

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
DUYEN VO, :
RESPONDENT. :

ORDER 0006819

Division of Legal Services and Compliance Case File Number 17 BAC 085

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

Duyen Vo
424 North Shore Court
Pewaukee, WI 53072

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 a citation to which Respondent Duyen Vo 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 Duyen Vo (DOB 10/06/1983) is licensed in the State of Wisconsin as a Manicurist, having license number 7006-85, first issued on January 30, 2008 and with registration current through March 31, 2021. Duyen Vo's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 424 North Shore Court, Pewaukee, WI 53072.

2. On August 18, 2017, the Department received a complaint regarding sterilization/disinfecting procedures at GiGi Nails, a manicuring establishment, for which Respondent Duyen Vo was designated as the responsible licensee in Department records.

3. On October 02, 2017, the Division of Legal Services and Compliance (DLSC) subsequently opened Case Number 17 BAC 085 for investigation.

4. Following an inspection on February 14, 2018, a DLSC investigator issued a \$500.00 citation to Respondent for allowing GiGi Nails to provide waxing services without a valid aesthetics establishment license or cosmetology establishment license prior to July 5, 2018. Service was accomplished by mail. A true and correct copy of this citation is attached as Exhibit A and is incorporated herein by reference.

5. Respondent has not paid the citation that was issued to Respondent on October 22, 2018.

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.

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

4. Respondent is in default pursuant to Wis. Admin. Code § Cos 10.07(1) for failing to make a deposit or otherwise respond to the citation in a timely fashion.

5. 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 citation without further proceedings.

ORDER

1. Respondent Duyen Vo is in DEFAULT and shall pay to the Wisconsin Department of Safety and Professional Services a total forfeiture in the amount of \$500.00 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
DSPSMonitoring@wisconsin.gov

You may also submit this information online via DSPS' Monitoring Case Management System at: <https://app.wi.gov/DSPSMonitoring>

3. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a refusal to renew a credential or additional disciplinary action.

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

WISCONSIN COSMETOLOGY EXAMINING BOARD

Vicky Menally, J.C.A.

by:

A Member of the Board

5/22/2020

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>17 BAC 0285</u>	FINAL DECISION AND ORDER ORDER # _____
<u>DUYEN VO</u>	_____
<input checked="" type="checkbox"/> Individual Credential Holder Name License # <u>7006-85</u>	<input type="checkbox"/> Establishment Name License # _____

3932 N BROOKFIELD RD #C BROOKFIELD WI 53045
Street City Zip

WEDNESDAY 2-14-2018
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.

DUYEN VO ASSISTED IN THE UNLICENSED PRACTICE OF AESTHETICS BY ALLOWING GIGI NAILS TO PROVIDE AESTHETICS SERVICES WITHOUT AN AESTHETICS ESTABLISHMENT LICENSE OR COSMETOLOGY ESTABLISHMENT LICENSE PRIOR TO JULY 5, 2018.

In violation of Section Cos 2.04(1) of Wis. Stats. OR Wis. Adm. Code
[Signature] INVESTIGATOR 10-22-18
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 \$ 500.00 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, P.O. 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

Vicky Mervally
A Member of the Board

6/15/2020
Date

