

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
THANH NGUYEN, OWNER : LS0312013BAC
D/B/A GOLDEN NAILS, :
RESPONDENT :

Division of Enforcement Case No. 02BAC124

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

Thanh Nguyen
Golden Nails
1918 W. Layton Avenue
Milwaukee, WI 53221

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

Department of Regulation and Licensing
Division of Enforcement
PO 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 in this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and finds it acceptable.

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

FINDINGS OF FACT

1. Thanh Nguyen, owner and practitioner (practitioner license #85-4201 granted on 06/27/00), of Golden Nails, located at 1918 W. Layton Avenue, Milwaukee, WI 53221, which is currently licensed as a manicuring establishment in the State of Wisconsin (establishment license #71-1716 granted on 07/25/00). Thanh Nguyen D/B/A Golden Nails, assisted in unlicensed activity by allowing "Mary" and "Tan" to provide manicuring services while unlicensed as manicurists and allowing Nancy Tran to provide waxing services while unlicensed as an aesthetician. Thanh Nguyen also participated in allowing the salon to conduct aesthetics while unlicensed as an aesthetics establishment.

2. Upon inspection several sanitation violations were observed, including: failure to maintain the salon in a clean and safe condition, failure to place clean contact equipment in a covered container, failure to provide disposable gloves and failure to disinfect reusable manicure implements.

3. Thanh Nguyen, D/B/A Golden Nails, engaged in the negligent practice of manicuring by using nail acrylic containing Methyl Methacrylate (MMA).

4. According to the Department of Regulation and Licensing records, Thanh Nguyen, 6855 S. Dory Drive, Franklin, WI 53132, is the listed owner of Golden Nails and is duly licensed in the State of Wisconsin as a manicurist (practitioner license #854201 granted on 06/27/00). As owner, Thanh Nguyen was and is at all times relevant to this action responsible for compliance with Wisconsin Statute, Chapter 454 and the Wisconsin Administrative Code for Barbering and Cosmetology Chapters BC 2, 3 and 4.

5. Thanh Nguyen D/B/A Golden Nails, allowed three unlicensed practitioners ("Mary", "Tan" and "Nancy Tran") to provide manicuring and aesthetic services to the public without valid or current licenses as required to perform manicuring and aesthetics under the Wisconsin Barbering and Cosmetology Code and the Wisconsin State Statutes.

6. In resolution of this matter, Thanh Nguyen, D/B/A Golden Nails consents to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

Thanh Nguyen, owner and practitioner, D/B/A Golden Nails violated Wisconsin Statutes, Chapter 454.04(1)(b), 454.04(1)(d) and 454.08(1)(b) and the Wisconsin Administrative Code for Barbering and Cosmetology BC 2.03(5), 2.04(1), 2.06, 3.01(1), 4.01(1), 4.02(3a), 4.04(2) and 4.10(1)(a).

ORDER

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

1. Thanh Nguyen, D/B/A Golden Nails shall immediately provide the Department Monitor with the names of any and all duly licensed manicurists and aestheticians providing services at the salon.
2. Respondent shall CEASE operation of the business unless and until he has only duly licensed personnel employed to provide manicuring and aesthetic services.
3. Respondent shall immediately CEASE using nail acrylics containing Methyl Methacrylate (MMA).
4. Thanh Nguyen, D/B/A Golden Nails shall pay to the Department of Regulation and Licensing a forfeiture of **five thousand four hundred dollars** (\$5,400.00). A Payment of **\$2,000.00** shall be submitted within two weeks from the date of this Order and the remaining **\$3,400.00** is due within three months from the date of this Order. 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, Department of Regulation and Licensing , PO Box 8935, Madison, WI 53708-8935.**

In the event that Thanh Nguyen, D/B/A Golden Nails fails to comply with the conditions set forth within the Stipulation and Order, the manicuring practitioner license (#854201) of Thanh Nguyen and the establishment license of Golden Nails (#711716) SHALL BE SUSPENDED, without further notice or hearing, until Respondent have 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	12-1-03
Board Member	Date