

STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION
BOARD OF BARBERING, COSMETOLOGY & ESTHETICS

7 EAGLE SQUARE, CONCORD, NH 03301-4980
Telephone: 603-271-2152
TDD Access: Relay NH 1-800-735-2964
www.oplc.nh.gov

PUBLIC MINUTES
Tuesday July 11, 2023

The July 11, 2023, Board meeting was called to order at 9:00 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

Sarah Partridge, Public Member

Donna Woodsom, Esthetic Member

Joshua Craggy-Barber Member – arrived at approximately 10:01am

Talia Wilson, Senior Board Administrator

Teresa Boyer, Board Administrator

Elizabeth Eaton, Board Counsel

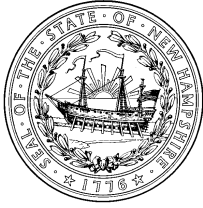
The below times are notated for when the Board took breaks from session.

12:05pm to 12:15pm

I. MINUTES

II. PUBLIC APPEARANCES

None



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III. HEARINGS

A. Ideal Nails – Disciplinary Adjudicatory

Hearings Officer: Nik Frye

Hearing Counsel: John Brown- DOJ

Witness(s): Shannon Avery, OPLC Inspector

Respondent: Jack Le

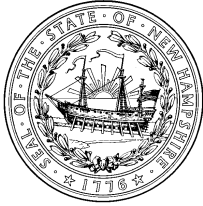
Hearing commenced at 10:52 am. Attorney John Brown called Inspector Shannon Avery as a witness who gave testimony regarding a routine inspection that occurred on November 9, 2022. During her inspection multiple violations were found to include a rasp file, shop licensed to be expired since 2022 and no licensed manager at the time of the inspection.

The Respondent Jack Le testified that he had a licensed manager at the Salon that had contracted covid and they did not return to work. Mr. Le had accountants to perform accounting duties for the Salon and was not notified of his expired licenses. Mr. Le also testified he has not tried to renew his Salon license since his inspection on November 9, 2022, because he was travelling back and forth to Texas. He wasn't at the Salon much and could not keep up with changes and updates due to managing his business in Texas. Mr. Le explained that he had hired a company to come to clean and disinfect the shop. He demonstrated to the Board his processes for cleaning the spa chairs with 99% alcohol which contains no EPA disinfectant. Mr. Le did acknowledge he is unaware of the cleaning process for his shop. He orders all supplies for the Salon on the advice of his receptionists of what is needed. Mr. Le was unaware of MMA not being allowed to use in New Hampshire.

Attorney Brown recommended to the Board they have the authority to impose a cease-and-desist order to close shop and a fine to match the points cited in the inspection report of \$3,655.

Hearing closed at 12:05pm.

After reviewing all documentary evidence in non-public session, drawing all reasonable inferences therefrom the Board finds that Hearing Counsel has met his burden of proof and voted to impose discipline as contained in the order published on the Board's website.



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B. Venice Nail – Continued

C. Inspirations Day Spa – Continued

D. Red Persimmon – Continued

E. Tyson Nails – Disciplinary Adjudicatory

Hearings Officer: Nik Frye

Hearing Counsel: John Garrigan

Witness(s): Sandra Hodgdon, OPLC Chief Inspector

Respondent: Ty Mai

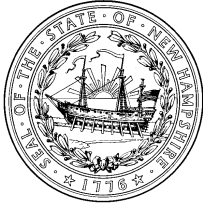
Hearing commenced at 9:48am. Attorney John Garrigan requested to submit offer of proof and called Inspector Sandra Hodgdon as a witness and gave testimony that the submitted finding of facts were accurate.

Respondent Ty Mai testified that the salon has been remodeled since the inspection and agreed that the salon had been dirty at the time of inspection. Mr. Mai said he is scheduled to take a class in sanitation and disinfection at a school in Manchester, N.H. on July 15, 2023. Mr. Mai testified all pedicure chairs are assigned and rinsed and new liners applied after each client. Mr. Mai requested to be given an advanced notice if the shop license is going to be suspended in order to reschedule appointments.

Attorney Garrigan recommended sanctions for shop license be suspended pending continued education and passing a shop reinspection, probation for 2 years. In addition, requested that if the Board suspends that the suspension notice be hand delivered.

Hearing closed at 10:21am.

After reviewing all documentary evidence in non-public session, drawing all reasonable inferences therefrom the Board finds that Hearing Counsel has met his burden of proof and voted to impose discipline as contained in the order published on the Board's website.



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Motion to commence non-public session: 12:15 pm

On the motion of Jeanne Chappell, seconded by Kimberly Hannon 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.

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 proceeding 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

Joshua Craggy made a motion to adjourn at 2:24 pm Jeanne Chappell seconded, motion passes with a roll call vote.