BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF:  
LA Nails and Spa  
License No. 103610  
and  
Tommy Bao Nguyen, owner  
License No. 01692  
and  
Marie Y Huynh, owner  
License No. 01589  
Respondents.  

Case No. 11-016

STIPULATION AND CONSENT ORDER

Pursuant to Iowa Code § 17A.10 and 272C.3(4) (2013), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Tommy Bao Nguyen, Marie Y Huynh, and LA Nails and Spa (hereinafter, "Respondents"), enter into the following Stipulation and Consent Order settling a disciplinary proceeding pending before the Board.

Allegations specified in a Statement of Charges against Respondents shall be resolved without proceeding to hearing, as the Board and Respondent stipulate as follows:

1. Respondent, Tommy Bao Nguyen, was issued individual Iowa Cosmetology license no. 01692 (expires 03/31/2014) and shop license no. 103610 (expires 12/31/2014).

2. Respondent, Marie Y Huynh, was issued individual Iowa Cosmetology license no. 01589 (expires 03/31/2015) and shop license no. 103610 (expires 12/31/2014).
3. The Board found probable cause to file charges on or about October 3, 2011 and subsequently filed A Notice of Hearing and Statement of Charges against Respondents.

4. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.

5. Respondents chose not to contest the allegations set forth in the Notice of Hearing and Statement of Charges and acknowledge that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

6. On the date of the Board's approval of this Stipulation and Consent Order, Tommy Bao Nguyen shall be assessed a civil penalty in the amount of $500 on his individual license, Marie Y Huynh shall be assessed a civil penalty in the amount of $500 on her individual license, and the LA Nails and Spa shall be assessed a civil penalty in the amount of $1,000 on its shop license. This civil penalty shall be paid within thirty (30) days from the Board's approval of this Stipulation and Consent Order, and shall be made payable to the Treasurer of Iowa and mailed to the administrator of the Board, Susan Reynolds, Bureau of Professional Licensure, Lucas State Office Building 5th Floor, 321 E. 12th, Des Moines, Iowa 50319-0075. The civil penalty payment shall be deposited into the State of Iowa general fund. Respondent's licenses will not be renewed until all of the civil penalties assessed in this paragraph are paid in full.

7. By entering into this Order, Respondents voluntarily waive any right to a contested case hearing on the allegations contained in the Notice of Hearing and Statement of Charges and voluntarily waives any objections to the terms of this Order, including the right to appeal.
8. This Order is voluntarily submitted by Respondents to the Board for consideration. Respondents agree that counsel for the State may present this Order to the Board ex parte.

9. This Order is subject to approval of the Board. If the Board fails to approve this Order it shall be of no force or effect to either party.

10. This Order shall be part of the Respondents’ permanent record and shall be considered by the Board in determining the nature and severity of any discipline to be imposed as a result of future disciplinary proceedings.

11. In the event Respondents violate or fail to comply with any of the terms of this Order, the Board may initiate action to revoke or suspend Respondents’ license or to impose other licensee discipline in accordance with Iowa Code § 272C.3(2).

12. Upon Board approval, this Order shall become a public record available for inspection and copying.

13. The Board’s approval of this Order shall constitute a FINAL ORDER.

This Stipulation and Consent Order is voluntarily submitted by Respondents to the Board for its consideration.

[Signatures]

LA Nails and Spa
Respondent

Tommy Bao Nguyen,
Respondent

Marie Y Huynh,
Respondent
Subscribed and sworn to before me by Respondents on this 5th day of June, 2013.

AMY E. KNOLL
COMMISSION NO. 749852
MY COMMISSION EXPIRES
September 12, 2013

AMY E. KNOLL
NOTARY PUBLIC IN AND FOR
THE STATE OF IOWA

This Stipulation and Consent Order is accepted by the Iowa Board of Cosmetology Arts and Sciences on the 8th day of July, 2013.

CHAIRPERSON, BOARD OF
COSMETOLOGY/ARTS AND SCIENCE

cc:

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