BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF:  
JENNIFER ABBOTT  
License # 067032  
Respondent.

Case No. 10-078
STIPULATION AND CONSENT ORDER

Pursuant to Iowa Code § 17A.10 and 272C.3(4) (2011), and 645 Iowa Administrative Code § 12.1, the Iowa Board of Cosmetology Arts and Sciences (hereinafter, "Board"), and Jennifer Abbott (hereinafter, "Respondent"), enter into the following Stipulation and Consent Order settling a disciplinary proceeding pending before the Board.

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

1. Respondent was issued individual Iowa Esthetician license no. 067032 (expires 03/31/2013).

2. Respondent was convicted of felony possession of child pornography on June 25, 2010. (Case No. 4:09-cr-00025-001 / United States District Court, Southern District of Iowa). As a result of this conviction, Respondent was sentenced to 24 months in prison, beginning July 27, 2010, and supervised release for a period of five years.

3. The Board found probable cause to file charges on or about January 5, 2011 and a Notice of Hearing and Statement of Charges was subsequently filed against Respondent.

4. The Board has jurisdiction over the parties and jurisdiction over the subject matter of these proceedings.
5. Respondent has chosen not to contest the allegations set forth in the Notice of Hearing and Statement of Charges and acknowledges that the allegations, if proven in a contested case proceeding, would constitute grounds for the discipline described herein.

6. Prior to accepting any employment as an esthetician, Respondent shall provide a copy of this Stipulation and Consent Order (hereinafter “Stipulation”) to the prospective employer. The prospective employer shall sign a statement verifying that he/she has read the Stipulation, understands it, and is willing to comply with any restrictions placed on Respondent’s esthetician license, including filing employer reports with the Board. The Respondent shall provide the Board with the signed statement from her employer prior to starting work.

7. Respondent shall not be permitted to work on minors, or be alone in the shop with minors, at any time. A supervisor or another employee must be present in the shop with Respondent at all times. This provision shall remain in effect until Respondent successfully discharges from her federal supervised release.

8. Respondent and Respondent’s employer must each submit written, quarterly reports to the Board (beginning April 1, 2012) certifying to the Board that all restrictions outlined in this Stipulation have been complied with. Respondent shall also report and verify her current address, telephone number, place of employment, compliance with the terms of this Stipulation, and compliance with the terms of her federal supervised release.

9. Respondent shall fully comply with all terms of her federal supervised release and shall report any violation of her criminal probation to the Board within ten (10) days of its occurrence.

10. Respondent shall report any new criminal charges to the Board within ten (10) days of charges being filed.
11. Respondent shall not have an ownership interest in a shop while she is on federal supervised release.

12. Quarterly reports and all notifications shall be 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.

13. By entering into this Order, Respondent voluntarily waives 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.

14. This Order is voluntarily submitted by Respondent to the Board for consideration. Respondent agrees that counsel for the State may present this Order to the Board ex parte.

15. 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.

16. This Order shall be part of the Respondent's 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.

17. In the event Respondent violates or fails to comply with any of the terms of this Order, the Board may initiate action to revoke or suspend Respondent's license or to impose other licensee discipline in accordance with Iowa Code § 272C.3(2).

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

19. The Board's approval of this Order shall constitute a FINAL ORDER. It shall remain in effect until Respondent successfully discharges from her federal supervised release.
This Stipulation and Consent Order is voluntarily submitted by Respondent to the Board for its consideration on the 23rd day of January, 2012.

Jennifer Abbott, Respondent

Subscribed and sworn to before me by Jennifer Abbott on this 23rd day of January, 2012.

Commission Number: 191888

Kathryn A. Dickinson
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 26th day of February, 2012.

Karen B. Gearhart
CHAIRPERSON, BOARD OF COSMETOLOGY ARTS AND SCIENCES

cc:

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