inspector Beulah Stockman. The Board should have a copy of the report. It essentially confirms that the shop is presently up to all cleanliness standards required by the state statute and the rules and regulations of the Board.

5. So as to prevent the reoccurrence of any violations related to sanitation at the Jade Nail shop, Katie Vong agrees to the following and understands that her agreement may be enforced as an order of this Board.

a. Katie Vong and Katie's Jade Nails, Corp. shall secure the services of a certified instructor of a teaching facility for this type of business to conduct an on-site Continuing Education class for all employees, owners and managers of the salon regarding the sanitation and disinfection and general

cleanliness issues. The continuing education shall also include a review of the procedures required by the Rules of this Board in dealing with an blood disposition cases regarding customers to include the proper first aid treatment and disinfection of the work areas and instruments following such an accident. The cost of the continuing education class shall be born by the licensee.

b. The continuing education shall take place at the Jade Nail salon while the salon remains closed and all employees must be present. Following the completion of the continuing education program, the licensee and all employees shall submit to and pass the Infection Control Procedures test to be conducted at the Board office. Katie Vong shall contact the Executive Director of the Board to set up the date and time for the test. In addition, the teacher who conducts the continuing education program shall submit a list of the names and personal license numbers of all individuals who attended the program.

c. Katie Vong intends to hire a separate, non-licensed individual who will be responsible for the general cleanliness of the salon to include the floors, furniture and work stations as well as all other areas of the salon.

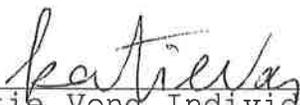
d. Katie's Jade Nails agrees to pay the administrative fine imposed as a result of the March 5, 2014 inspection in the amount of \$951.00 within thirty (30) days of this agreement.

6. Katie's Jade Nails, Corp. is placed on probation for a

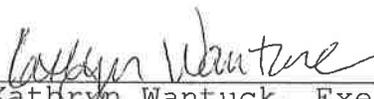
period of two (2) years. During this probationary period, the business shall not have any cleanliness violations of the Board's Rules and Regulations. It shall be subject to inspections at such times as the inspector deems appropriate. Should the Executive Director find that such violations are of such a nature that may constitute a violation of the terms of this agreement, then a hearing shall be scheduled before the Board to determine if further sanctions shall be imposed upon the licensee.

7. Katie Vong has completed the transfer of ownership forms and provided evidence of ownership such that the license will be held in the name of Katie's Jade Nails, Corp. doing business as Jade Nails which corporation shall be bound by the terms and conditions of this agreement.

March 14, 2014

  
Katie Vong Individually and as  
President of Katie's Jade Nails,  
Corporation

March 14, 2014

  
Kathryn Wantuck, Executive Director  
New Hampshire Board of Barbering,  
Cosmetology and Esthetics.