STATE OF IOWA

BEFORE THE BOARD OF COSMETOLOGY ARTS AND SCIENCES

IN THE MATTER OF: Richard Dean Sattler P.O. Box 84 Tiffin, IA 52340	))))))	**CONSENT AGREEMENT AND ORDER**

The Iowa Board of Cosmetology Arts and Sciences (Board) and Richard Sattler (Applicant) enter into this Consent Agreement and Order (Agreement) pursuant to Iowa Code sections 17A.10(1) 147.3, 157.3, 272C.3, and 645 Iowa Administrative Code rule 60.2.

1. Applicant applied for an Iowa Cosmetology license and meets the requirements for licensure in Iowa.

2. Applicant answered "yes" to Question #11 of the 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. On June 29, 2004, Applicant was found guilty of an OWI, First Offense. He failed to report the OWI when he submitted an application for licensure.

4. Applicant was charged with Vehicular Homicide/OWI, a Class B Felony, on October 17, 2005. The judgment was amended to a Class C Felony and Applicant was convicted of the crime of Homicide by Vehicle in violation of Iowa Code Section 707.6A(2)(a) by the District Court for Lee County on or about April 12, 2006. The Applicant was committed to the custody of the Department of Corrections of the State of Iowa for an indeterminate period of time not to exceed ten years. That sentence was suspended and the defendant was placed on probation to the Eighth Judicial District Department of Corrections for five years.

5. Upon approval of this Agreement by the Board, Applicant will be issued a cosmetology license subject to a twenty-four (24) months' period of probation. The

probationary period shall commence on the date the license is issued. During the 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 his practice as a licensed cosmetologist including compliance with all license renewal and continuing education requirements;

b. Applicant shall fully comply with all conditions of probation by the Sixth Judicial District, Department of Correctional Services.

c. Within 15 (fifteen) days of the issuance of the license and on a quarterly basis thereafter, Applicant shall notify the Board in writing as to the status of his 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 his employment terminated;

d. Applicant shall notify the Board in writing within fifteen (15) days of termination, either voluntarily or involuntarily, of his employment as a cosmetologist in the State of Iowa. Failure by Applicant to timely and truthfully notify the Board of his 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 his practice as a cosmetologist and to answer any questions or concerns the Board may have regarding his 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 rule 9.7 and that he waives any and all objections to the members of the Board both participating in the 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. 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 its full privilege 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. This Agreement is a public record available for inspection and copying in accordance with Iowa Code section 272C.3(4).

10. 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.

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

12. 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 on July 13, 2009.