BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF: ) Case No. CO 06-117, 06-118, )
SECRET NAILS, ) ) STIPULATION AND
License No. A00509, ) ) CONSENT ORDER
and )
AMY THANH VU HOANG, ) )
License No. 00740, ) )
) Respondents.
) )

Pursuant to Iowa Code §§ 17A.10(2) and 272C.3(4) (2009), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Secret Nails and Amy Thanh Vu Hoang (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 Respondents stipulate as follows:

1. Respondent Amy Thanh Vu Hoang was issued cosmetology license number 000740. Respondent's license will expire on March 31, 2010, unless earlier renewed.

2. Respondent Secret Nails is located at 2600 Edgewood Road SW #306, Cedar Rapids, IA 52404, and holds salon license A00509.

3. A Notice of Hearing and Statement of Charges against Respondents was adopted by the Board on November 23, 2009.
4. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.

5. Respondents have chosen 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, Respondents’ licenses shall be placed on probation on terms which shall include the following:
   
a. Respondents agree to comply with the terms of probation.

b. The period of probation shall be three (3) years, provided, however, that only those periods during which Respondents have valid licenses issued by the Board shall count toward exhaustion of the probationary period.

c. Within three (3) months after the date of the Board’s approval of this Stipulation and Warning, Respondent Amy Thanh Vu Hoang shall complete not less than six (6) hours of formal, structured continuing education (“CE”), which shall be pre-approved by the Board. The CE shall be focused on compliance with Iowa law and Board rules relating to cosmetology, and maintaining salon cleanliness. This CE shall be in addition to – not in lieu of – of CE required for license renewal.
d. Respondent Secret Nails shall be assessed a civil penalty in the amount of $1000. This civil penalty shall be paid promptly after 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. All civil penalty payments shall be deposited into the State of Iowa general fund.

e. Respondent Amy Thanh Vu Hoang shall be assessed a civil penalty in the amount of $1000. This civil penalty shall be paid promptly after 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. All civil penalty payments shall be deposited into the State of Iowa general fund.

f. Respondents shall obey all federal and state laws, rules, and regulations related to the practice of cosmetology. Respondent Secret Nails shall draft and submit to the board a corrective action report addressing each of the deficiencies noted in the August 6, 2009 investigative report of Kimberly Groves, a copy of which is available from the Board. The corrective action report shall include a spa cleaning log to be maintained and submitted to the Board with Respondents' quarterly reports.

g. Each Respondent shall report to the Board quarterly, in a typewritten format. The report shall include Respondents' place of
business or employment, current address and phone number,  
**Respondents' most recent efforts to implement the provisions of**  
*this Stipulation and Consent Order, by date*, and any further  
information deemed necessary by the Board from time to time.  
h. Respondents shall inform the Board, in writing, of any  
change of home address, place of employment, home telephone  
number, or work telephone number, within ten (10) days of such a  
change.  
i. Respondents shall appear informally before the Board, upon  
the request of the Board, for the purpose of reviewing her  
performance during his probationary period. Respondents shall be  
given reasonable notice of the date, time, and place for the  
appearances.  
j. Such other reasonable terms as the Board may wish to  
impose during the probationary period.  

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 waive 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.  

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' licenses or to impose other licensee discipline in accordance with Iowa Code § 272C.3(2)(a).

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 accepted by the Iowa Board of Cosmetology Arts and Sciences on the 28th day of April 2010.