



**State of New Hampshire**  
**OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION**  
**DIVISION OF LICENSING AND BOARD ADMINISTRATION**  
**Board of Barbering, Cosmetology and Esthetics**  
7 Eagle Square, Concord, NH 03301-2412  
Phone: 603-271-2152

**PUBLIC MINUTES**  
**Monday, November 28, 2022**

The November 28, 2022, Board meeting was called to order at 9:12 a.m. at 7 Eagle Square, Concord, NH with the following members present:

Jeanne Chappell, Chair, School Owner Member  
Kimberly Hannon, Vice Chair, Cosmetologist Member–In attendance until approximately 3:57p.m  
Sarah Partridge, Public Member  
Joshua Craggy, Barber Member  
Anne Dalton, Manicure Member  
Donna Woodsom, Esthetic Member  
Talia Wilson, Board Administrator  
Tracey Pappas, Board Administrator  
Sherri Philips, Board Counsel

The below times are notated for breaks taken by the Board

11:18am – Returned at 11:33am

12:34pm - Returned at 12:42pm

2:19pm - Returned at 2:32pm

The Board commenced a non-meeting to confer with Board Counsel at the below noted time

1:21pm - Returned at 1:38pm

**MINUTES**

The Board approved the public minutes of October 17, 2022, as written on a motion from Sarah Partridge and seconded by Kimberly Hannon, the motion passes with a roll call vote.

**HEARINGS**

**Motion:**

To accept Shane Goulet as Presiding Officer

Motion moved by Jeanne Chappell and motion seconded by Joshua Craggy. Motion passes with roll call vote



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**Sunshine Nails 22-BAR-0011**

**Sunshine Nails 22-BAR-0020**

Hearings Officer: Shane Goulet

Hearing Counsel: John Garrigan

Witnesses: Lisa Nikitas

Sandra Hodgdon

Respondant: Luu Cao

Interpreter: Ms. Thuy Truong-Brenot

Hearing commenced at 9:44am. Attorney John Garrigan moved to consolidate the hearings for Sunshine Nails for expediency. Hearings Officer Goulet granted the motion. Attorney Garrigan called Lisa Nikitas as a witness to describe the nature of the complaint she submitted in reference to the services she was provided at the establishment. Ms. Nikitas alleged she was cut on the heel of her foot with a cheese grater type implement. Attorney Garrigan then called Sandra Hodgson who gave testimony regarding past inspections where violations were found. Respondent Luu Cao gave testimony through Interpreter: Ms. Thuy Truong-Brenot and answered questions from the Board. Hearing closed at 11:15am. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met his burden of proof that the Licensee has committed professional misconduct. On a motion by Jeanne Chappell and second by Sarah Partridge, the Board voted unanimously to suspend Ms. Cao's Manicure license and Sunshine Nails shop license pending completion of the terms as outlined in the final decision and order. Impose an administrative fine of \$500.00 be paid in full in 30 days and a fine of \$5,690 to be paid in full in 180 days, and 3 years probation with any violation of the Boards rules relating to sanitation and hygiene over 100 points shall constitute misconduct and 10 hours of programs of continued education in the areas of sanitation, sterilization, and disinfection control to be completed within thirty 30 days and complete a in person first aid course.



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**Anna Nails 22-BAR-0017**

Hearings Officer : Shane Goulet

Hearing Couse: Collin Philips

Witnesses: Sandra Hodgdon

Shannon Avery

Respondant: Thuy Tran Nguyen

Hearing commenced at 11:34am. Attorney Collin Philips had no objections to the Respondent's exhibits except for the online reviews that were submitted. Hearing Officer Goulet ruled that they would be allowed for submission to the Board. Attorney Philips called inspectors Shannon Avery and Sandra Hodgdon for testimony regarding violations found during inspection of the shop.

Respondent Thuy Tran Nguyen gave testimony and answered questions from the Board. Hearing closed at 12:30pm. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met his burden of proof that the Licensee has committed professional misconduct. On a motion by Kimberly Hannon and second by Sarah Partridge, the Board voted unanimously to suspend Ms. Nguyen's Manicure license and Anna Nails shop license pending completion of the terms as outlined in the final decision and order. Impose an administrative fine of \$500.00 be paid in full in 30 days and a fine of \$1,838 to be paid in full in 180 days, and 3 years probation with any violation of the Boards rules relating to sanitation and hygiene over 100 points shall constitute misconduct and 10 hours of programs of continued education in the areas of sanitation, sterilization, and disinfection control to be completed within thirty 30 days.

**GT Nails 22-BAR-0015**

Hearings Officer: Shane Goulet

Hearing Counsel: Collin Philips

Respondant: Dao Pham

Prior to the hearing starting it was discovered that the respondent(s) who appeared for the hearing was not Dao Pham in which the hearing notice was sent to. Attorney Philips requested a continuance until the matter into who the actual owner of the shop is could be researched. Hearing Officer Goulet granted the motion to continue.



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**NT Nails & Spa 22-BAR-0016**

Hearings Officer: Shane Goulet  
Hearing Counsel: Marissa Schuetz  
Witnesses: Sandra Hodgdon  
Respondant – Thanh Thuy Nguyen

Hearing commenced at 12:55pm. Attorney Marissa Schuetz called inspector Sandra Hodgdon for testimony regarding violations found during inspection of the shop. Respondent Thanh Thuy Nguyen gave testimony and answered questions from the Board with her daughter Tsu Nguyen Tao assisting. Hearing closed at 1:21pm. After reviewing all the documentary evidence, in non-public session, drawing all reasonable inferences therefrom, and taking into account the presentation and demeanor of all the witnesses, the Board finds that Hearing Counsel has met her burden of proof that the Licensee has committed professional misconduct. On a motion by Anne Dalton and second by Sarah Partridge, the Board voted unanimously to suspend Ms. Nguyen's Manicure license and Anna Nails shop license pending completion of the terms as outlined in the final decision and order. Impose an administrative fine of \$500.00 be paid in full in 30 days and a fine of \$2,343 to be paid in full in 180 days, and 3 years probation with any violation of the Boards rules relating to sanitation and hygiene over 100 points shall constitute misconduct and 10 hours of programs of continued education in the areas of sanitation, sterilization, and disinfection control to be completed within thirty 30 days.

**OLD BUSINESS**

**A. Prometric updated Cosmetology and Instructor content released July 2022**

The Board reviewed submitted content and requested a side-by-side comparison of the past exam and the new exam with changes. Administrator Wilson will request this for Board review at an upcoming meeting.

**ENFORCEMENT**

None

**NEW BUSINESS**

**A. Prometric 2023 exam dates**

The Board acknowledged the submitted 2023 exam dates

**B. Kettia Fenestor - Request for Instructor Exam**



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**C. Rebecca Locke - Request for Instructor Exam**

**D. Amelia Woodman - Request for Instructor Exam**

The Board approved the above requests to take the instructors exam on a motion by Jeanne Chappell and seconded by Donna Woodsom

**E. Isis Colindres - Manicurist Application - Out of Country Education**

The Board reviewed the above application for Colindres and after discussion on a motion by Sarah Partridge and seconded by Jeanne Chappell the Board voted to schedule a show cause hearing to get further clarification on the education and experience documents that were submitted.

**F. Luciana Gabriel - Cosmo Application – Out of country education**

**G. Quang Hien Nguyen - Manicurist Application - Waive high school diploma requirement**

**H. Pamela Fortin - Cosmo Application - Waive transcript requirement**

**I. Amber Thoms - Cosmo Application – Waive transcript requirement**

The Board approved the applications for Gabriel, Nguyen, Fortin, and Thoms above on a motion by Jeanne Chappell and seconded by Sarah Partridge.

**J. Jessica Poitras - Institute of Justice**

The Board heard Jessica Poitras regarding upcoming proposed legislation to add additional exemptions to statute, including blow dry styling, make up application, and threading. The proposed legislation would also remove the requirement of a booth license. The Boards primary concerns were how the Board would be able to protect the public if they were not able to conduct inspections, as the Board would have no jurisdiction over the individuals providing these services because they would not be licensees of the Board. In addition, how this would negatively effect those who did spend the time and money to receive training and obtain licensure.

**K. Review Fitzpatrick scale for accuracy**

The Board voted on a motion from Sarah Partridge and seconded by Jeanne Chappell to table the above item to an upcoming meeting

**LAWS AND RULES**

Discussion on Board Rules that need to be updated and added

The Board voted on a motion from Sarah Partridge and seconded by Jeanne Chappell to table the above item to an upcoming meeting.



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Motion to commence non-public session: 2:32pm

On the motion of Joshua Craggy, seconded by Sarah Partridge the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. The Board returned to public session at 3:59 pm. on the motion of Sarah Partridge and second by Jeanne Chappell.

Motion to commence non-public session: 4:24pm

On the motion of Joshua Craggy, seconded by Sarah Partridge the Board voted to conduct a non-public session for the purpose of discussing investigations of alleged licensee misconduct and noting that such a non-public session is authorized by RSA 91-A: 3, II (c), RSA 91-A: 3, II (e), RSA 91-A: 5, IV, *Lodge v. Knowlton*, 119 N.H. 574 (1978), and the Board's executive and deliberative privileges. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present. The Board returned to public session at 4:29 pm. on the motion of Sarah Partridge and second by Joshua Craggy.

Motion to keep minutes of non-public session confidential:

Upon the motion of Sarah Partridge, seconded by Joshua Craggy, the Board voted to withhold and seal all the minutes of the preceding non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect adversely the reputation of a person other than a Board member and to render the proposed action ineffective. Each member recorded his or her vote on the motion, which passed by the unanimous vote of all members present.

**Adjournment**

Jeanne Chappell made a motion to adjourn at 4:30 pm. Sarah Partridge seconded; motion passes with a roll call vote.