

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

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|--------------------------|---|-----------------------------|
| IN THE MATTER OF:        | ) |                             |
|                          | ) | NO: 03-032                  |
| MANE STREET ATTRACTIONS, | ) |                             |
| License No. 002-003006,  | ) | <b>STATEMENT OF CHARGES</b> |
|                          | ) |                             |
| RESPONDENT.              | ) |                             |

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**COMES NOW** the Iowa Board of Cosmetology Arts and Sciences Examiners and states:

1. On or about August 27, 1997, the Iowa Board of Cosmetology Arts and Sciences Examiners (“Board”) issued cosmetology salon license number 002-003006 to Respondent. Respondent’s license to operate a cosmetology salon is current through December 31, 2004.

2. Board records indicate that Ruth LaRow is the owner of Respondent Mane Street Attractions. Respondent’s last known address is 401 N. 3<sup>rd</sup> Street, Sweat City, Iowa 50590.

3. Licenses issued by the Board are subject to the laws of the state of Iowa and the administrative rules promulgated by the Board.

4. The penalties authorized under Iowa law which the Board may impose against any licensed cosmetology salon found to have engaged in prohibited conduct include but are not limited to imposition of a civil monetary penalty up to \$1,000 and/or revocation of the licensee’s cosmetology salon license. See Iowa Code sections 157.9, 272C.3 (2003) and 645 Iowa Administrative Code (IAC) rules 13.1 and 65.3.

5. Pursuant to Iowa Code chapters 17A, 157, and 272C (2003), the Board has jurisdiction of this matter.

### **COUNT I**

6. Respondent engaged in practices that are harmful or detrimental to the public by operating its nail technology salon in violation of Iowa Code section 157.6 and 645 IAC rule 63.19.

### **COUNT II**

7. Respondent violated a rule and law of the state of Iowa relating to the practice of cosmetology by operating its nail technology salon in violation of Iowa Code section 157.6 and 645 IAC 63.19.

### **CIRCUMSTANCES OF COUNTS I AND II**

8. During an inspection of Respondent salon on April 7, 2004, it was discovered that shampoo aprons, haircloths, or similar articles were being placed directly against the neck of patrons.

9. Pursuant to Iowa Code sections 147.55, 157.9, 272C.3(2) (2003) and 645 IAC rule 65.2(3), a license issued by the Board is subject to discipline if the licensee engages in practices that are harmful or detrimental to the public.

10. Pursuant to Iowa Code sections 157.6, 157.9, 157.13, 157.14 and 645 IAC 65.2(13), a license issued by the Board is subject to discipline if a licensee violates a rule promulgated by the Board.

### **COUNT III**

11. Respondent engaged in practices that are harmful or detrimental to the public by operating its nail technology salon in violation of Iowa Code section 157.6 and 645 IAC rules 63.10 and 63.12.

#### **COUNT IV**

12. Respondent violated a rule and law of the state of Iowa relating to the practice of cosmetology by operating its nail technology salon in violation of Iowa Code section 157.6 and 645 IAC rules 63.10 and 63.12.

#### **CIRCUMSTANCES OF COUNTS III AND IV**

13. During inspections of Respondent salon conducted on April 7, 2004 and April 29, 2003, it was discovered that Respondent failed to properly disinfect non-electrical instruments or equipment, namely, hair rollers, prior to use upon a client.

14. Pursuant to Iowa Code sections 147.55, 157.9, 272C.3(2) (2003) and 645 IAC rule 65.2(3), a license issued by the Board is subject to discipline if the licensee engages in practices that are harmful or detrimental to the public.

15. Pursuant to Iowa Code sections 157.6, 157.9, 157.13, 157.14 and 645 IAC 65.2(13), a license issued by the Board is subject to discipline if a licensee violates a rule promulgated by the Board.

#### **FINDING OF PROBABLE CAUSE**

On May 5, 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 was approved by the board on August 4, 2004.**