

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

IN THE MATTER OF:)	
)	NO: _____
DONNA AUE)	
Probationary License No. 843-62504)	STATEMENT OF CHARGES
)	
RESPONDENT.)	

COMES NOW the Complainant, Ella Mae Baird, and states:

1. The Complainant is the Administrator of the Iowa Board of Cosmetology Arts and Sciences Examiners (Board) and files these charges on behalf of the Board solely in her official capacity.
2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 157, and 272C (2003).
3. Donna Aue (Respondent) was first licensed as a cosmetologist on June 7, 2004. Respondent was issued probationary license number 843-62504.
4. In an application for license by endorsement, Respondent indicated to the Board that she had been convicted of a felony. On June 7, 2004, a Consent Agreement and Order was entered and Respondent's license was issued subject to a probationary period of two years.
5. As a term of her probation, Respondent is required not less than twice per year to participate in a chemical screening program approved by the Board. Respondent has failed to participate in a chemical screening program.
6. Pursuant to 645 Iowa Administrative Code (IAC) rule 65.2(21), cosmetologists are subject to discipline if they fail to comply with the terms of a board order or the terms of a settlement agreement or consent order.

7. On August 4, 2004, the Board found probable cause to file the following charges:

COUNT I

8. Respondent failed to comply with the terms of a board order or the terms of a settlement agreement or consent order in violation of 645 IAC rule 65.2(21).

WHEREFORE, the Complainant requests that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.

FINDING OF PROBABLE CAUSE

On August 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 November 3, 2004.