STATE OF IOWA
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES EXAMINERS

IN THE MATTER OF:	)	
	)	NOS: 02-044 and 03-067
HOT NAILS	)	
License No. 002-009206,	)	**STATEMENT OF CHARGES**
	)	
RESPONDENT	)	

Hot Nails
% Huyen Hoang, Owner
5508 Blairs Forest Way
Cedar Rapids, Iowa 52402

TO THE ABOVE NAMED RESPONDENT:

1. On or about December 12, 2002, the Iowa Board of Cosmetology Arts and Science Examiners (Board) issued cosmetology salon license number 002-009206 to Respondent. Board records show that Huyen Hoang is the owner of Respondent Hot Nails. Respondent's last known address is 5508 Blairs Forest Way, Cedar Rapids, Iowa 52402.

2. Licenses issued by the Board are subject to the laws of the State of Iowa and the administrative rules promulgated by the Board.

3. The penalties authorized under Iowa law which the Board may impose against any licensed cosmetology salon found to have engaged in prohibited conduct include imposition of a civil monetary penalty up to $1,000 and/or revocation of the licensee's cosmetology salon license. See Iowa Code sections 157.9, 272C.3 (2003) and 645 Iowa Administrative Code (IAC) rules 13.1 and 65.3.

4. Pursuant to Iowa Code chapters 17A, 157, and 272C (2003), the Board has jurisdiction of this matter.

COUNT I

5. Respondent is charged with employing individuals to practice cosmetology arts and sciences without a license in violation of Iowa Code section 157.13.

CIRCUMSTANCES

6. During an inspection of Respondent salon on December 11, 2003, two persons in Respondent salon were indicated to the person conducting the inspection to be employed by Respondent salon to perform nail technology services.

7. Employee #1 was not licensed to provide nail technology services in the state of Iowa.

8. Nail technology is a cosmetology arts and sciences practice pursuant to Iowa Code section 157.1(3). Iowa Code section 157.13 prohibits the employment of an individual to practice cosmetology arts and sciences unless that individual is licensed. Pursuant to 645 IAC rule 65.2(28), Respondent salon may be disciplined for engaging in such conduct.

COUNT II

Respondent is charged with the failure to display required licensing documentation for a licensee in violation of 645 IAC rules 63.3(2).

CIRCUMSTANCES

9. During an inspection of Respondent salon on December 11, 2003, two persons in Respondent salon were indicated to the person conducting the inspection to be employed by Respondent salon to perform nail technology services.

10. During the inspection, it was discovered that Respondent salon failed to visibly display a certificate of licensure certifying that Employee #2 was licensed to provide nail technology services.

11. Pursuant to Iowa Code sections 147.55 and 157.9 and 645 IAC rule 65.2(13), a license issued by the Board is subject to discipline if a licensee violates a rule promulgated by the Board.

FINDING OF PROBABLE CAUSE

On February 4, 2004, the Board found probable cause to file this Statement of Charges and to order a hearing set in this case.

This Statement of Charges is approved by the board on May 5, 2004.