

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE COSMETOLOGY EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY :
PROCEEDINGS AGAINST : FINAL DECISION AND ORDER
: OF DEFAULT
PARIS SALON NAILS & SPA, :
RESPONDENT. :

0004885

Division of Legal Services and Compliance Case No. 15 BAC 039

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

Paris Salon Nails & Spa
5444 W. Fond du Lac Avenue
Milwaukee, WI 53216

Wisconsin Cosmetology Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Wisconsin Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

PROCEDURAL HISTORY

This matter comes before the Wisconsin Cosmetology Examining Board (Board) as citations to which Respondent Paris Salon Nails & Spa has made no timely response. Based on the record in this case, the Board adopts as its Final Decision in this matter the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. Respondent Paris Salon Nails & Spa is licensed by the State of Wisconsin as a manicuring establishment, having license number 4453-71, first issued on October 13, 2014, and current through March 31, 2017. Respondent is also licensed as an aesthetics establishment, having license number 1272-69, first issued on October 13, 2014, and current through March 31, 2017. Respondent's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 5444 West Fond du Lac Avenue, Milwaukee, Wisconsin 53216.

2. Following an inspection on August 26, 2015, a Department investigator issued Respondent a \$1,000 citation for allowing Bao Tram Hoang Le and other individuals to practice manicuring and aesthetics without a license. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit A and is incorporated herein by reference.

3. As a result of the August 26, 2015 inspection, Respondent was also issued a \$1,000 citation for allowing individuals to provide manicuring services in the salon while its establishment license was expired. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit B and is incorporated herein by reference.

4. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to maintain all areas of the establishment in a clean, sanitary and safe condition, as used emery boards and buffer blocks were stored with clean emery boards and buffer blocks. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit C and is incorporated herein by reference.

5. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to ensure contact equipment was properly disinfected, as contact equipment was found not to be fully submerged in Barbicide. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit D and is incorporated herein by reference.

6. As a result of the August 26, 2015 inspection, Respondent was also issued a \$100 citation for failing to dispose of spatulas after each use, as a spatula was found lying under the hot wax lid. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit E and is incorporated herein by reference.

7. Respondent has not paid the citations that were issued to Respondent on April 4, 2016.

CONCLUSIONS OF LAW

1. The Wisconsin Cosmetology Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 454.15.

2. Respondent violated Wis. Admin. Code § Cos 2.04(1) by assisting in the unlicensed practice of aesthetics and manicuring.

3. Respondent violated Wis. Admin. Code § Cos 4.01(1) by failing to maintain an establishment, equipment, tools, and implements in a clean, sanitary and safe condition.

4. Respondent violated Wis. Admin. Code § Cos 4.02(1) by failing to disinfect any personal care instruments prior to reuse on another patron.

5. Respondent violated Wis. Admin. Code § Cos 4.08(3)(b) by failing to dispose of spatulas after each use.

6. As a result, Respondent is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and (3).

7. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit.

8. Pursuant to Wis. Admin. Code § Cos 10.07(1), the Board has the authority to issue an order of default against Respondent for the amount identified in the citations without further proceedings.

ORDER

1. Respondent Paris Salon Nails & Spa (licenses numbers 4453-71 and 1272-69) is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$2,300 within thirty (30) days from the date of this Order.

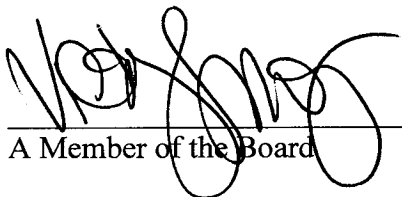
2. Payment shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to:

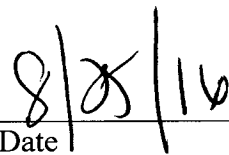
Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817, Fax (608) 266-2264

3. In the event Respondent fails to timely submit payment of the forfeiture as set forth above, Respondent's licenses (numbers 4453-71 and 1272-69), or Respondent's right to renew its licenses, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondent has complied with payment of the forfeiture.

4. This Order is effective on the date of its signing.

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: 
A Member of the Board


Date

Wisconsin Department of Safety and Professional Services

Mail To: P.O. Box 7190
Madison, WI 53707-7190

FAX #: (608) 266-2264
Phone #: (608) 266-2112

1400 E. Washington Avenue
Madison, WI 53703
E-Mail: dsps@wisconsin.gov
Website: http://dsps.wi.gov

COSMETOLOGY EXAMINING BOARD

CITATION FOR ADMINISTRATIVE FORFEITURE

DLSC CASE FILE # <u>15 BAC 039</u>	FINAL DECISION AND ORDER ORDER # _____ <u>Paris Salon Nail and Spa (Thuy Tran)</u>
<input type="checkbox"/> Individual Credential Holder Name License # _____	<input checked="" type="checkbox"/> Establishment Name License # <u>1272-69</u>

5444 W. Fond Du Lac Avenue Milwaukee 53216
Street City Zip
Wednesday 8-26-2015 _____
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Paris Salon Nail and Spa allowed Le and other individuals to work without being licensed.

In violation of Section Co 204(C) of Wis. Stats. OR Wis. Adm. Code
B. J. Investigator _____
Signature of Division Investigative Staff Title Date

Signature of Licensee OR Establishment Owner _____
Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

PLEASE TAKE NOTICE THAT THE CREDENTIAL HOLDER MAY DEPOSIT A FORFEITURE IN THE AMOUNT OF \$ 1,000 BY MAILING A CHECK OR MONEY ORDER NO LATER THAN TWENTY (20) DAYS FROM THE DATE OF THIS CITATION, TOGETHER WITH THE SIGNED COPY OF THIS FORM TO: DEPARTMENT OF SAFETY & PROFESSIONAL SERVICES, DIVISION OF LEGAL SERVICES & COMPLIANCE, 1400 E. WASHINGTON AVENUE, PO BOX 7190, MADISON, WI 53707-7190. IF THIS CITATION IS ISSUED TO BOTH AN INDIVIDUAL CREDENTIAL HOLDER AND AN ESTABLISHMENT, ONE HALF OF THE FORFEITURE IS DEEMED TO BE ASSESSED AGAINST EACH CREDENTIAL. PAYMENT SHALL BE TREATED AS A PLEA OF NO CONTEST TO THE VIOLATION CITED ABOVE AND CONSENT TO AN ORDER OF FORFEITURE, NOT TO EXCEED THE AMOUNT OF THE DEPOSIT.

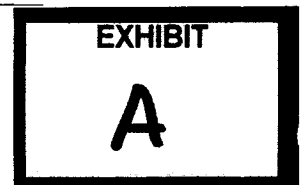
Please reference "NOTICE OF RIGHT TO CONTEST" on backside of pink copy.

A Member of the Board

Date

#3053DLSC (11/14)
Ch.454, Stats.

Committed to Equal Opportunity in Employment and Licensing



Wisconsin Department of Safety and Professional Services

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Madison, WI 53707-7190

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<input type="checkbox"/> Individual Credential Holder Name License # _____	<input checked="" type="checkbox"/> Establishment Name License # <u>4453-71</u>

5444 W. Fond Du Lac Avenue Milwaukee 53216
Street City Zip

Wednesday 8-26-2015 _____
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Paris Salon Nail and Spa allowed individuals to work in the salon while it's establishment license was expired.

In violation of B 73 Section Cos 2.04(1) of Wis. Stats. OR Wis. Adm. Code
Investigator _____
Signature of Division Investigative Staff Title Date

Signature of Licensee OR Establishment Owner _____ Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

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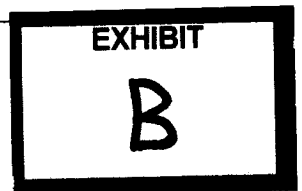
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5444 W. Fond Du Lac Avenue Milwaukee 53216
Street City Zip

Wednesday 8-26-2015 _____
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Paris Salon Nail and Spa failed to maintain all areas of an establishment and equipment, tools and implements used by licensees for service in a clean, sanitary and safe condition. Used emery boards and buffer blocks were stored with clean emery boards and buffer blocks at several work stations.

In violation of Section Cos 4.01(1) of Wis. Stats. OR Wis. Adm. Code
B [Signature] Investigator 4-4-16
Signature of Division Investigative Staff Title Date

Signature of Licensee OR Establishment Owner Date

Pursuant to Wis. Stat. § 454.15(3), the licensing authority is authorized to impose a forfeiture in lieu of or in addition to other disciplinary action against your license.

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5444 W. Fond Du Lac Avenue Milwaukee 53216
Street City Zip
Wednesday 8-26-2015 _____
Day of Week Date Time

On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Paris Salon Nail and Spa failed to ensure proper disinfection for contact equipment. Contact equipment was found not to be fully submerged in Barbicide. Disinfection is required prior to reuse on another patient of any personal care instruments.

In violation of Section Cos 4.02(1) of Wis. Stats. OR Wis. Adm. Code
B 23 Investigator 4-4-16
Signature of Division Investigative Staff Title Date

Signature of Licensee OR Establishment Owner Date

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<input type="checkbox"/> Individual Credential Holder Name License # _____	<input checked="" type="checkbox"/> Establishment Name License # <u>1272-69</u>

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On the above stated time, date and location, an investigation/inspection has disclosed the following violation, which must be corrected.

Paris Salon Nail and Spa failed to dispose of spatulas after each use. A spatula was found lying under the hot wax lid.

In violation of Section Cos 4.08(3)(b) of Wis. Stats. OR Wis. Adm. Code
B M Investigator 4-4-16
Signature of Division Investigative Staff Title Date

Signature of Licensee OR Establishment Owner Date

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