

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

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<b>IN THE MATTER OF:</b>	)	
	)	
<b>Secret Nails,</b>	)	<b>CASE NO. 06-117; 06-118; 06-134</b>
<b>License No. A00509</b>	)	
<b>and</b>	)	
<b>Thanh Vu Nguyen</b>	)	<b>SETTLEMENT AGREEMENT</b>
<b>License No. 840 00740</b>	)	<b>AND FINAL ORDER</b>
<b>and</b>	)	
<b>Thanh Hoang Nguyen</b>	)	
<b>License No. 840 00756</b>	)	
<b>Respondents.</b>	)	

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COMES NOW the Iowa Board of Cosmetology Arts and Sciences (Board), and Thanh Vu Nguyen and Thanh Hoang Nguyen (Respondents), and pursuant to Iowa Codes sections 17A.10 and 272C.3(4), enter into the following Settlement Agreement and Final Order of the contested case currently on file against the Respondents.

1. Respondent Thanh Vu Nguyen holds practitioner license no. 840 00740. Respondent Thanh Hoang Nguyen holds practitioner license no. 840 00756. The above named Respondents are co-owners of Respondent salon, Secret Nails, and hold a license to operate a salon no. A00509. All licenses are now current.

2. A Notice of Hearing and Statement of Charges was filed against the Respondents on May 14, 2007. A contested case hearing in this matter is scheduled for August 1, 2007. The Respondents admit all allegations set forth in the Notice of Hearing and Statement of Charges.

3. The Board has jurisdiction over the parties and subject matter of the Notice of Hearing and Statement of Charges.

4. Execution of this Settlement Agreement and Final Order constitutes the resolution of this contested case. Respondents have a right to a hearing on the charges but waive the right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily agreeing to this Settlement Agreement and Final Order. Once entered, this Order shall have the force and effect of a disciplinary order entered following contested case hearing.

5. Respondents are freely and voluntarily entering into this Settlement Agreement and Final Order and agree that the State's counsel may present this agreement to the Board.

6. This agreement is subject to approval of the Board. If the Board approves this agreement, it becomes the final disposition of this matter. If the Board fails to approve this agreement, it shall be of no force and effect to either party.

7. This agreement shall be part of the permanent record of the Respondents 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 violations.

8. In the event the Respondents violate or fail 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).

9. This Settlement Agreement and Final Order is a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 22 and 272C.

10. The Board's approval of this agreement shall constitute a FINAL ORDER of the Board.

**IT IS THEREFORE ORDERED**

11. Respondents' license to operate a nail technology salon shall be placed on probation for a period of two (2) years.

12. During the probationary period, Respondents shall comply with the following terms:

a) Respondents shall comply with all relevant statutes and administrative rules in the course of operation as a nail technology salon.

b) Respondents shall submit a report of corrective action to the Board within 30 days of the date this Agreement is executed. The report must be typewritten and detail all corrective action taken to ensure proper safety and sanitation requirements are being met including compliance with universal precautions.

c) Respondents shall file quarterly reports with the Board listing the salon's employees, whether licensed by the State of Iowa to provide nail technology services or not, and the number and type of nail technology services performed by each employee. The quarterly reports shall be typewritten. The failure of the Respondent to provide complete and truthful information in the quarterly employee reports shall constitute a violation of this agreement. The Board or its designee may verify the information provided in the quarterly reports through an examination of Board records by interviewing persons listed as salon employees, or by conducting unannounced inspections of the Respondent salon.

d) Respondent owners will each complete eight (8) hours of continuing education that is applicable to Nail Technology, Sanitation, or Iowa Laws and Rules that include Iowa Code Chapter 157 and Iowa Administrative Code chapters 59 through 65 within ninety (90) days from issuance of this order, and continuing education obtained

may not be used for future license renewal. Respondent owners must obtain Board approval before enrolling in any course taken for the purpose of satisfying this obligation.

13. Respondents agree to pay to the Board a civil monetary penalty of \$1000.00 total. The funds shall be payable to the State of Iowa. Respondents shall remit full payment of the civil monetary penalty to the Board within 60 days of the date this Agreement is executed by the Board.

**This settlement agreement and final order is approved by the board on August 1, 2007.**