BEFORE THE IOWA BOARD OF COSMETOLOGY ARTS & SCIENCES

	)	
IN THE MATTER OF:	)	
Sarah Amber Hummel, Applicant	)	
2420 Elizabeth Avenue	)	CONSENT AGREEMENT
Des Moines, IA 50317	)	AND ORDER
	)	

The Iowa Board of Cosmetology Arts & Sciences (hereinafter, "Board") and Sarah Amber Hummel ("Applicant") enter into this Consent Agreement and Order (Agreement) pursuant to Iowa Code §§ 17A.10 (1), 147.3, 272C.3 (2011), and 645 Iowa Administrative Code § 60.2:

1. Applicant applied for licensure as a cosmetologist.

2. Applicant answered "yes" to Question #11 of the license application, which asked: "Have you ever been convicted, found guilty of or entered a plea of guilty or no contest to a felony or misdemeanor crime (other than minor traffic violations with fines under $500)."

3. Applicant was found guilty of Possession of a Controlled Substance with Intent to Deliver and Failure to Possess a Tax Stamp on or about September 15, 2010. Applicant is currently under probation with the Fifth Judicial District Department of Correctional Services ("Correctional Services") until October 27, 2013.

4. Correctional Services probation requirements include abstinence from alcohol or illegal drugs, subject to toxicology/breathalyzer testing and completion of any treatment program recommended by Applicant's probation officer.

5. Upon approval of this Consent Agreement by the Board, Applicant was allowed to renew her cosmetology license on April 1, 2011, subject to a period of Board probation to run concurrently with her Correctional Services probation. During the Board probationary period, Applicant shall comply with the following terms:

    a. Applicant shall fully comply with all relevant statutes and administrative rules in the course of her practice as a licensed

cosmetologist, including compliance with all license renewal and continuing education requirements;

b. Applicant shall fully comply with all conditions of her Correctional Services probation and shall arrange for her Correctional Services probation officer to submit a report notifying the Board of any noncompliance with probation requirements within 30 days of the occurrence;

c. Within fifteen (15) days of the issuance of Applicant's license and on a quarterly basis thereafter, Applicant shall notify the Board in writing as to the status of her employment as a cosmetologist in the state of Iowa. All written notifications required by this provision shall include:

(1) The period of time covered by the report;

(2) The name and address of Applicant's places of employment as a cosmetologist;

(3) The name and license number of Applicant's licensed worksite supervisor(s) at each place of employment that provide cosmetology services; and

(4) Notification from the worksite supervisor(s) of Applicant's date of hire as a cosmetologist, and, if applicable, the date her employment terminated;

d. Applicant shall notify the Board in writing within fifteen (15) days of termination, either voluntarily or involuntarily, of her employment as a cosmetologist in the state of Iowa. Failure by Applicant to timely and truthfully notify the Board of her current employment status shall constitute a violation of this Agreement; and

e. Upon request of the Board, Applicant shall appear before the Board to report on the status of her practice as a cosmetologist and to answer any questions or concerns the Board may have regarding her probation. The Board shall provide Applicant with reasonable notice of the date, time, and place for any requested appearance. Applicant agrees that any such appearance would be governed by 645 Iowa Administrative Code § 9.7

and that she waives any and all objections to the members of the Board both participating in her appearance and later participating as decision makers in a contested case proceeding.

6. Any failure by Applicant to comply with the terms and Conditions of this Agreement shall subject Applicant to license disciplinary action which could be initiated by the Board through the filing of a statement of charges with a hearing to be held on the merits.

7. **Applicant's Board probation shall not terminate until Applicant has provided proof, in writing, to the Board that her Correctional Services probation has been successfully completed and terminated**. Upon full compliance with all terms and conditions of the probation prescribed by this Agreement, Applicant's license to practice as a cosmetologist in the state of Iowa shall be restored to full status, free and clear of all probationary restrictions.

8. This Agreement is subject to approval by the Board. If the Board fails to approve this agreement, it shall be of no force or effect on either party.

9. This Agreement is voluntarily submitted by Applicant to the Board for its consideration.

10. This Agreement is a public record available for inspection and copying in Accordance with Iowa Code section 272C.3 (4).

11. This Agreement shall be part of the permanent record of Applicant and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of future violations.

12. This Agreement shall not be binding as to any existing or new complaints received by the Board.

13. The State's legal counsel may present this Stipulation and Consent Order to the Board.

WHEREFORE, the terms of this Consent Agreement and Order are agreed to and accepted by the Iowa Board of Cosmetology Arts and Sciences and Applicant.

This Consent Agreement and Order is approved by the Board November 23, 2011.