

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE BARBERING AND COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY :
PROCEEDINGS AGAINST :
 : FINAL DECISION AND ORDER
PHAN T. DOAN, : LS0307091BAC
D/B/A LONG NAIL SALON, :
RESPONDENT :

Division of Enforcement Case No. 02BAC002

The parties to this action for the purposes of Section 227.53 of the Wisconsin statutes are:

Phan T. Doan
Long Nail Salon
268 Center Street
Lake Geneva, WI 53147

Barbering and Cosmetology Examining Board
PO Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
Post Office Box 8935
Madison, WI 53708-8935

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. Long Nail Salon, 268 Center Street, Lake Geneva WI 53147 is duly licensed as a manicuring establishment in the state of Wisconsin (license #1306). This license was first granted on October 13, 1998.

2. Phan T. Doan, 268 Center Street, Lake Geneva, WI 53147, is listed with the Department of Regulation and Licensing as the owner of Long Nail Salon. As owner, Ms. Doan was and is at all times relevant to this action responsible for compliance with Ch. 454, Stats., and Wisconsin Administrative Code Chs. BC 2, 3 and 4.

3. On exact dates unknown, but at least on July 19, 2002, Brenda Dicks was employed at Long Nail Salon to provide manicuring services to the public. At that time, Ms. Dicks did not hold a valid and current Wisconsin manicurist license.

4. On exact dates unknown, but at least on July 19, 2002, Long Nail Salon offered aesthetics services to the public. At no time relevant to this action did Long Nail Salon hold a valid and current aesthetics establishment license.

5. On July 19, 2002, inspection of Long Nail Salon revealed sanitation violations, including but not limited to: storage of poisonous materials in a public area without locks, failure to maintain the establishment in a sanitary manner, and failure of Phan T. Doan to wash hands between customers.

6. In resolution of this matter, Phan T. Doan d/b/a Long Nail Salon consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Barbering and Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Sec. 454.15, Stats.

2. The Wisconsin Barbering and Cosmetology Examining Board is authorized to enter into the attached stipulation pursuant to Sec. 227.44(5), Stats.

3. By the conduct referred to in ¶¶ 3, 4 and 5 above, Phan T. Doan, d/b/a Long Nail Salon, violated Secs. 454.04(d), and 454.08(1)(b), Stats., and Wis. Admin. Code §§ BC 2.04(1), BC 3.01(6), BC 4.01(1), BC 4.01(2) and BC 4.02(3a).

ORDER

NOW, THEREFORE, **IT IS HEREBY ORDERED** that

1. Phan T. Doan, d/b/a Long Nail Salon, shall pay to the Department of Regulation and Licensing a forfeiture of TWO THOUSAND THREE HUNDRED dollars (\$2,300.00). Payment shall be submitted in twelve (12) installments. The installments shall be submitted on the following payment schedule:

Payment Number	Due Date	Payment Amount
1	August 15, 2003	\$191.66
2	September 15, 2003	\$191.66
3	October 15, 2003	\$191.66
4	November 15, 2003	\$191.66
5	December 15, 2003	\$191.66
6	January 15, 2004	\$191.66
7	February 15, 2004	\$191.66
8	March 15, 2004	\$191.66
9	April 15, 2004	\$191.66
10	May 15, 2004	\$191.66
11	June 15, 2004	\$191.66
12	July 15, 2004	\$191.74

Ms. Doan may pay the full amount of the forfeiture at any time prior to each monthly due date for payment.

2. *Payment shall be made by certified check or money order, payable to the Wisconsin Department of Regulation and Licensing and sent to:*

Department Monitor
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935.

3. In the event Phan T. Doan fails to comply with any of the conditions set forth in ¶¶ 1 and 2 above, the establishment license of Long Nail Salon (#1306) SHALL BE SUSPENDED, without further notice or hearing, until Ms. Doan has complied with the terms of this Order.

This Order shall become effective upon the date of its signing.

BARBERING AND COSMETOLOGY EXAMINING BOARD

By: Leon Lauer

A member of the Board

8-4-03

Date