

**STATE OF NEW HAMPSHIRE
OFFICE OF PROFESSIONAL
LICENSURE AND CERTIFICATION**

BOARD OF BARBERING, COSMETOLOGY AND ESTHETICS

In Re: Raquel Del Rocio Peralta
Applicant for Reciprocal Licensure as a
Cosmetologist

Docket No.: 23-BAR-023

NOTICE OF DECISION DATED 12/14/2023

Enclosed please find a copy of the Board's Order dated 12/14/2023 relative to:

HEARING FINAL DECISION AND ORDER

MOTIONS/PETITIONS FOR RECONSIDERATION OR REHEARING:

Pursuant to N.H. Code Admin. R. Plc 206.29(a) ("Rules") and RSA 310:14, II, motions/petitions for reconsideration or rehearing shall be filed within 30 calendar days after service of a final adjudicative order. Pursuant to Rule 206.29(b), the Motion/Petition shall: 1) clearly identify points of law or fact that the movant asserts the Board and/or Presiding Officer has overlooked or misapprehended; 2) contain such argument in support of the motion as the movant desires to present; and 3) be served by the movant on all other participants in accordance with Rule 206.11. Pursuant to Rule 206.29, no answer to a motion/petition for reconsideration or rehearing shall be required, but any answer or objection filed shall be delivered to the Presiding Officer's Office within 5 working days following receipt of service of the motion/petition for reconsideration. Pursuant to RSA 541:5, upon the filing of such motion/petition for rehearing or reconsideration, the Board or Presiding Officer shall within ten days either grant or deny the same, or suspend the order or decision complained of pending further consideration, and any order of suspension may be upon such terms and conditions as the Board or Presiding Officer may prescribe.

RIGHT TO APPEAL:

Pursuant to RSA 310:14, III, appeals from a decision on a rehearing and/or motion for reconsideration shall be by appeal to the New Hampshire Supreme Court pursuant to RSA 541. Pursuant to RSA 541:6, within 30 days after the application for a rehearing is denied, or, if the application is granted, then within thirty days after the decision on such rehearing, the applicant may appeal by petition to the New Hampshire Supreme Court. Pursuant to RSA 310:14, III, no sanction shall be stayed by the Board during an appeal.

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FINAL ORDER ON APPLICATION

I. ATTENDEES

Jeanne Chappell, Board Chair
Sarah Partridge, Board Member
Donna Woodsom, Board Member
Joshua Craggy Board Member
Shane D. Goulet, Esq. Hearings Examiner and Presiding Officer
Elizabeth Eaton, Esq. Board Counsel
Talia Wilson, Board Administrator
Terry Boyer, Board Administrator
Raquel Del Rocio Peralta, Applicant
Greschka Dragos, Spanish Interpreter

II. CASE SUMMARY/PROCEDURAL HISTORY:

On 05/22/23 the New Hampshire Board of Barbering, Cosmetology and Esthetics (“Board”) received a completed application for licensure as a cosmetologist from Raquel Del Rocio Peralta (“Applicant”). After reviewing the application at its 06/26/23 regular meeting, the Board determined it needed further clarification from the Applicant concerning certain documents submitted with her application, including the multiple temporary work permits, before determining if the licensing requirements of her home state are equivalent to or greater than New Hampshire’s. The Board therefore

voted to initiate an adjudicative proceeding to determine whether the Applicant meets the requirements of reciprocal licensure as required by rule. A final hearing was held on 10/16/2023. This Final Order follows.

III. CONDUCT OF THE HEARING, EVIDENCE PRESENTED AND DISCUSSION:

The Applicant appeared in person for the hearing and was sworn in under oath to testify by and through an interpreter. The sole issue before the Board was:

Whether, pursuant to RSA 313-A:14, the Applicant can demonstrate that the licensing requirements where she is currently licensed are substantially equivalent to or higher than those of New Hampshire, and that she has provided all required documentation. See N.H. Code Admin. R. Bar 304.01(d), (e), (f)(1) and (3), (g), and (h).

See NOH at II (c), 1.

The Presiding Officer took administrative notice of the Licensee's Application and further submissions. The Applicant testified that she received her education at Colombian Academy of Beauty in Ecuador. The Board reviewed the Applicant's translated documentation which further evidenced the Applicant's qualifications. The Board found the Applicant's testimony to be commensurate with her translated documentation.

The Board concludes that the Applicant has demonstrated by a preponderance of the evidence that the requirements which resulted in her licensed status in Ecuador were substantially similar to the requirements for a manicurist license in the State of New Hampshire.

IV. ORDERS:

The Applicant's application to become licensed as a cosmetologist in the State of New Hampshire is GRANTED.

DATED: 12/14/2023

_____/s/ Shane D. Goulet, Esq._____
Shane D. Goulet, Esq., Hearings Examiner

Authorized Representative of the Board of
Barbering, Cosmetology and Esthetics-
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