STATE OF IOWA  
BEFORE THE BOARD OF COSMETOLOGY ARTS & SCIENCES

IN THE MATTER OF: 
Best Nails  
License No. 102306  
and  
Hang Thi Cam Le  
License No. 01653  
)  
)  
)  
)  
)  
)  
) CASE NO. CO 10-070  
STATEMENT OF CHARGES,  
SETTLEMENT AGREEMENT AND  
FINAL ORDER  
RESPONDENTS.  

COMES NOW the Iowa Board of Cosmetology Arts and Sciences (Board) and Best Nails, through its owner Hang Thi Cam Le (Respondents), and hereby enter into this combined Statement of Charges, Settlement Agreement, and Final Order (Agreement & Order) pursuant to Iowa Code sections 17A.10, 272C.3(4), and chapter 645 Iowa Administrative Code (IAC) rule 12.1.

STATEMENT OF CHARGES

1. Respondents were issued license number 102306 to operate a salon in the State of Iowa on April 15, 2008. Respondents' salon license will expire on December 31, 2014. Respondent Le was issued nail technologist license number 01653 on April 1, 2012. Respondent Le's individual license is current and will next expire on March 31, 2014.

2. Board records indicate that Respondents' salon is located at 2515 N.W. Arterial, Suite 6, Dubuque, Iowa, 52002.

3. The Board has jurisdiction over the parties and the matter pursuant to Iowa
COUNT I - MMA ON PREMISES

4. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with having a product containing liquid methyl methacrylate (MMA) on its premises in violation of 645 IAC § 63.18(1).

COUNT II - UNSANITARY PRACTICES

5. Respondents are charged under Iowa Code §§ 147.55 and 157.9 (2013), and 645 IAC § 65.2(13), with engaging in unsanitary practices, in violation of Iowa Code § 157.6 (2013) and 645 IAC §§ 63.13(6)(a), and 63.14.

FACTUAL CIRCUMSTANCES

6. During a follow-up investigation on November 20, 2013, to determine if Best Nails had corrected unsanitary practices, investigators documented the following violations:

7. Used sand sleeves were found at the manicure stations.

8. Dirty metal bits were found at the manicure stations and on the electrical instruments.

9. Used buffers and files were found at the manicure stations.
10. Two samples of nail liquid were taken by investigators and submitted to the University of Iowa Hygienic Laboratory. Testing confirmed high concentration levels of methyl methacrylate acid (MMA) in one sample.

SETTLEMENT AGREEMENT AND FINAL ORDER

11. Respondents Hang Thi Cam Le and Best Nails agree to pay to the Board a civil monetary penalty of $500.00 total. The funds shall be payable to the State of Iowa. Respondents shall remit full payment of the civil monetary penalty within 60 days of the date this Order is executed.

12. This combined Statement of Charges, Settlement Agreement and Final Order constitutes the resolution of a contested case proceeding.

13. By entering into this Agreement and Order, Respondents voluntarily waive any rights to a contested case hearing on the allegations contained in the Agreement and Order and voluntarily waives any objections to the terms of the Agreement and Order, including the right to appeal.

14. This combined Agreement and Order, is voluntarily submitted by Respondents to the Board for consideration.

15. Respondents acknowledge they have a right to be represented by counsel in this matter.

16. Respondents agree that counsel for the State may present this Agreement and Order ex parte to the Board.

17. This Agreement and Order is subject to approval of the Board. If the Board fails
to approve this Agreement and Order it shall be of no force or effect to either party.

18. This Agreement and Order shall be part of the Respondents’ permanent record and shall be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violation.

19. In the event Respondents violates or fails to comply with any of the terms of this Settlement Agreement and Final Order, the Board may initiate appropriate action to revoke or suspend Respondents’ licenses or to impose other licensee discipline in accordance with Iowa Code section 272C.3(2)(a).

20. This Agreement, and Order is a public record available for inspection and copying upon execution of the Agreement and Order in accordance with the requirements of Iowa Code chapter 22 and 272C.

21. The Board’s approval of this Agreement and Order shall constitute a FINAL ORDER of the Board.

Wherefore, the terms and conditions of this Statement of Charges, Settlement Agreement, and Consent Order are agreed to and accepted by the Iowa Board of Cosmetology Arts & Sciences and the Respondents.

Respondent(s)                        Iowa Board of Cosmetology Arts & Sciences

Date 06/14/14                        Date 10-13-14

By: [Signature]                     By: Chairperson
cc: Hang Thi Cam Le
Best Nails
2515 N.W. Arterial, Suite 6
Dubuque, IA 52002

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