

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANH M. CHAU AND AA NAILS,  
RESPONDENTS.

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FINAL DECISION AND ORDER

**ORDER 0006817**

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Division of Legal Services and Compliance Case No. 17 BAC 040

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

Anh M. Chau  
135 N. Main St., Ste. A  
Lake Mills, WI 53551

AA Nails  
135 N. Main St., Ste. A  
Lake Mills, WI 53551

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

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

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Cosmetology Examining Board (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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Anh M. Chau (DOB 06/27/1978) is licensed by the State of Wisconsin as a Cosmetologist, having license number 91426-82, first issued on August 11, 2010, and current through March 31, 2019. Respondent Chau's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 135 North Main Street, Suite A, Lake Mills, Wisconsin 53551.

2. Respondent AA Nails is licensed by the State of Wisconsin as a Manicuring Establishment, having license number 4451-71, first issued on October 9, 2014, and current through March 31, 2019. Respondent AA Nails' most recent address on file with the Department is 135 North Main Street, Suite A, Lake Mills, Wisconsin 53551.

3. Respondent Chau is identified in Department records as a co-owner of Respondent AA Nails.

4. On January 21, 2017, Respondent Chau performed an acrylic nail service on a customer, S.W., at Respondent AA Nails.

5. After removing S.W.'s old acrylic nails, Respondent Chau used a drill to remove any remaining remnants of the old acrylic nails.

6. On May 1, 2017, the Department received a complaint from S.W. alleging that Respondent Chau had drilled down too far into S.W.'s nail beds and had caused S.W. to have significant pain in her nail bed area. Division of Legal Services and Compliance Case Number 17 BAC 040 was subsequently opened for investigation.

7. On July 31, 2017, an inspection of Respondent AA Nails was conducted by a Department investigator. During the inspection the investigator found the following:

a. Various contact equipment (brushes, cotton, tweezers, towels, Dremel sanding attachments and clippers) were not stored in covered containers but on top of three work stations, on an open cabinet, on a rolling foot spa cart and on top of a sink.

b. Used buffer blocks and nail files were found in cubby holes of work stations and in a drawer of a rolling foot spa cabinet.

c. Poisonous substances such as toilet cleaners, laundry soap and bleach were stored in an unsecured cabinet in the public bathroom and under the sink in the salon.

8. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

#### CONCLUSIONS OF LAW

1. The Wisconsin 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).

2. By the conduct described in the Findings of Fact, Respondent Chau violated Wis. Admin. Code § Cos 2.03(1) by failing to provide services in a manner that is consistent with basic and accepted practice standards and in accordance with all state statutes, board rules and local codes and ordinances.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § Cos 3.01(6) by failing to provide safe and secure areas for storing, cleaning and disinfecting equipment.

4. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § Cos 4.01(3r) by failing to dispose of emery boards and buffer blocks after each use.

5. By the conduct described in the Findings of Fact, Respondents violated Wis. Admin. Code § Cos 4.02(4) by failing to store clean and disinfected contact equipment in one or more covered containers.

6. As a result of the above violations, Respondent Chau is subject to discipline pursuant to Wis. Stat. § 454.15(2)(c) and (i) and 454.15(3).

7. As a result of the above violations, Respondent AA Nails is subject to discipline pursuant to Wis. Stat. § 454.15(2)(i) and 454.15(3).

#### ORDER

1. The attached Stipulation is accepted.

2. Respondent Anh M. Chau is REPRIMANDED.

3. Respondent AA Nails is REPRIMANDED.

4. Within 90 days from the date of this Order, Respondent Anh M. Chau shall pay a FORFEITURE in the amount of \$100 and one-half of the COSTS of this matter in the amount of \$362.

5. Within 90 days from the date of this Order, Respondent AA Nails shall pay a FORFEITURE in the amount of \$300 and one-half of the COSTS of this matter in the amount of \$362.

6. Payment of forfeitures and costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

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  
DSPSMonitoring@wisconsin.gov

7. In the event Respondents violate any term of this Order, Respondents' licenses (numbers 91426-82 and 4451-71), or Respondents' right to renew their licenses, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until

Respondents have complied with the terms of the Order. The Board may, in addition and/or in the alternative, refer any violation of this Order to the Division of Legal Services and Compliance for further investigation and action.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

by: Vicky Menally /c.s.  
A Member of the Board

6/15/2020  
Date

STATE OF WISCONSIN  
BEFORE THE COSMETOLOGY EXAMINING BOARD

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IN THE MATTER OF DISCIPLINARY  
PROCEEDINGS AGAINST

ANH M. CHAU AND AA NAILS,  
RESPONDENTS.

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STIPULATION

**ORDER 0006817**

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Division of Legal Services and Compliance Case No. 17 BAC 040

Respondents Anh M. Chau and AA Nails and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and has been provided an opportunity to obtain legal counsel before signing this Stipulation.

4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Cosmetology Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive all rights to any appeal of the Board's order, if adopted in the form as attached.


5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division

of Legal Services and Compliance for further proceedings. In the event that the Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.


6. The parties to this Stipulation agree that the attorney or other agent for the Division of Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.


8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

  
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Anh M. Chau, Respondent  
135 N. Main St., Ste. A  
Lake Mills, WI 53551  
License no. 91426-82

JULY 23, 2018  
Date

  
\_\_\_\_\_  
AA Nails, Respondent  
By: Anh M. Chau  
135 N. Main St., Ste. A  
Lake Mills, WI 53551  
License no. 4451-71

JULY 23, 2018  
Date

  
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Laura M. Varriale, Attorney  
Division of Legal Services and Compliance  
P.O. Box 7190  
Madison, WI 53707-7190

7/26/2018  
Date