

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN  
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY :  
PROCEEDINGS AGAINST : **FINAL DECISION AND ORDER**  
 :  
LIEN THI TRAN, :  
RESPONDENT. : LS0906018BAC

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Division of Enforcement Case #08 BAC 10

The parties to this action for the purposes of Wis. Stat. § 227.53, are:

Lien Thi Tran  
215 S Moreland Blvd  
Waukesha WI 53188

Wisconsin Barbering and Cosmetology Examining Board  
P.O. Box 8935  
Madison, WI 53708-8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Lien Thi Tran, (d.o.b. 1/5/72), is and was at all times relevant to the facts set forth herein a manicurist licensed in the State of Wisconsin pursuant to license #6361-085, originally granted on 2/28/06.
2. On 12/13/07, Respondent was performing pedicures for A.W. and two of her friends. During the pedicures, Respondent received or placed one or more telephone calls, and handled the telephone. Respondent did not wash or disinfect her hands after using the telephone, and resumed the pedicures directly upon conclusion of her telephone use.
3. During the pedicure procedure, Respondent inadvertently cut the cuticle of A.W.'s right great toe, causing it to bleed. Respondent immediately placed her ungloved thumb on the wound, and applied pressure until it stopped bleeding. Respondent did not clean or disinfect the area.
4. On 6/4/08, an investigator for the Board inspected Respondent's premises, and observed that Respondent was performing pedicures for clients. The investigator inspected a vacant pedicure chair, which Respondent said was being used that day for pedicures, and found debris in the screen and one of the jet pumps; Respondent admitted to the investigator that the bowls, screens and pumps were cleaned daily and not after each client use.

CONCLUSIONS OF LAW

- A. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

B. The conduct described in paragraph 2, above, violated Wis. Adm. Code § BC 4.01(1). The conduct described in paragraph 3, above, violated Wis. Adm. Code § BC 4.05(1). The conduct described in paragraph 4, above, violated Wis. Adm. Code § BC 4.02(1). Such conduct constitutes unprofessional conduct within the meaning of the Code and statutes

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is accepted.

IT IS FURTHER ORDERED, that Lien Thi Tran is REPRIMANDED for her unprofessional conduct in this matter.

IT IS FURTHER ORDERED, that Lien Thi Tran shall FORFEIT a total of \$600, allocated as follows:

1. For failing to wash her hands before touching a client: \$100
2. For failing to properly disinfect the pedicure bowl: \$250
3. For failing to follow proper procedures for exposure to blood: \$250

This sum shall be paid in full within 60 days of this Order.

IT IS FURTHER ORDERED, that Respondent shall pay COSTS in this matter in the amount of \$1,000, within 120 days of this order.

IT IS FURTHER ORDERED, that if Respondent fails to timely submit full payment of the forfeiture as set forth above, or fails to pay Costs in full, Respondent's license SHALL BE SUSPENDED, without further notice or hearing, until Respondent has paid them in full, together with any accrued interest.

IT IS FURTHER ORDERED, that this investigative file, 08 BAC 10, is CLOSED as to all other issues and respondents.

Dated this June 1, 2009.

WISCONSIN BARBERING AND COSMETOLOGY EXAMINING BOARD, by:

Jeannie M. Bush  
a member of the board