



WEST VIRGINIA

**STATE BOARD OF
BARBERS AND COSMETOLOGISTS**

2011 ANNUAL REPORT

VOLUME 6 (COMPLAINTS)

BOARD MEMBERS

Michael Belcher

Justina Gabbert

Sarah Hamrick

Susan Poveromo

Jim Ryan

Rick Stache

EXECUTIVE DIRECTOR

Adam L. Higginbotham

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Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Saturday, January 29, 2011 6:37 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: proudmombblz@yahoo.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Robin Keough
Address: PO Box 916
Buckhannon, WV 26201
Phone: 304 472 6477
E-mail: proud-mombblz@yahoo.com

Individual or Business Named in the Complaint

Name: Jerry Bland
Company: Art And Science Institute Of Cosmetology
Address: 33 Cory Road
Fairmont, WV 26554
Phone: 304 363 2015

List of Witnesses

Description of Complaint

I have recently completed 600 hours of training at ASIC and feel compelled to register a complaint. I do not believe the school is operating in accordance with rules and regulations set forth by the board. I have several specific complaints, however the most obvious problem is that there is simply not an esthetics program at ASIC. I was put in the class August 17, 2010 with cosmetologists and nail techs, under the instruction of Mrs Detch. She did her best to start the introductory chapters, history, professionalism, sanitation, etc, juggling three classes of students. After two weeks I was put with Mrs Delaney, where I had a 1 1/2 hour of lecture with the advanced cosmetology students, then when they went out to the floor every day, I was basically on the floor as well, performing a facial on a

customer after 2 weeks, without an instructor present. ASIC offers 3 courses, cosmetology, nail technology and esthetics, with a class starting approx every 2 months. There is one instructor, Mrs Detch, and Barbie Bland, who has never given a lecture, although she is sometimes in the practical area helping students. Mrs Christine Mohr is functioning as a student instructor, I have seen her giving lectures with Mrs Detch present, however, Brittany Bland has been instructor of the Advanced Cosmetology class since Mrs Delaney left just prior to Thanksgiving break. Mrs Delaney has not been present, except for approx 4 hours in December and none at all in January. On the wall at ASIC is a list of 5 instructors with 2011 licensure, Barbie Bland, Elizabeth Detch, Melissa Delaney, Roberta Saunders and Mrs Haught. I do not know Roberta Saunders, she has certainly not taught, Mrs Haught has been there on a few occasions as a customer, never as an instructor, and as I said Melissa Delaney has not been there since November. There is also a cosmetologist there, Tammy Harper, functioning as an instructor. I do not know her credentials, however she has not been monitored at all times. Another major concern is that I have seen Brittany Bland grade students on clinical work, initialling "BB". Also there is no criteria for receiving a clinical grade, I had never received anykind of feedback or justification for a clinical grade. The first 300 hours of the cosmetology program are conducted in a methodical manner by Mrs Detch, those students are not put out on the floor until after 300 hours, however the esthetics students are put out and expected to perform services without adequate training. The school does not keep record of theory time and practical time. After the structured time of 300 hours with Mrs Detch, the students receive 1 1/2 hours of "theory" with Brittany Bland, and I have been told by students that there is no lesson plan or lectures given. I am very concerned about the instruction being given to an esthetic student, Valerie Spritzer. She started in November, and has had no coherent plan of instruction. She was with Mrs Detch for a few weeks, sat in on the lecture of the beginning cosmetology students, even when it was not revelant to her. When Mrs Detch could, she would review her workbook with her, but the vast majority of Valerie's allotted theory time is being spent reviewing by herself. For the past few weeks of my program, I reviewed by myself. Occasionally, one of the instructors would offer to help me, but, I did not know where to begin, there is no structure to the esthetics program whatsoever. Another concern is the exorbitant cost of the supplies. The school charges \$1,100 for a duffle bag of make-up and cosmetics, and mannekin head. I seriously doubt the entire package cost \$200. The contract agreement is such that when a student receives 25% of hours, he owes 70% of tuition, plus cost of the supplies, \$1,100, plus \$500 for a textbook, workbook and test booklet, virtually the entire amount. The dropout rate is extremely high, but the school receives a large portion of the tuition, regardless. These are my concerns. I completed the program successfully with a 96% average, I do not have a personal grudge against anyone at the school, and am not doing this vindictively. I feel compelled to voice a complaint, and I hope the Board will investigate and act on these concerns. Most sincerely, Robin Keough



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabb
Sarah Hamrick Susan Poveroi
Jim Ryan Rick Stache

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

January 31, 2011

COMPLAINT #: C2011-41

Dear Mr. Bland:

The Board office has received the enclosed complaint.

The Board office is requesting your response to this complaint. In addition to the response, the Board office is requesting copies of the school's master instructors, instructors, and student instructor's timecards or employment hour verification for the last three months. Please provide their timecards from November 2010-January 2011.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Sunday, February 06, 2011 8:26 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: unitetofight1@yahoo.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Valerie Spitzer
Address: 1492 West Pike St
Clarksburg , WV 26301
Phone: 516 603 3391
E-mail: unitetofight1@yahoo.com

Individual or Business Named in the Complaint

Name: Barbie Bland
Company: Asic
Address: 33 Corey Rd
Fairmont, WV 26554
Phone: 304 363 2415

List of Witnesses

Tammy Harper, Robin Keough, Christine Stottlemeyer

Description of Complaint

Due to threats made to terminate my contract, I request that my name be kept confidential. My name is Valerie Spitzer and I have been an Esthetics student at ASIC since November 16, 2010. So far my time at ASIC has been stressful, unorganized, and frustrating. I am writing this today not only to express my concern for the manner in which the school is run, but because there is no actual program for esthetics. Since November I have yet to sit in on any lectures, the only notes or bookwork I have done was on my own volition. I would also like to comment on the fact that there is no licensed instructor for my program, and I have had someone different for the past 3 months. From 9:00am to about 10:30 I sit in a cosmetologist classroom trying to read quietly and concentrate while the

cosmetology students are lectured. During my first week before having read a chapter on waxing I preformed an eyebrow waxing. The remainder of the waxes I preformed were done without the guidance of a licensed instructor, instead being solely instructed by fellow student Robin Keogh. Although I can not specify the exact date I did not have over 150 hours at the time, I preformed a facial on a woman with an obvious cold soar on her lip. After I had completed a client consultation card on her I turned to my instructor; at that time Christine Stottlemeyer and said, "Isn't this a contraindication?" She left the room to get the other instructor Mrs. Detch. When Mrs. Detch looked at the woman she said, "We really no suppose to do this, but we can just avoid your mouth area". I was under the impression that because the woman was already in the chair and was visibly upset the instructors did not want to turn her away. Although I did not feel safe performing the procedure (Due to health concerns which are stated in the schools text book) and I was afraid to refuse because to my knowledge of the school's policy in which refusal to perform a service can result in suspension. During the first week of February I had many discussions with both Mr. and Mrs. Bland about my concerns and discontent with the program. Mr. Bland had admitted to me that to their fault the past few months of my schooling have been unorganized. On two separate occasions Mr. Bland has asked me if I suffered from Bi-polar and also asked if I was suffering from "separation anxiety" since Robin Keogh had left. On Friday February 4th, after having another discussion about a three-day suspension I had received for missing one day; I was asked to sign a paper which basis consisted of false statements concerning behavior. I was accused of "disrespecting" both staff and fellow students and refusing to participate in class. The paper stated that this was my final notice and after that my contract would be terminated. However, I had never received any prior notices of my "disruptive" behavior. In addition, I had also received word that Mrs. Bland had contacted my boyfriend's mother Debra Adams accusing me of being disruptive in class, refusing to learn, and giving their school a negative image. This was not the first time that I received word of untrue accounts of my behavior. Despite what the Blands will say about my negative attitude, I was very enthusiastic and excited to learn. I have slowly become disheartened and frustrated with the AISC, when everyday they make no attempt to teach or prepare the students for the trades we are paying to learn.

Higginbotham, Adam L

From: Ware, Lynda W
Sent: Tuesday, February 08, 2011 10:11 PM
To: Higginbotham, Adam L
Subject: RE: ASIC school inspection Answer /from Lynda Ware
Attachments: image003.jpg

Adam,
Investigation and inspection of ASIC school in Fairmont, WV. 2-8-2010 as request by the Board office and E-Mail attached.

I entered the ASIC School at 9.31 am. my answers to the question are.

I entered the school promptly as request and proceeded to check the school for students and instructors location. . The first person was Barbie Bland in office and I spoke to her and acknowledge her present as I went to check the rooms.

There was no one on the Clinic Floor. The Aestheticians room there was 3 students 2 Aestheticians 1 cosmetologist and instructor Sherry Halley had only work appx. 65 hours at the school. I then check the kitchen, bath rooms and massage area. I then returned to aestheticians at that point 1 nail tech and Brittany Bland instructor was entering the room. I observed and counted and at time Barbie Bland entered the Aestheticians room. I then left to go to Theory Room to count student and Instructors. There was 12 students 2 instructors Elizabeth Detch and Christina M. Mohr to test in June or July I

From: Higginbotham, Adam L
Sent: Fri 2/4/2011 5:54 PM
To: Ware, Lynda W
Subject: ASIC school inspection

Lynda,

Please arrive promptly at 9:30am on Tuesday at the ASIC school in Fairmont.

Count and gather the names of all instructors (not student instructors) at the time of the inspection.

Count and gather the names of all MASTER instructors at the time of the inspection.

Count and gather the names of all STUDENT instructors at the time of the inspection.

Count the number of students in the school at the time of the inspection.

Note if any STUDENT instructors are in a classroom without a MASTER instructor.

Note if the aesthetic students have an instructor present.

Higginbotham, Adam L.

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Count and gather the names of all MASTER instructors at the time of the inspection.

Count and gather the names of all STUDENT instructors at the time of the inspection.

Count the number of students in the school at the time of the inspection.

Note if any STUDENT instructors are in a classroom without a MASTER instructor.

Note if the aesthetic students have an instructor present.

Should you have any further questions, please feel free to contact me.

Adam L. Higginbotham M.B.A.

Director

1201 Dunbar Avenue

Dunbar, WV 25064

304-558-2924

adam.l.higginbotham@wv.gov



Visit us on the web at www.wvbbc.org.

To the Board
Response to complaint #C2011-41

Responding to Ms. Keough's complaint is kind of difficult for two reasons. First, it is so unfounded and just all over the place. Second, because we were totally surprised with her apparent discontent. Outside of one confrontation between Ms. Keough and another student she had never expressed any other dissatisfaction with the program. She had said on more than on occasion that because of previous education in nursing that she already knew all of the information and at times made it a little difficult for the instructor. Other than that she was mostly pleasant and performed well with clients.

In response to the actual allegations, this school does operate in accordance with the rules and regulations set forth.

1. Our aesthetics program has always produced productive students with a pass rate that is above industry standards.
2. All three programs have chapters that contain the same subject material. Introductory as well as some other chapters have the same subject content and can be taught to more than one program at the same time.
3. All students in Cosmetology and Aesthetics are given demonstrations by the instructors and then have the opportunity to practice on other students several times before ever being assigned to an outside client.
4. We do have four programs operating in this school. The Board of Barbers and Cosmetologists governs three of these. We have four to five starts annually beginning approximately every 12 weeks.
5. We currently have twenty students actively enrolled with one full time master instructor, one part time master instructor, 1 full time instructor (with 30 years of experience), one part time instructor, two full time student instructors and one part time student instructor. As for Mrs. Bland, she is all over this school monitoring the activities of the instructors and the students. Mrs. Bland herself has spent several hours with Robin instructing her on products and services, consultations, client interactions and business practices. I am certain this is in compliance with any rules and regulations set forth.
6. As for the accusation concerning Brittney Bland by both Mrs. Stottlemire and Mrs. Keough, one might ask where a student instructor and a student obtain information concerning the pass/fail rates of other individuals. Just to reiterate, Brittany Bland as well as every other student instructor is under the direction and supervision of a Master Instructor. The Board failed Brittney for lack of experience and a portion of mandated curriculum is teaching. So, this leaves me without much response to this particular part of the complaint.
7. As for grading procedure and record keeping, every student is graded daily. Records are kept with a monthly evaluation sheet that is reviewed with the student. The monthly evaluation sheet contains grades, both theory and practical, which the student signs. This record becomes part of their student file. (see attached copies)

8. On the matter concerning Valerie Spitzer, I have no comment. If the board requests information about Mrs. Spitzer, it will be provided.
9. The standard within our school is when a student has completed the required course work, and there are no clinic assignments, they are to review for their exam. This is mostly done in a private room to help minimize distractions. The student can review their notes, textbooks or utilize any study aids made available to them. (i.e. computer programs, video's, DVD's) Of course there is always an Instructor available if the student has any difficulty or questions. So, as for the last few weeks of Mrs. Keough's program, this is exactly what she did.
10. As for school charges, this was discussed at the beginning of the program and was fully disclosed in the contract.
11. The refund policy utilized by ASIC is the same as the other schools in the state. The refund policy is in the contract and is fully explained prior to the contract being signed.

Although perhaps Mrs. Keough misapprehends the term, the fact the she feels obligated to register a complaint is definitely indicative of a vindictive motivation, and almost by definition. In closing I have also attached a document provided to me by another student. It is an excerpt from Mrs. Keough's Facebook page stating, from what I can only interpret as, a complete satisfaction for the education and experience she had at ASIC. Please, draw your own conclusion.

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	Barbara Bland		Brittney F Bland	
	Hours	Rate	Nov '10 - Jan 11	Hours
Employee Wages, Taxes and Adjustments				
Gross Pay				
Regular Salary				
Hourly Rate	580			317
Total Gross Pay	580			317
Adjusted Gross Pay	580			317
Taxes Withheld				
Federal Withholding				
Medicare Employee				
Social Security Employee				
WV - Withholding				
Total Taxes Withheld				
Net Pay	580			317
Employer Taxes and Contributions				
Federal Unemployment				
Medicare Company				
Social Security Company				
WV - Unemployment Company				
Total Employer Taxes and Contributions				

*Master**Student Inst.*

*Employment verification
 Nov 2010 thru Jan 2011
 Taken from Quick Books*

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	Brittney F Bland		Catherine J Haught	
	Rate	Nov '10 - Jan 11	Hours	Rate
Employee Wages, Taxes and Adjustments				
Gross Pay				
Regular Salary				
Hourly Rate			53	
Total Gross Pay			53	
Adjusted Gross Pay			53	
Taxes Withheld				
Federal Withholding				
Medicare Employee				
Social Security Employee				
WV - Withholding				
Total Taxes Withheld				
Net Pay			53	
Employer Taxes and Contributions				
Federal Unemployment				
Medicare Company				
Social Security Company				
WV - Unemployment Company				
Total Employer Taxes and Contributions				

*Shelley
Tost*

master

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	Catherine J Ha...	Hours	Christina M Mohr	Rate	Nov '10 - Jan 11
Employee Wages, Taxes and Adjustments					
Gross Pay					
Regular Salary					
Hourly Rate		78.5			
Total Gross Pay		78.5			
Adjusted Gross Pay		78.5			
Taxes Withheld					
Federal Withholding					
Medicare Employee					
Social Security Employee					
WV - Withholding					
Total Taxes Withheld					
Net Pay		78.5			
Employer Taxes and Contributions					
Federal Unemployment					
Medicare Company					
Social Security Company					
WV - Unemployment Company					
Total Employer Taxes and Contributions					

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	Elizabeth Detch			John L. Triplett	
	Hours	Rate	Nov '10 - Jan 11	Hours	
Employee Wages, Taxes and Adjustments					
Gross Pay					
Regular Salary					
Hourly Rate	331.5				
Total Gross Pay	331.5				
Adjusted Gross Pay	331.5				
Taxes Withheld					
Federal Withholding					
Medicare Employee					
Social Security Employee					
WV - Withholding					
Total Taxes Withheld					
Net Pay	331.5				
Employer Taxes and Contributions					
Federal Unemployment					
Medicare Company					
Social Security Company					
WV - Unemployment Company					
Total Employer Taxes and Contributions					

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	John L Triplett		Melissa J Delaney	
	Rate	Nov '10 - Jan 11	Hours	Rate
Employee Wages, Taxes and Adjustments				
Gross Pay				
Regular Salary				
Hourly Rate			86.75	
Total Gross Pay			86.75	
Adjusted Gross Pay			86.75	
Taxes Withheld				
Federal Withholding				
Medicare Employee				
Social Security Employee				
WV - Withholding				
Total Taxes Withheld				
Net Pay			86.75	
Employer Taxes and Contributions				
Federal Unemployment				
Medicare Company				
Social Security Company				
WV - Unemployment Company				
Total Employer Taxes and Contributions				

Part Time
Trust.

Part Time Trust.

2:10 PM

02/14/11

Art & Science Institute of Cosmetology

Payroll Summary

November 2010 through January 2011

	Melissa J Dela...		Pam Ray	
	Nov '10 - Jan 11	Hours	Rate	Nov '10 - Jan 11
Employee Wages, Taxes and Adjustments				
Gross Pay				
Regular Salary				
Hourly Rate		70		
Total Gross Pay		70		
Adjusted Gross Pay		70		
Taxes Withheld				
Federal Withholding				
Medicare Employee				
Social Security Employee				
WV - Withholding				
Total Taxes Withheld				
Net Pay		70		
Employer Taxes and Contributions				
Federal Unemployment				
Medicare Company				
Social Security Company				
WV - Unemployment Company				
Total Employer Taxes and Contributions				

Student: Robin Keenigh Date: 10/22/10 Grade: 3/44 93%
MF

Set-Up

Preparation

- ✓ Disinfects work area or uses protective covering
- ✓ Disposes of soiled materials using infection control procedures
- ✓ Sanitizes hands
- ✓ Sets up work area with supplies
- ✓ Re-sanitizes hands
- ✓ Applies body drape or cover for protection
- ✓ Applies hair drape to completely cover hair
- ✓ Re-sanitizes hands

Daily evaluation sheets

Basic Facial

- ✓ Removes cleanser from container using infection control procedures

Demonstration of Cleansing the Face

- ✓ Cleanses lips completely and safely
- ✓ Cleanses eye area completely and safely
- ✓ Distributes cleanser over entire face safely
- ✓ Cleanses without dragging or pulling skin
- ✓ Removes all residual makeup and cleanser safely

Demonstration of Steaming the Face

- ✓ Wrings wet towel thoroughly
- ✓ Tests towel temperature on wrist prior to applying
- ✓ Drapes towel to cover face ensuring nose and/or mouth are uncovered
- ✓ Lifts towel from face safely
- ✓ Applies toner or astringent safely

Safety and Infection Control

- ✓ Disposes of soiled materials using infection control procedures
- ✓ Practices infection control procedures safely throughout service
- ✓ Maintains work area in a safe manner throughout service

Waxing: Eyebrow Arching

Student: Robert V. Hargis Date: 02/5/2010 Grade: 2/25 = 92%

M.D.

Set-Up

Y/N

- ☒ Disinfects work area or uses protective covering
- ☒ Disposes of soiled materials using infection control procedures
- ☒ Sanitizes hands
- ☒ Sets up work area with supplies
- ☒ Re-sanitizes hands
- ☒ Applies body drape or cover for protection
- ☒ Applies hair drape to completely cover hair
- ☒ Re-sanitizes hands

Waxing

Y/N

- ☒ Wears gloves
- ☒ Uses disinfected or disposable implements

Waxing

- ☒ Applies antiseptic to eyebrow area safely
- ☒ Uses absorbent material or product to dry eyebrow
- ☒ Removes wax product from container using infection control procedures
- ☒ Tests temperature of wax product on wrist safely
- ☒ Applies wax product in direction of hair growth safely
- ☒ Applies wax product along entire area under eyebrow safely
- ☒ Applies an even, thin layer of wax product safely
- ☒ Smoothes fabric over wax product in direction of hair growth
- ☒ Holds skin taut (without slack)
- ☒ Pulls fabric in opposite direction of hair growth safely once
- ☒ Applies post-epilation product to treated area safely
- ☒ Applies antiseptic to treated area safely

Safety and Infection Control

- ☒ Disposes of soiled materials using infection control procedures
- ☒ Practices infection control procedures safely throughout service
- ☒ Maintains work area in a safe manner throughout service

Waxing: Eyebrow Arching

Student: Robin Vaughn Date: 09/2/10 Grade: 7/25 72%

MD

Set-Up

Y/N

- ☒ Disinfects work area or uses protective covering
- ☒ Disposes of soiled materials using infection control procedures
- ☒ Sanitizes hands
- ☒ Sets up work area with supplies
- ☒ Re-sanitizes hands
- ☒ Applies body drape or cover for protection
- ☒ Applies hair drape to completely cover hair
- ☒ Re-sanitizes hands

Waxing

Y/N

- ☒ Wears gloves → Stew!
- ☒ Uses disinfected or disposable implements

Waxing

- ☒ Applies antiseptic to eyebrow area safely
 - ☒ Uses absorbent material or product to dry eyebrow
 - ☒ Removes wax product from container using infection control procedures
 - ☒ Tests temperature of wax product on wrist safely
 - ☒ Applies wax product in direction of hair growth safely
 - ☒ Applies wax product along entire area under eyebrow safely
 - ☒ Applies an even, thin layer of wax product safely
 - ☒ Smooths fabric over wax product in direction of hair growth
 - ☒ Holds skin taut (without slack)
 - ☒ Pulls fabric in opposite direction of hair growth safely
 - ☒ Applies post-epilation product to treated area safely
 - ☒ Applies antiseptic to treated area safely
- Safety and Infection Control**
- ☒ Disposes of soiled materials using infection control procedures
 - ☒ Practices infection control procedures safely throughout service
 - ☒ Maintains work area in a safe manner throughout service

Make-up Application

Student: Rebekah Morgan Date: 10/25/10 Grade: 124 96%

Set-Up

Y/N

Preparation

- ☒ Disinfects work area or uses protective covering
- ☒ Disposes of soiled materials using infection control procedures
- ☒ Sanitizes hands
- ☒ Sets up work area with supplies
- ☒ Re-sanitizes hands
- ☒ Applies body drape or cover for protection
- ☒ Applies hair drape to completely cover hair
- ☒ Re-sanitizes hands

Make-up Application

Y/N

Preparation

- ☒ Protects shoulders with protective covering
- ☒ Secures hair off face

Demonstration of Facial Makeup

- ☒ Sanitizes hands
- ☒ Applies foundation to cover entire face safely
- ☒ Applies powder safely
- ☒ Applies blush safely
- ☒ Applies eye shadow safely
- ☒ Applies eyeliner safely
- ☒ Applies mascara to lashes safely
- ☒ Grooms eyebrows safely
- ☒ Applies lip liner safely
- ☒ Applies lip color safely

Final Appearance of Facial Makeup

- ☒ Applies makeup without lines of demarcation

Safety and Infection Control

- ☒ Disposes of soiled materials using infection control procedures
- ☒ Practices infection control procedures safely throughout service
- ☒ Maintains work area in a safe manner throughout service

Basic Facial

Student: Robin Kneub Date: 0901.10 Grade: 8/144 82%

Set-Up

Y/N

Preparation

- ☒ Disinfects work area or uses protective covering
- ☒ Disposes of soiled materials using infection control procedures
- ☒ Sanitizes hands
- ☒ Sets up work area with supplies
- ☒ Re-sanitizes hands
- ☒ Applies body drape or cover for protection
- ☒ Applies hair drape to completely cover hair
- ☒ Re-sanitizes hands

1st. facial on client
great job.
infection control
please very
good.

Basic Facial

Y/N

- ☒ Removes cleanser from container using infection control procedures

Demonstration of Cleansing the Face

- ☒ Cleanses lips completely and safely
- ☒ Cleanses eye area completely and safely
- ☒ Distributes cleanser over entire face safely
- ☒ Cleanses without dragging or pulling skin
- ☒ Removes all residual makeup and cleanser safely

Demonstration of Steaming the Face

- ☒ Wrings wet towel thoroughly
- ☒ Tests towel temperature on wrist prior to applying
- ☒ Drapes towel to cover face ensuring nose and/or mouth are uncovered
- ☒ Lifts towel from face safely
- ☒ Applies toner or astringent safely

Safety and Infection Control

- ☒ Disposes of soiled materials using infection control procedures
- ☒ Practices infection control procedures safely throughout service
- ☒ Maintains work area in a safe manner throughout service

MP

Make-up Application - on Student (Shelby)

Student: Robert Hough Date: _____ Grade: 3/24 - 825

Set-Up

1.1

Preparation

- ✓ Disinfects work area or uses protective covering
- ✓ Disposes of soiled materials using infection control procedures
- ✓ Sanitizes hands
- ✓ Sets up work area with supplies
- ✓ Re-sanitizes hands
- ✓ Applies body drape or cover for protection
- ✓ Applies hair drape to completely cover hair
- ✓ Re-sanitizes hands

Make-up Application

1.2

Preparation

- ✓ Protects shoulders with protective covering
- ✓ Secures hair off face

Demonstration of Facial Makeup

- ✓ Sanitizes hands
- ✓ Applies foundation to cover entire face safely
- ✓ Applies powder safely
- ✓ Applies blush safely
- ✓ Applies eye shadows safely
- ✓ Applies eye liner safely
- ✓ Applies mascara to lashes safely
- ✓ Grooms eyebrows safely
- ✓ Applies lip liner safely
- ✓ Applies lip color safely

Final Appearance of Facial Makeup

- ✓ Applies makeup without lines of demarcation

Safety and Infection Control

- ✓ Disposes of soiled materials using infection control procedures
- ✓ Practices infection control procedures safely throughout service
- ✓ Maintains work area in a safe manner throughout service

Art & Science Institute of Cosmetology & Massage Therapy
33 Corey Road, Fairmont WV 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: Robin Keough
Social Security No.: XXX-XX-5919
Permit #: 57694
Enrollment Date: 08/17/10
Contract End Date: 01/22/11
Reported Month & Year: Aug-10

*Monthly Evaluation & Progress
Each signed by Ms. Keough*

Monthly Attendance

Monthly Hours Attended:	<u>73.00</u>
Monthly Hours Scheduled:	<u>71.50</u>
Monthly Hours Difference:	<u>(1.50)</u>
Monthly Attendance Percentage:	<u>102%</u>

Monthly Academic Progress:

Practical:	<u>92 %</u>	<u>B</u>
Theory:	<u>94 %</u>	<u>A</u>
Average:	<u>93 %</u>	<u>A</u>

Cumulative Attendance: Required minimum 67%

Cumulative Attendance to Date:	<u>73.00</u>
Scheduled Hours to Date	<u>71.50</u>
Remaining Hours	<u>527.00</u>
Cumulative Attendance Percentage:	<u>102%</u>

Cumulative Academic Progress:

Required minimum 75%: 93%

Comments/ Advising:

Probationary Period Commencing:

I hereby agree that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: *Robin Keough*

Date: 0907.10

Instructor Signature: *R. Keough*

Date: 9-7-2010

Director Signature: *Mrs. Bland*

Date: 9/7/10

Art & Science Institute of Cosmetology & Massage Therapy
33 Corey Road, Fairmont WPA 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: Robin Keough

Social Security No.: XXX-XX-5919

Permit #: 57694

Enrollment Date: 08/17/10

Contract End Date: 01/22/11

Reported Month & Year: Sep-10

Monthly Attendance

Monthly Hours Attended:	<u>119.50</u>
Monthly Hours Scheduled:	<u>130.00</u>
Monthly Hours Difference:	<u>10.50</u>
Monthly Attendance Percentage:	<u>92%</u>
Late days for the Month	<u>0</u>

Monthly Academic Progress:

Practical:	<u>84 %</u>	<u>C</u>
Theory:	<u>94 %</u>	<u>A</u>
Average:	<u>89 %</u>	<u>B</u>

Cumulative Attendance: Required minimum 67%

Cumulative Attendance to Date:	<u>192.50</u>
Scheduled Hours to Date	<u>201.50</u>
Remaining Hours	<u>407.50</u>
Cumulative Attendance Percentage:	<u>96%</u>

Cumulative Academic Progress:

Required minimum 75%: 91%

Comments/ Advising: _____

Probationary Period Commencing: _____

I hereby attest that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: *Robin Keough*

Date: 10-12-2010

Instructor Signature: *Delaney*

Date: 10/10/10

Director Signature: *Mrs. Bland*

Date: 10/5/10

Art & Science Institute of Cosmetology & Massage Therapy
33 Covey Road, Fairmont WV 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: **Robin Keough**
Social Security No.: XXX-XX-5919
Permit #: 57694
Enrollment Date: 08/17/10
Contract End Date: 01/22/11
Reported Month & Year: Oct-10

Monthly Attendance

Monthly Hours Attended:	<u>125.00</u>
Monthly Hours Scheduled:	<u>123.50</u>
Monthly Hours Difference:	<u>(1.50)</u>
Monthly Attendance Percentage:	<u>101%</u>
Late days for the Month	<u>0</u>

Monthly Academic Progress:

Practical:	<u>95 %</u>	<u>A</u>
Theory:	<u>100 %</u>	<u>A</u>
Average:	<u>98 %</u>	<u>A</u>

Cumulative Attendance: Required minimum 67%

Cumulative Academic Progress:

Cumulative Attendance to Date:	<u>317.50</u>
Scheduled Hours to Date	<u>325.00</u> ✓
Remaining Hours	<u>262.50</u>
Cumulative Attendance Percentage:	<u>98%</u>

Required minimum 75%: 93%

Comments/ Advising: _____

Probationary Period Commencing: _____

I hereby attest that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: Robin Keough

Date: _____

Instructor Signature: Melony D. Dancy

Date: 11/12/10

Director Signature: Mrs. Bland

Date: 11/12/10

Art & Science Institute of Cosmetology & Massage Therapy
33 Corey Road, Fairmont WV 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: Robin Keough
Social Security No.: XXX-XX-5919
Permit #: 57694
Enrollment Date: 08/17/10
Contract End Date: 01/22/11
Reported Month & Year: Nov-10

Monthly Attendance

Monthly Hours Attended:	<u>95.50</u>
Monthly Hours Scheduled:	<u>91.00</u>
Monthly Hours Difference:	<u>(4.50)</u>
Monthly Attendance Percentage:	<u>105%</u>
Late days for the Month	<u>0%</u>

Monthly Academic Progress:

Practical:	<u>95 %</u>	<u>A</u>
Theory:	<u>95 %</u>	<u>A</u>
Average:	<u>95 %</u>	<u>A</u>

Cumulative Attendance: Required minimum 67%

Cumulative Attendance to Date:	<u>412.00</u>
Scheduled Hours to Date	<u>416.00</u>
Remaining Hours	<u>188.00</u>
Cumulative Attendance Percentage:	<u>99%</u>

Cumulative Academic Progress:

Required minimum 75%: 94%

Comments/ Advising: _____

Probationary Period Commencing: _____

I hereby attest that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: Robin Keough

Date: 12-9-2010.

Instructor Signature: Mrs. Detch

Date: 12-9-10

Director Signature: Mrs. Bland

Date: 12/9/10

Art & Science Institute of Cosmetology & Massage Therapy
33 Corey Road, Fairmont WV 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: **Robin Keough**
Social Security No.: XXX-XX-5919
Permit #: 57694
Enrollment Date: 08/17/10
Contract End Date: 01/22/11
Reported Month & Year: Dec-10

Monthly Attendance

Monthly Hours Attended:	<u>85.50</u>
Monthly Hours Scheduled:	<u>78.00</u>
Monthly Hours Difference:	<u>(7.50)</u>
Monthly Attendance Percentage:	<u>110%</u>
Late days for the Month	<u>0</u>

Monthly Academic Progress:

Practical:	<u>95 %</u>	<u>A</u>
Theory:	<u>95 %</u>	<u>A</u>
Average:	<u>95 %</u>	<u>A</u>

Cumulative Attendance: Required minimum 67%

Cumulative Attendance to Date:	<u>497.50</u>
Scheduled Hours to Date	<u>494.00</u>
Remaining Hours	<u>102.50</u>
Cumulative Attendance Percentage:	<u>101%</u>

Cumulative Academic Progress:

Required minimum 75%: 94%

Comments/ Advising: _____

Probationary Period Commencing: _____

I hereby attest that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: Robin Keough

Date: 1-7-2011

Instructor Signature: Mrs. Dotch

Date: 1-7-11

Director Signature: Mrs. Band

Date: 1/9/11

Art & Science Institute of Cosmetology & Massage Therapy
33 Percy Road, Fairmont WV 26554
(304) 363-2015

Student Satisfactory Progress Report

Aesthetics

600 Hour Program

Students Name: **Robin Keough**

Social Security No.: XXX-XX-5919

Permit #: 57694

Enrollment Date: 08/17/10

Contract End Date: 01/22/11

Reported Month & Year: Jan-11

Monthly Attendance

Monthly Hours Attended:	<u>103.25</u>
Monthly Hours Scheduled:	<u>102.50</u>
Monthly Hours Difference:	<u>(0.75)</u>
Monthly Attendance Percentage:	<u>101%</u>
Late days for the Month	<u>0</u>

Monthly Academic Progress:

Practical:	<u>97 %</u>	<u>A</u>
Theory:	<u>98 %</u>	<u>A</u>
Average:	<u>98 %</u>	<u>A</u>

Cumulative Attendance: Required minimum 67%

Cumulative Attendance to Date:	<u>600.25</u>
Scheduled Hours to Date	<u>596.50</u>
Remaining Hours	<u>(0.25)</u>
Cumulative Attendance Percentage:	<u>101%</u>

Cumulative Academic Progress:

Required minimum 75%: 96%

Comments/ Advising: _____

Probationary Period Commencing: _____

I hereby attest that I have read, understand and received a copy of the monthly satisfactory progress report.

Student Signature: _____

Date: _____

Instructor Signature: _____

Date: _____

Director Signature: _____

Date: _____

Kristina Stott-Henire

ENDING

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Name _____

Period Ending _____ No. _____

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FORM 1790

Period Ending _____ No. _____

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FORM 1790

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<p>1. Name of the person or organization who is the owner of the property.</p>	<p>2. Address of the property.</p>	<p>3. City and State of the property.</p>	<p>4. County of the property.</p>	<p>5. Zip Code of the property.</p>	<p>6. Date of the survey.</p>	<p>7. Name of the surveyor.</p>	<p>8. Signature of the surveyor.</p>	<p>9. Date of the survey.</p>	<p>10. Name of the surveyor.</p>	<p>11. Signature of the surveyor.</p>	<p>12. Date of the survey.</p>	<p>13. Name of the surveyor.</p>	<p>14. Signature of the surveyor.</p>	<p>15. Date of the survey.</p>
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MONTH

STUDENTS N

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PRACTICAL
THEORY

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TOTAL HOURS:

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SCHEDULED HOURS:

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320
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38

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Name Sherry Haley
Period Ending _____ No. _____

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FORM 1790

Name <u>Christina Mohr</u>		No. _____	
Period Ending Nov 10		No. _____	
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MONTH / YEAR: 11/10

STUDENTS NAME: Christina Mohr

Cos ☒ Student Incl

Aest _____

Nail Tech _____

Mass _____

Votech _____

MONTHLY HOURS

48.75

48.75

97.50

PRACTICAL:

THEORY:

TOTAL HOURS:

SCHEDULED HOURS: 104.0

CUMULATIVE HOURS

97.50

104.0

ACTUAL HOURS:

SCHEDULED HOURS:

Shirley Tost

Period Ending _____ No. _____

FORM 1790

[illegible]

ACTU

Cos.

hls

OWN

10 Ending No.

Christine Mohr

2nd HALF

Name Christina Mohr

Period Ending _____ No. _____

		IN	OUT	31	✓ 316	NOV 16 AM 8
		IN	OUT			NOV 16 PM 12
		IN	OUT			NOV 16 PM 1
		IN	OUT			NOV 16 PM 1
20:47 4:08	NOV 16	IN	OUT			NOV 17 AM 8
5:27 4:08	NOV 16	IN	OUT		✓ 317	NOV 17 PM 12
5:01 4:08	NOV 16	IN	OUT			NOV 17 PM 12
15:18 4:08	NOV 16	IN	OUT		✓ 317	NOV 17 PM 3
		IN	OUT			NOV 18 AM 8
		IN	OUT	29	✓ 318	NOV 18 PM 12
		IN	OUT			NOV 18 PM 1
		IN	OUT			NOV 18 PM 3
		IN	OUT			NOV 19 AM 8
		IN	OUT	28	✓ 319	NOV 19 PM 12
		IN	OUT			NOV 19 PM 12
		IN	OUT			NOV 19 PM 3
		IN	OUT			NOV 20 AM 8
		IN	OUT	27	✓ 320	NOV 20 PM 3
		IN	OUT			NOV 20 PM 3
		IN	OUT			NOV 20 PM 3
		IN	OUT	21	92	NOV 21 PM 12
		IN	OUT			NOV 21 PM 12
		IN	OUT			NOV 21 PM 3
		IN	OUT	22	52	NOV 22 PM 12
		IN	OUT			NOV 22 PM 12
		IN	OUT			NOV 22 PM 3
8:53 11:22	NOV 24	IN	OUT		✓ 323	NOV 23 AM 8
1:32 12:56	NOV 24	IN	OUT			NOV 23 PM 1
NOV 24 12:21	NOV 24	IN	OUT		✓ 323	NOV 23 PM 3
NOV 24 8:45	NOV 24	IN	OUT			NOV 23 PM 3
REGULAR TIME				LOST TIME		

FORM 1790

Period Ending Jan 11 No. 1[illegible]


FORM 1790

Robin's Profile · Robin's Wall

Excerpt From Ms. Keough's Facebook

Robin Keough

Beauty School Graduate!!!! I did it!

 Like  Comment

 7 people like this.


Cathy Sumpter Yay Robin! Good for you! Was there ever any doubt????? Congratulations!

January 29 at 7:15pm · Like



Robin Keough I had my doubts, commuting 5 days a week was a drag, and being a student again in a different field was an interesting experience. The kids were awesome, smart, creative, funny. It was interesting, I definitely learned alot, and not just what was in the curriculum.

January 29 at 7:22pm · Like ·  1 person

Cathy Sumpter It sounds and seems as if it was a very positive experience for you. You have the intelligence, no doubt, but the commuting must have been a killer. Whenever you learn something new, it stretches the mind and being around the kids, there had to be some major stretching of the mind going on there! You should be very proud of yourself. Very proud of you Robin-don't stop there! Keep going!

January 29 at 7:26pm · Like ·  1 person

Sandy Bland So very proud of you!!!!

January 29 at 7:28pm · Like



Robin Keough Thank you guys. Some major stretching of my patience. And, some major stretching of my clothes. Sitting in class is not the same as working a 12 hour shift as a nurse. And, I did alot of cookie therapy to keep myself going. Now, on to real life.

January 29 at 7:38pm · Like



Cathy Sumpter Oh get over it and feel good about yourself! Cookie therapy is the best therapy. Chocolate works too! Warmer weather is coming and you will have many opps to get out there and run and work it off. Good luck Robin, do you have any prospects as yet to utilize your new skills?

January 29 at 7:40pm · Like 427



Jo Ann McKahan Bobby-Gilbert Cool! Congrats!

Letter From Ms. Delaney
Instruct Part Time New

February 13, 2011

To whom this may concern,

I am writing this letter in response to a complaint filed with the West Virginia Board of Cosmetology regarding my work schedule at A.S.I.C. The first week of October, my husband and I put our house on the market. Unexpectedly, our house sold within the month. Due to the preparation needed for our move I was on a limited work schedule for the month of November and December. It was agreed upon that after the first of the year I would be working a few days a month. I was scheduled to work a couple of days in January, but due to inclement weather and the flu I was unable to do so.

Sincerely,

Michelle M. Delaney

Michelle M. Delaney

Name:

Before any service is started you need to re-wet your manikin and get the Floor Instructors initials. After you are done have the Floor Instructor initial the completed assignment. Assignments not initialed are not considered complete.

Every Student has one (1) Student Record Book Supplement

Tuesday	Wednesday	Thursday	Friday	Saturday
100 S.B. Perm	92 Piggyback	92 S.B. Perm	7 S.B. Thermal	1 Pincurls
100 S.B. Facial	100 Pincurls	100 Cornrows (10)	92 Spiral Perm	8 Updo
100 S.B. Chemical	98 Roller-set, Combout	98 S.B. Chemical	95 Roller-set, Combout	Practice Acrylics
98 S.B. Manicure	Practice Acrylics	98 S.B. Manicure	S.B. Facial	Ex.
95 9sec. Perm	Ex. Flat	98 Fingerwaves	Ex. S.B. Thermal	Ex.
91 S.B. Thermal	Ex.	98 Nail Art	Ex. S.B. Thermal	Ex.
Practice Acrylics	Ex.	98 9sec. Perm	Ex. S.B. Thermal	Ex.
Ex. Flat	Ex.	Ex.	Ex. S.B. Thermal	Ex.
11 S.B. Perm	12 Piggyback	92 S.B. Perm	14 S.B. Thermal	13 Pincurls
S.B. Facial	Pincurls	92 Cornrows (10)	Spiral Perm	8 Updo
S.B. Chemical	Roller-set, Combout	98 S.B. Chemical	Roller-set, Combout	Practice Acrylics
S.B. Manicure	Practice Acrylics	98 S.B. Manicure	S.B. Facial	Ex. Facial
9sec. Perm	Ex. Flat	98 Fingerwaves	Ex. Flat	Ex. S.B. Thermal
S.B. Thermal	Ex.	98 Nail Art	Ex. S.B. Thermal	Ex. S.B. Thermal
Practice Acrylics	Ex.	98 9sec. Perm	Ex. S.B. Thermal	Ex. S.B. Thermal
Ex. Flat	Ex.	Ex.	Ex. S.B. Thermal	Ex. S.B. Thermal
18 S.B. Perm	12 Piggyback	92 S.B. Perm	21 S.B. Thermal	13 Pincurls
S.B. Facial	Pincurls	92 Cornrows (10)	Spiral Perm	8 Updo
S.B. Chemical	Roller-set, Combout	98 S.B. Chemical	Roller-set, Combout	Practice Acrylics
S.B. Manicure	Practice Acrylics	98 S.B. Manicure	S.B. Facial	Ex.
9sec. Perm	Ex. Flat	98 Fingerwaves	Ex. S.B. Thermal	Ex.
S.B. Thermal	Ex.	98 Nail Art	Ex. S.B. Thermal	Ex.
Practice Acrylics	Ex.	98 9sec. Perm	Ex. S.B. Thermal	Ex.
Ex. Flat	Ex.	Ex.	Ex. S.B. Thermal	Ex.
18 S.B. Perm	12 Piggyback	92 S.B. Perm	21 S.B. Thermal	13 Pincurls
S.B. Facial	Pincurls	92 Cornrows (10)	Spiral Perm	8 Updo
S.B. Chemical	Roller-set, Combout	98 S.B. Chemical	Roller-set, Combout	Practice Acrylics
S.B. Manicure	Practice Acrylics	98 S.B. Manicure	S.B. Facial	Ex.
9sec. Perm	Ex. Flat	98 Fingerwaves	Ex. S.B. Thermal	Ex.
S.B. Thermal	Ex.	98 Nail Art	Ex. S.B. Thermal	Ex.
Practice Acrylics	Ex.	98 9sec. Perm	Ex. S.B. Thermal	Ex.
Ex. Flat	Ex.	Ex.	Ex. S.B. Thermal	Ex.
18 S.B. Perm	12 Piggyback	92 S.B. Perm	21 S.B. Thermal	13 Pincurls
S.B. Facial	Pincurls	92 Cornrows (10)	Spiral Perm	8 Updo
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S.B. Manicure	Practice Acrylics	98 S.B. Manicure	S.B. Facial	Ex.
9sec. Perm	Ex. Flat	98 Fingerwaves	Ex. S.B. Thermal	Ex.
S.B. Thermal	Ex.	98 Nail Art	Ex. S.B. Thermal	Ex.
Practice Acrylics	Ex.	98 9sec. Perm	Ex. S.B. Thermal	Ex.
Ex. Flat	Ex.	Ex.	Ex. S.B. Thermal	Ex.

100

50

~~CONFIDENTIAL~~

2



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabb
Sarah Hamrick Susan Poveroi
Jim Ryan Rick Stache

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

May 31, 2011

COMPLAINT #: C2011-41

Dear Mr. Bland:

The Board of Barbers and Cosmetologists reviewed complaint C2011-41 and C2011-47 and decided to combine the two complaints and continue to investigate the issues within the previously submitted complaints.


At this time, no other information is available. In the future you may be contacted to supply further information.

Sincerely,

Adam L. Higginbotham
Director

Cc: Individuals that Filed C2011-41 and C2011-47

ON JUNE 22ND AT AROUND 10AM I ENTERED THE ART AND SCIENCE INSTITUTE OF COSMETOLOGY IN FAIRMONT WV. I WENT INTO THE CLASSROOM FIRST AND WITNESS FOUR STUDENTS BEING TAUGHT BY ELIZABETH DETCH (COSMETO INSTRUCTOR) AND SHERRY HALEY (STUDENT INSTRUCTOR). THE FOUR STUDENTS BEING TAUGHT WERE REBECCA ROBINSON (COSMETOLOGY), ROSE KANN (COSMETOLOGY), BOBBIE COLLINS (NAIL TECH), AND KRISTI SHAFFER (AESTHETICIAN). I WAS UNABLE TO PULL THE AESTHETICIAN STUDENT ASIDE TO ASK QUESTIONS BECAUSE JERRY BLAND FOLLOWED ME THROUGHOUT WHOLE INSPECTION. AT THIS SCHOOL THERE IS A TOTAL OF 5 INSTRUCTORS, (3 ARE MASTER INSTRUCTORS) AND A TOTAL OF 3 STUDENT INSTRUCTORS.


DAVID SCARPELLI

ART - NAIL

TEACHER - STUDENT

30. NOV. 1992

Rebecca Robinson - Cosmetology

Rose Kann - Cosmetology

Elizabeth Detch - Cosmetology INSTRUCTOR

Robbie Collins - Nail tech

Michael C. Roberts - Cosmetology

Brittany Pinion - Cosmetology

FULL

STUDENT

2 KATHY 1 PART

2 FULL

BARBARA BRAND MASTER INSTRUCTOR COSMO

2 MASTER
3 ANASTASIA

1 PART

CATHERINE HUBERT - MASTER INSTRUCTOR CO

ROBERTA SANDERS - MASTER INSTRUCTOR

ELIZABETH DETCH - COSMO INSTRUCTOR

MELISSA DELANEY - COSMO INSTRUCTOR

WILEY CURRY - COSMO

Sarah Sharp - COSMO

TRIANA FINE - COSMO

ERIN SHAFER - AESTHETICIAN

BRITANY - STUDENT INSTRUCTOR

ABENT

SHAYLA ACKERS

KRISTIN MOORE - STUDENT INSTRUCTOR

SHERRY HALEY - STUDENT INSTRUCTOR

LAUREY DUNNIRE

LAH HARLOW

SARAH JONES

ELIZABETH MILES

ALEXANDRA MOORE

PERIS OLIVERIO - COSMO

ACE STARKER - COSMO

VICTORIA VANCE - COSMO

JOANNA WOODS

KE



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

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Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabb
Sarah Hamrick Susan Poveror
Jim Ryan Rick Stache

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

September 22, 2011

COMPLAINT #: C2011-41

Dear Mr. Bland:

The Board of Barbers and Cosmetologists reviewed complaint C2011-41 and C2011-47 at the September 19th, 2011 board meeting.

After reviewing the complaint responses and the inspection report from the Board's inspector, the Board voted to dismiss the complaint filed against the school.

Should you have any further questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham
Director

Cc: Individuals that Filed C2011-41 and C2011-47

C2011-42

Higginbotham, Adam L

To: Adam.L.Higginbotham@wv.gov
Subject: RE: WVBBC Complaint

From: Adam.L.Higginbotham@wv.gov [mailto:Adam.L.Higginbotham@wv.gov]
Sent: Monday, February 07, 2011 11:30 AM
To: Higginbotham, Adam L; Western, Patrick L
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Board Of Barbers And Cosmetologists Of West Virginia
Address: 1201 Dunbar Avenue
Dunbar, WV 25064
Phone: 304-558-2924
E-mail:

Individual or Business Named in the Complaint

Name: John Settle
Company: Na
Address: Southern Regional Jail, 1200 Airport Road
Beaver, WV 25813
Phone: NA

List of Witnesses

State of West Virginia

Description of Complaint

Individual has violated WV CODE 30-27-20,g.2 "Being convicted of a felony or other crime involving moral turpitude". Mr. Settle has been convicted of a felony for Sexual Abuse in the First Degree

Higginbotham, Adam L

From: Casto, Lamona R
Sent: Friday, February 04, 2011 9:27 PM
To: Higginbotham, Adam L
Cc: Western, Patrick L
Subject: John Settle

Feb. 4, 2011 - I had told you about the allegations against Mr. Settle several months ago. I had never seen his daughter but her license was always in the shop. She was the only one working today. She said that her father was in jail. He was charged with sexual assault on a 16 year old boy. He was sentenced Dec. 15, 2010 one to five years. She said that her father was wrongly accused and they are working on an appeal. He will have to serve one year. In the mean time she will be taking over his shop. She is going to apply for a change of ownership. She said when he gets out of jail they will have to relocate and she has to be with him all the time because he won't be allowed to be around children. I will tell you more details when I get the chance.

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John Herbert Settle



Click To Enlarge West Virginia Jails Mugshot

Height: 5ft 6in **Weight:** 175 lbs. **DOB:** 11/13/1947

Booked: 12/15/2010 **Booking ID:** 999021667

Fayette County - Bail: \$0.00 - SRJ

Charge Type: ConvictedFelon

Like



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Post as ...

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First Name:

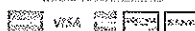
Last Name:

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Fayetteville man accused of sexual abuse, waives hearing

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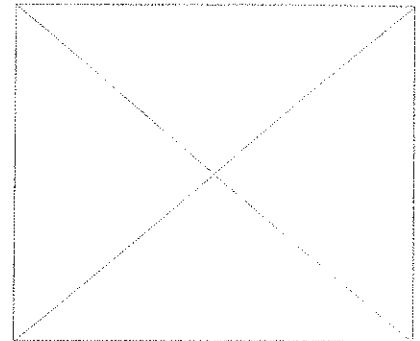
[Recommend](#)
Posted: Mar 30, 2010 4:49 PM EDT [Be the first of your friends to recommend this.](#)



A Fayetteville hairstylist waived his preliminary hearing Tuesday afternoon. 62-year-old John Settle is being charged with first-degree sexual abuse after he allegedly fondled a 13-year-old boy on February 23.

Settle's salon, New Image Hair Styling in Fayetteville is still open but Settle declined to talk with us after his hearing.

Settle's case will now be heard in a Fayette County Circuit Court.



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March 1, 2010

Hair stylist accused of sexually abusing teen

By Amelia A. Pridemore
Register-Herald Reporter

FAYETTEVILLE — State Police say they have arrested a Fayetteville hair stylist accused of sexually abusing a teenage customer.

John Hebert Settle, 62, of Smith Street, Fayetteville, is charged with first-degree sexual abuse, use of obscene matter with intent to seduce a minor and distribution and display of obscene matter to a minor, said Trooper 1st Class C.L. Adkins of the Oak Hill detachment.

Settle was arrested Monday and released on \$60,000 bond, Adkins said.

Settle operates New Image Hairstyling on Maple Avenue in Fayetteville, Adkins said. The alleged victim is a 13-year-old boy who said he had come to the salon Feb. 23.

Adkins said the alleged victim told police Settle fondled him. After that, Settle allegedly asked the boy to watch a pornographic video playing at the shop.

The boy fled the shop, Adkins said. The victim's statements, he said, were corroborated during the investigation.



The Register-Herald, Beckley, West Virginia 801 N. Kanawha St., P.O. Box 2398, Beckley, WV, 25802

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS:

INFORMATION NO. 10-F-174 (H)
West Virginia Code § 61-8B-7(a)
Sexual Abuse in the First Degree

JOHN H. SETTLE
DOB: 11-13-1947

FAYETTE COUNTY
CIRCUIT CLERK
2010 DEC 17 A 8:58
DANIEL E. WRIGHT

SENTENCING AND COMMITMENT ORDER

On the 15th day of December 2010, came the State of West Virginia by Assistant Prosecuting Attorney Larry E. Harrah, II; the defendant appearing in person and by his counsel, Nancy S. Fraley; and the Probation Department of this Court appearing by Probation Officer Jerry Willoughby, for the purpose of imposition of sentence and a hearing upon the defendant's application for probation heretofore made, pursuant to the defendant's plea of guilty on October 13, 2010 to the felony offense of sexual assault in the first degree, as contained in Information No. 10-F-174.

Whereupon, the Court reviewed the Presentence Investigation Report of the Probation Department and made inquiry whether there were any additions or corrections to said Report. No additions or corrections were made to the said report.

The Court, thereupon, offered all parties, including the defendant, an opportunity to address the Court prior to pronouncement of sentence. The defendant addressed the Court on his own behalf. Counsel for the defendant also addressed the Court on behalf of the defendant. The Court further heard from Della Persinger, the mother of the victim in this matter, and counsel for the State.

Whereupon, the Court, after having given all parties an opportunity to be heard, is of the opinion and therefore, it is the ORDER and JUDGMENT of the Court that for the defendant's

conviction of the felony offense of sexual assault in the first degree, as contained in Information No. 10-F-174, the defendant is hereby sentenced to the West Virginia State Correctional Facility for not less than one (1) year nor more than five (5) years.

The Court, in acting upon the defendant's application for probation, reviewed the Presentence Investigation Report and took the following matters into consideration:

1. The defendant is sixty-three (63) years old.
2. The defendant is a high school graduate.
3. The defendant has completed cosmetology class and is self-employed.
4. The defendant does not have a criminal history.
5. The defendant was a member of the United States Army and was discharged on a hardship.
6. The defendant was examined by a psychiatrist and a psychologist who both issued reports in this matter. There are discrepancies in the aforementioned reports, however the defendant admitted to both that he prefers male partners.
7. The defendant is married with two (2) grown adult children.
8. The defendant has a barber shop within a close distance of an elementary school.
9. The defendant had a position of trust with this victim.
10. The defendant's shop was full of pornographic material.

Based thereon, the Court is of the opinion that the defendant's application for probation be and the same is hereby **DENIED**.

The effective date of this sentence shall be December 15, 2010.

Having been convicted of one count of sexual assault in the first degree, pursuant to W.Va. Code § 61-8B-3, it is further **ORDERED** that the defendant shall provide a blood sample to be used

for DNA analysis. The blood sample drawn for such DNA analysis shall be drawn, processed and stored in compliance with the provisions of W.Va. Code § 15-2B-6 as follows:

1. The Sheriff of Fayette County, West Virginia, shall, pursuant to the provisions of W.Va. Code §15-2B-9(a), draw and cause to be drawn blood and other DNA-bearing material from the defendant as required by W.Va. Code §15-2B-9(g) for testing required by Title 81 CSR Series 9, § 81-9-4.1.b and W.Va. Code §15-2B-7, and maintenance as required by W.Va. Code §15-2B-8, using a kit provided by the West Virginia State Police together with a fingerprint and other information as required by Title 81 CSR Series 9, § 81-9-4.8; and the Sheriff of Fayette County shall deliver the sample to the West Virginia State Police Crime Laboratory, Biochemistry Section, 725 Jefferson Road, South Charleston, West Virginia, 25309;
2. The drawing and submission of the blood kit shall be completed within twenty (20) days of the date of entry of this Order.

It is further the **ORDER** and **JUDGMENT** of the Court that the defendant, upon release and pursuant to West Virginia Code § 62-12-26, be required to serve, in addition to any penalty or condition imposed by the Court, a period of supervised release of twenty (20) years.

It is further the **ORDER** and **JUDGMENT** of the Court that the defendant must register for life as a convicted sex offender. The Court orally and in writing informed the defendant that he must register as a sex offender for life. The defendant was given the sexual offenders register notice requirements, which was explained to the defendant by the Court, and executed by the defendant and his counsel.

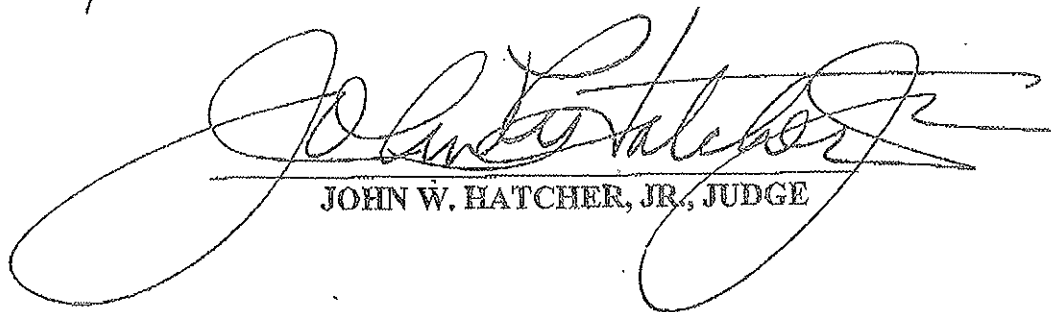
The Court further informed the defendant of his right to appeal and the time periods and

requirements for doing so.

The defendant is hereby remanded to the custody of the Sheriff of Fayette County for further execution of the above sentence.

It is further the **ORDER** and **JUDGMENT** of this Court that the Clerk of this Court shall complete the Court Disposition Reporting Form, DPS Form 29, and shall send the original of such form to the appropriate agency for recordation. The Clerk is further directed to forthwith send an attested copy of this Order via facsimile machine to Dianne E. Skiles, Records Manager, West Virginia Division of Corrections, (304) 558-8430 and shall forward certified copies of this Sentencing and Commitment Order to the West Virginia Division of Corrections, 112 California Avenue, Building 4, Room 300, Charleston, West Virginia 25305-0280; Larry E. Harrah, II, Assistant Prosecuting Attorney, 108 East Maple Avenue, Fayetteville, WV 25840; Nancy S. Fraley, counsel for the defendant, 102 Fayette Avenue, Fayetteville, WV 25840; Jerry Willoughby, Probation Officer, 100 Court Street, Fayetteville, WV 25840; Fayette County Sheriff's Department; John H. Settle, c/o Southern Regional Jail, 1200 Airport Road, Beaver, WV, 25813; and the Southern Regional Jail, 1200 Airport Road, Beaver, WV, 25813.

ENTERED this 17 day of December 2010.


JOHN W. HATCHER, JR., JUDGE

Attested Copies to:

WVDOC (fax) FCSB

LEH: / JHS

NSE: / SRJ (fax)

JW: / CJ

Date: 12-17-10

Initials: PS

IN THE CIRCUIT COURT OF FAYETTE COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

VS:

JOHN H. SETTLE
DOB: 11-13-1947

INFORMATION NO. 10-F-174 (B)
West Virginia Code § 61-8B-7(a)
Sexual Abuse in the First Degree

SAMUEL E. WRIGHT

2010 DEC 17 A 10:47

FAYETTE COUNTY
CIRCUIT CLERK

ORDER AMENDING SENTENCING AND COMMITMENT

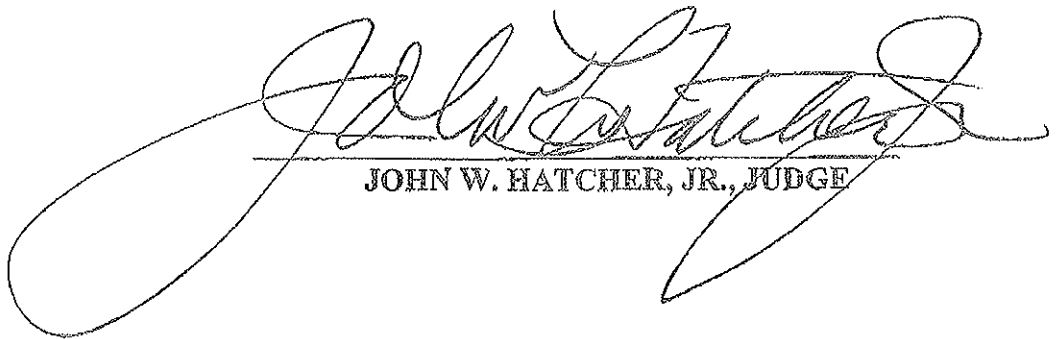
On this 17th day of December 2010, came the State of West Virginia by Larry E. Harrah, II, Assistant Prosecuting Attorney and advised the Court that the previous Sentencing and Commitment Order entered December 17, 2010 incorrectly states throughout the entirety of the order that John H. Settle was sentenced for the felony crime of sexual assault in the first degree. The Order should have correctly stated that John H. Settle was sentenced for sexual abuse in the first degree.

Therefore, it is ORDERED that the aforementioned December 17, 2010 Order be and the same is hereby amended to correctly state that John H. Settle was sentenced for the felony off of sexual abuse in the first degree. All other terms of the aforementioned December 17, 2010 Order remain in full force and effect and are not amended by this Order.

It is further the ORDER and JUDGMENT of this Court that the Clerk of this Court shall complete the Court Disposition Reporting Form, DPS Form 29, and shall send the original of such form to the appropriate agency for recordation. The Clerk is further directed to forthwith send an attested copy of this Order via facsimile machine to Dianne E. Skiles, Records Manager, West Virginia Division of Corrections, (304) 558-8430 and shall forward certified copies of this Sentencing and Commitment Order to the West Virginia Division of Corrections, 112 California

Avenue, Building 4, Room 300, Charleston, West Virginia 25305-0280; Larry E. Harrah, II, Assistant Prosecuting Attorney, 108 East Maple Avenue, Fayetteville, WV 25840; Nancy S. Fraley, counsel for the defendant, 102 Fayette Avenue, Fayetteville, WV 25840; Jerry Willoughby, Probation Officer; 100 Court Street, Fayetteville, WV 25840; Fayette County Sheriff's Department; John H. Settle, c/o Southern Regional Jail, 1200 Airport Road, Beaver, WV, 25813; and the Southern Regional Jail, 1200 Airport Road, Beaver, WV, 25813.

ENTERED this 17 day of December 2010.



JOHN W. HATCHER, JR., JUDGE

Attested Copies to:
WVDOC (Fax) FGSD
LEH / JHS
NSF / SRJ (Fax)
JW / CJ
Date: 12-17-10
Initials: RS



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

John Settle, Inmate
Southern Regional Jail
1200 Airport Road
Beaver, WV 25813

February 7, 2011

COMPLAINT #: C2011-42

Dear Mr. Settle:

The Board office has received the enclosed complaint.

The Board office is requesting your response to the complaint that you have violated WV CODE 30-27-20-g.2, "Being convicted of a felony or other crime involving moral turpitude".

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher	Justina Gabbe
Sarah Hamrick	Susan Poveron
Jim Ryan	Rick Stache

John Settle, Inmate
Southern Regional Jail
1200 Airport Road
Beaver, WV 25813

May 31, 2011

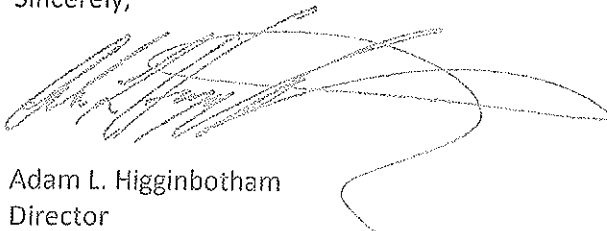
COMPLAINT #: C2011-42

Dear Mr. Settle:

The Board of Barbers and Cosmetologists reviewed the complaint that was filed against you on February 7th, 2011 and determined to forward the complaint to the West Virginia State Attorney General's Office for further complaint proceedings.

Should you have any further questions, please contact the Board office.

Sincerely,



Adam L. Higginbotham
Director

State of West Virginia
Board of Barbers and Cosmetologists
Application for License Renewal
★ RENEW ONLINE AT WWW.WVBBC.ORG ★

☐ \$10.00 enclosed for duplicate.
☒ Place my license on inactive.

LICENSE #: 019662

MANAGING COSMETOLOGIST JOHN H. SETTLE

Name Change _____

Phone Number Change _____

Address Change _____

Email Address _____

License renewals are due January 1st of each year. If a license is not on inactive status, a \$5.00 penalty is added on the first of each month for late renewal. Additional penalties may result for working on a lapsed license. The fee schedule for each month is listed below.

January \$35.00	February \$40.00	March \$45.00	April \$50.00	May \$55.00	June \$60.00
July \$65.00	August \$70.00	September \$75.00	October \$80.00	November \$85.00	December \$90.00

MAIL TO: 1201 DUNBAR AVE, DUNBAR, WV 25064

www.wvbbs.org

TEL: 304.558.2924 • FAX: 304.558.3450

The Board office has received the enclosed complaint.

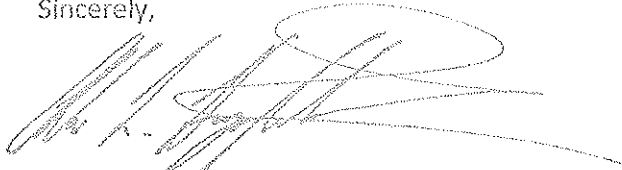
The Board office is requesting your response to the complaint that you have violated WV CODE 30-27-20-g.2, "Being convicted of a felony or other crime involving moral turpitude".

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,



Adam L. Higginbotham
Director

* The above complaint is true.

John Settle
2/9/11



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

John Settle, Inmate
Southern Regional Jail
1200 Airport Road
Beaver, WV 25813

September 22, 2011

COMPLAINT #: C2011-42

Dear Mr. Settle:

The Board reviewed the complaint filed against you and has flagged your license account.

Should you have any questions, please feel free to contact the Board office.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham".

Adam L. Higginbotham
Director

①

C2011-43

All State Board:

To whom it may concern, I had called & spoke to a Gentleman at State Board about a concern w/ a Cosmetologist in my area, that has been performing an active Business for years & has Not Reported it, & I was told to write a letter Explaining it.

(Selena Dean Knight
#87 Smithfield Street
Buckhannon WV. 26201)

She has had a salon in her home for yrs. There is NO sign of any kind for advertizing or to let the public aware that it is a Business. She advertises by word of mouth. There is an Entrance at the back of house, but is Never used! Customers use her Home Entrance, her main front door of the home, They come through her living room & through the Kitchen, The shop is off from the Kitchen, But there is NO Door Seperating it. When you Enter

(2)

The house, you are greeted by two dogs & a cat, that have Excess to shop area at all times. I have personally been there w/ a friend for Jewelry parties & seen the condition of shop after hrs., There was tons of hair lying on the floor that was Not swept up. The cat was playing in the mess & was scattering it throughout the home.

I'm Not one to Report people, I mind my own bus. But it upsets me that I keep everything up to date & go by the Rules, & have to put out money to pay Taxes & Licence fees! & other people getting cash in hand, & working illegal & living Better than most. Because of not paying legal fees.

I had Spoke w/our State Inspector & ask if she had a Bus, that she Visited on # 87 Smithfield & she said No! so thats why I'm Reporting It!

Thank you!
Concerned
Business
Owner



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

Selena Knight
87 Smithfield Street
Buckhannon, WV 26201

February 7, 2011

COMPLAINT #: C2011-43

Dear Ms. Knight:

The Board office has received the enclosed complaint.

The Board office is requesting your response to the complaint.

Additionally, the Board office has included a Cease and Desist Order for the possibility of allowing a pet in the salon. It has been recorded that on 9/24/2009, you were cited for allowing pets in your salon. Therefore, the Board office has issued the Cease and Desist Order.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

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www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbe
Sarah Hamrick Susan Poveron
Jim Ryan Rick Stache

February 7, 2011

VIA CERTIFIED MAIL

Dear Selena Knight:

The West Virginia Board of Barbers and Cosmetologists (hereinafter "Board") was created by the legislature to protect the public by regulating the practice of beauty culture in the State of West Virginia. W. Va. Code § 30-27-1 *et seq.* On February 4th, 2011, the Board received a formal complaint/information regarding:

- Allowing pets in your salon.
- Other issues pertaining to 3CSR5, rules pertaining to shop operations.

After reviewing the received complaint/information it was determined that the issues mentioned above, if accurate, are in violation of West Virginia law.

As a result of you are hereby ordered to CEASE AND DESIST all activities relating to the issues mentioned above within the State of West Virginia.

Failure to comply with this cease and desist order will result in further legal consequences. Please feel free to contact the Board's Executive Director at (304) 558-2924 with any questions.

Sincerely,

Adam L. Higginbotham M.B.A.
Executive Director

87 Smithfield Street
Buckhannon WV 26201

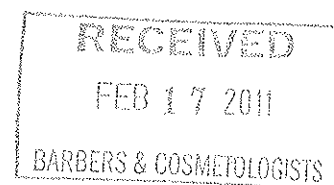
State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

February 11, 2011

Dear Adam Higginbotham:

This letter is in response to the February 7, 2011 letter I received pertaining to the attached complaint:

- There is and always has been a door separating the kitchen from the shop. Due to the age of the home and the door, it is obvious it has been there since the home was constructed.
- After the citation was received in September 2009, a gate was also installed to ensure the family pets were kept out of the shop and still allow adequate ventilation.
- There is a back door which leads directly into the shop. There is a sign posted on the front door stating to use rear entrance.
- The Shop License Number is 012346; my Cosmetologist License Number is 9030784. I believe it was November the last time the State Inspector visited me. As you realize I have no control over the inspection schedule and have no idea why the Inspector would imply I was not licensed.
- I have no idea how to address the issue of this person being in my home for a jewelry party 'after hours' and seeing hair on the shop floor. I did have one jewelry party in my home; it was in November 2007, over three years ago. The party was in the living & dining rooms, not even close to the shop. I have never had any type of party in my home since that date.

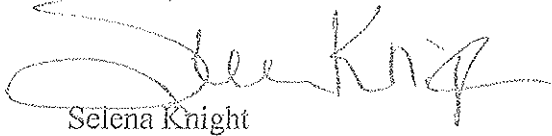


Page 2

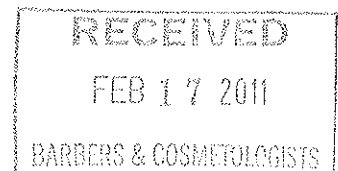
I believe this complaint was due to a recent personal dispute and by no means a legitimate business complaint. Especially since I have had three surgeries in the past year and the shop has rarely been used.

If you need additional information (photos, copies of licenses, etc.), please let me know.

Sincerely,



Selena Knight





Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbe
Sarah Hamrick Susan Poveroni
Jim Ryan Rick Stache

Selena Knight
87 Smithfield Street
Buckhannon, WV 26201

May 31, 2011

COMPLAINT #: C2011-43

Dear Ms. Knight:

The Board of Barbers and Cosmetologists reviewed the complaint that was filed against you at the May 23rd, 2011 board meeting.

The Board determined that there was not enough information for further action. The Board does respectfully remind you that pets are not permitted in salons.

Therefore, the complaint has been dismissed.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham", with a long, sweeping horizontal stroke at the end.

Adam L. Higginbotham
Director

C2011-44

Beckley Beauty Academy

109 S. Fayette Street Phone 253-8326

BECKLEY, WEST VIRGINIA 25801

February 8, 2011

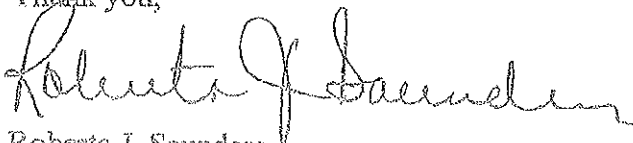
Re: Carlie Shott practicing without a manicure license

To Whom It May Concern:

It has been brought to my attention that Carlie Shott is doing nails in the Directors Cutzs in Mercer County.

Carlie Shott has completed 400 hours manicuring program although she has not satisfactorily completed her final exam in Theory or Practical. She does not have a work permit nor has she been scheduled to take her State Board exam.

Thank you,



Roberta J. Saunders



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

MEMORANDUM

To: Annual Report Status

From: Adam L. Higginbotham
Director
Board of Barbers and Cosmetologists

Date: September 22, 2011

Subject: C2011-44

Complaint C2011-44 has been closed. An investigation into Carlie Shott practicing without a license was proven true by the inspector in the Mercer County area.

A violation was issued and a fine of \$500.00 was issued and paid. Complaint closed.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poveromo
Jim Ryan Rick Stache

MEMORANDUM

To: Annual Report Status

From: Adam L. Higginbotham
Director
Board of Barbers and Cosmetologists

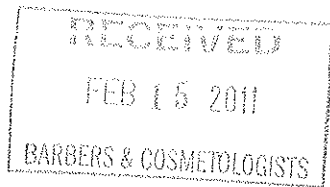
Date: September 22, 2011

Subject: C2011-45

Complaint C2011-45 is still under investigation for unsanitary conditions.

C2011-46

Date Feb 14, 2011



From Confidential reporter,

TO: Mr. Director Adam L. Higginbotham

- Board inspectors

Re: Follow-up hiring unlicensed
nail tech at offense - Salon.

For safety, this letter must be confidential or
destroy.

Repeat offender: Diamond Nails

121 Dayton Street #5

Berkley W.V 25801

(Wal-mart Plaza).

How: continuing hiring non-license nail techs

How many: 2

What the owner said: They don't care about
fine. They have money to pay fine. Non-
license nail techs must run away when
they see the state inspectors.

Best time to check mon - sat; after 4 PM

Sun: from 1 - 5 PM

Note: Please make sure they don't see you
before entering the Salon.

The owner is willing to commit illegal
act by continuing hiring non licensees.
This is second offense.

Suggestion: Shut down this shop.
God bless America.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabby
Sarah Hamrick Susan Poveroi
Jim Ryan Rick Stache

Diamond Nails
121 Dayton Street, Suite 5
Beckley, WV 25801

May 31st, 2011

COMPLAINT #: C2011-46

Dear Thuy Tran Nguyen:

The enclosed complaint about Diamond Nails employing unlicensed workers was received on February 15th, 2011 and reviewed by the Board on May 23rd, 2011. An investigation into the complaint found the issue to be true.

Please respond to the complaint in writing.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

C2011-46

June 13, 2

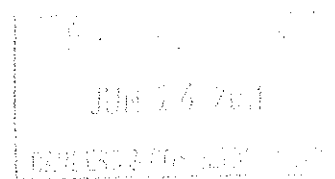
To whom it may concern.

I, Tony Nguyen the owner of
Diamond Nails 121 Dayton St. #5
Beckley, WV 25801. I think my
Business is more importance than hire
a nail tech without license. A
lady was there that day, is visit
his boyfriend who work there. I
don't know whoever out there try
to get me in trouble. I hope you
understand. God Bless...

Thank you

Tam

Complaint # C2011-46





Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher	Justina Gabbert
Sarah Hamrick	Susan Poveromo
Jim Ryan	Rick Stache

Diamond Nails
121 Dayton Street, Suite 5
Beckley, WV 25801

September 22, 2011

COMPLAINT #: C2011-46

Dear Thuy Tran Nguyen:

The Board reviewed the complaint filed against you and your shop at the September 19th, 2011 board meeting.

After reviewing the complaint and the investigation conducted by the inspector, it was found that your shop did allow an unlicensed worker to perform services on April 30th, 2011.

Although the complaint was true, the Board dismissed the complaint since the fine has been paid.

Please note, your shop has had two unlicensed worker violations. After a third offense, the Board may seek the revocation of your individual and shop license should you be cited for an unlicensed worker.

Should you have any further questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham
Director

Higginbotham, Adam L

From: Adam.L.Higginbotham@wv.gov
Sent: Tuesday, February 15, 2011 6:47 PM
To: Higginbotham, Adam L; Western, Patrick L
Cc: hairmama89@yahoo.com
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Tammy Harper
Address: 313 Half Nutter Run Rd.
Clarksburg, WV 26301
Phone: 304 841 8111
E-mail: hairmama89@yahoo.com

Individual or Business Named in the Complaint

Name: Jay An Barbra Bland
Company: ASIC
Address: Corey Road
Fairmont, WV 26301
Phone: 304 363 2015

List of Witnesses

Students as of Jan 2011. Mrs. Moore , Mrs. Detch, A students in the estetics class named Valerie an Brooke

Description of Complaint

I started at A.S.I. C. for student instructing. During this time it was very disorganized an the school was a disaster. I was left in the classroom to jus sit there.. I observed Mrs. Detch which included having the students read out of an outdated text book while she walked the halls.(not even sure if she has a instructor license). they had me to teach Esthetics which I do not have a license for . I was left alone in the classroom to teach one or two of the students. They had been left alone to work out of their book never having a teacher through their whole course. There was a student teacher there named Mrs. Moore who Mrs. Detch was very fond of an then put her in the Esthetics (an she never

had worked doing facials and was not licensed for this either) . .At one point they did a customer that had Herpes virus on her mouth and Mrs. Detch told the student it was fine this time to do her facial Jay Bland had me to go into the massage therapy telling me " i want out instructors to know how to teach all the classes " and this i don not have knowledge of massage therapy. When I first came to the school Jay Bland interviewed me with Barbie coming in and out during the interview .. she came in once and asked how old are you? Are you a Christian when i said yes.. She then said "What church do you go to ? " I said the name of my church and she said oh well.. we are catholic.. Then proceeded to tell me about a problem with a guy who owned the Parkersburg Beauty College and how since I graduated from there if I was going there to tell this guy anything about them.. Overall, the classes are so dysfunctional and the students learn on their own . They have their daughter (not an instructor) to grade the students on the floor and the nails and giving them orders how to do haircuts and checking the cuts. The manicurist that was there I saw her repeatedly doing and sitting by herself with no teacher because Mrs. Detch said she doesn't know how to do.. I am extremely disappointed and they completely treated me like I was nothing and belittled my intelligence and they are doing so many false things . They even had plaques on the wall of instructors who are not even there !! There is one instructor the two others are student ones.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

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www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabb
Sarah Hamrick Susan Povero
Jim Ryan Rick Stach

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

February 24, 2011

COMPLAINT #: C2011-47

Dear Mr. Bland:

The Board office has received the enclosed complaint.

Please review the complaint and respond in writing.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director

To the Board
Response to Mrs. Harpers complaint #C2011-47.

MAR 07 2011
LAWSON, J. L.

Allow me to begin by saying that responding to Mrs. Harper's complaint was fairly difficult due to its erratic nature. I have exerted my best effort to answer any and all of the relevant or pertinent issues expressed in the complaint.

To begin with, I must say that I find Mrs. Harper's insinuation of Mrs. Detch's teaching qualifications, or lack thereof, extremely interesting. Mrs. Harper states that she is "not even sure if she has a(n) instructors license", and later in the complaint makes the observation that we have "plaques on the wall of instructors who are not even there". What I can't fathom is how she could have noticed all of the other licenses and yet failed to see Mrs. Detch's posted right there with them in plain sight.

Concerning Mrs. Harper teaching Esthetics. First let me make clear that no student instructor would or has ever taught a class just one week into the program. Furthermore no student instructor is promised a teaching position when they begin the program and Mrs. Harper was no exception. Mrs. Harper came to Mrs. Bland and I and expressed that she had worked as an esthetician and felt comfortable in that field. We told her that was good but would determine over time, if we offered and she accepted a teaching position, where she would be most suited.

The incident with the client that had the fever blister has already been addressed in a previous complaint. This occurred prior to Mrs. Harper's enrollment and any knowledge she has of this occurrence is completely second hand. Details of this event were most likely given to her by one of the other persons who had previously filed a complaint.

The implication that Mrs. Harper was asked to learn how to teach Massage Therapy is unfounded. When an individual enrolls in the Student Instructor program at ASIC, they spend the first eight to ten days shadowing our current instructors. This includes the Massage Therapy instructors as well as the Cosmetology. The purpose of this is to expose the student instructor to varying teaching techniques, not for them to actually learn how to teach that specific class. Upon completion of that time, we sit down with the student instructor to discuss their perception of teaching and enquire if they are still interested in becoming an instructor. I find more often than not, they realize it is not what they thought it would be. Mrs. Harper's total attendance at ASIC was less than six complete days. She was barely half way through the shadowing phase when she left and quite unprofessionally I must add. She was told specifically that her time shadowing the Massage Therapy instructors was to observe their teaching techniques and how they interacted with the students. At any time had she come to Mrs. Bland or myself and expressed her concerns; we could have assuaged her misconceptions. If she was under the impression that she was being groomed to instruct massage therapy, she was mistaken.

028 07 200

I feel the remainder of the issues in this complaint to either be irrelevant nonsense or have already been addressed in the complaint filed by Mrs. Keough (#C2011-41). However, I feel it necessary to make a few points clear.

1. Mrs. Harper was here less than six whole days, five days in January and two and a half hours in February. Observations made by her pertaining to anything that occurred prior to her starting is complete hearsay. (i.e. students that "had been left alone to work out of their book never having a teacher through their whole course.")
2. Mrs. Mohr and Mrs. Detch were both offended by the insinuations in the complaint. Mrs. Harper has no true knowledge of the extent of either their qualifications or their professional interactions.
3. In her list of witnesses she names Valerie, who has withdrawn from the program, and Brooke. We do not, nor did we have at that time, a student named Brooke enrolled in this school.

And finally, in response to Mrs. Harper's insinuation concerning her intelligence, I can only say that it was totally her perception. Obviously, judging by the grammar, spelling and composition of the complaint, it is not difficult to understand where Mrs. Harper may have felt her intelligence was "belittled". If at any time she believed she was being treated in anything less than a professional manner it was completely unintentional, and I extend my apologies.

Jerry B. Lane
owner



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
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Director
Adam L. Higginbotham

Board Members

Michael Belcher	Justina Gabb
Sarah Hamrick	Susan Poveroi
Jim Ryan	Rick Stache

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

May 31, 2011

COMPLAINT #: C2011-47

Dear Mr. Bland:

The Board of Barbers and Cosmetologists reviewed complaint C2011-41 and C2011-47 and decided to combine the two complaints and continue to investigate the issues within the previously submitted complaints.

At this time, no other information is available. In the future you may be contacted to supply further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam L. Higginbotham", written over a horizontal line.

Adam L. Higginbotham
Director

Cc: Individuals that Filed C2011-41 and C2011-47

ON JUNE 22ND AT AROUND 10AM I ENTERED THE ART AND SCIENCE INSTITUTE OF COSMETOLOGY IN FAIRMONT, WV. I WENT INTO THE CLASSROOM FIRST AND WITNESSED FOUR STUDENTS BEING TAUGHT BY ELIZABETH DETCH (COSMETOLOGY INSTRUCTOR) AND SHERRY HALEY (STUDENT INSTRUCTOR). THE FOUR STUDENTS BEING TAUGHT WERE REBECCA ROBINSON (COSMETOLOGY), ROSE KAWN (COSMETOLOGY), BOBBIE COLLINS (NAIL TECH), AND KRISTI SHAFFER (AESTHETICIAN). I WAS UNABLE TO PULL THE AESTHETICIAN STUDENT ASIDE TO ASK QUESTIONS BECAUSE JERRY BLAND FOLLOWED ME THROUGHOUT WHOLE INSPECTION. AT THIS SCHOOL THERE IS A TOTAL OF 5 INSTRUCTORS, (3 ARE MASTER INSTRUCTORS) AND A TOTAL OF 3 STUDENT INSTRUCTORS.



DAVID SCARPELLI

~~MISS HALL~~

~~HER STUDENT TEACHER~~

500 HOUR

~~Rebecca Robinson - Cosmetology~~

~~Rose Kann - Cosmetology~~

~~Elizabeth Detch - Cosmetology INSTRUCTOR~~

~~Bobbie Collins - Nail Tech~~

~~Michael C. Roberts - Cosmetology~~

~~Brittany Pinion - Cosmetology~~

FULL

STUDENT

2 ~~REYNOLDS~~ 1 PART

2 FULL

BARBARA ^{SLAND}

MASTER INSTRUCTOR COSMO

2 MASTER
3 ANASTAS

1 PART

CATHERINE HAUGHT - MASTER INSTRUCTOR COSMO

ROBERTA SAUNDERS - MASTER INSTRUCTOR COSMO

ELIZABETH DETCH - COSMO INSTRUCTOR

MELISSA DELANEY - COSMO INSTRUCTOR

~~ASHLEY CURRY - COSMO~~

~~Sarah Sharp - COSMO~~

~~ARIANA RICE - COSMO~~

EPHIE SHAFFER - AESTHETICIAN

BRITTANY - STUDENT INSTRUCTOR

ABSENT

SHAYLA AKERS

KRISTIN MOORE - STUDENT INSTRUCTOR

SHERRY HALEY - STUDENT INSTRUCTOR

LACEY DUNNIRE

ELAH HARLOW

SARAH JONES

ELIZABETH MARKS

ALEXANDRA MOORE

PEARIS OLIVERIO - COSMO

MAK STARKY - COSMO

VICTORIA VANCE - COSMO

JOANNA WOODS

186



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbc.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabb
Sarah Hamrick Susan Poveroi
Jim Ryan Rick Stache

Art and Science Institute of Cosmetology
33 Corey Road
Fairmont, WV 26554

September 22, 2011

COMPLAINT #: C2011-47

Dear Mr. Bland:

The Board of Barbers and Cosmetologists reviewed complaint C2011-41 and C2011-47 at the September 19th, 2011 board meeting.

After reviewing the complaint responses and the inspection report from the Board's inspector, the Board voted to dismiss the complaint filed against the school.

Should you have any further questions, please feel free to contact the Board office.

Sincerely,

Adam L. Higginbotham
Director

Cc: Individuals that Filed C2011-41 and C2011-47

Higginbotham, Adam L.

From: Adam.L.Higginbotham@wv.gov
Sent: Wednesday, February 16, 2011 11:31 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: kendra_misha_05@hotmail.com
Subject: WVBBB Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Kendra Trent
Address: HC 71 Box 23A
Gilbert, WV 25621
Phone: 3046649313
E-mail: kendra_misha_05@hotmail.com

Individual or Business Named in the Complaint

Name: Tracie Johnson Perry
Company: Tracies Day Spa
Address: 50th St. McCorkle
SE Charleston, WV 25778
Phone: 304-925-1772

List of Witnesses

Delores Grimmette 13046015555 Gilbert, WV Tinamarie Trent 13046649516 Gilbert, WV Adrienne Hatfield Gilbert, WV 3046643323

Description of Complaint

Hello. I am from Gilbert My mother had booked me and a friend of mine a spot at tracies day spa in charleston, wv. the package we picked out included a seaweed wrap, scalp wrap, sea salt bath, facial, massage. we also booked a manicure. which was an extra charge..wasnt included in the package. The lady stated that she has been in this business for 19 yrs. she stated that she had her beauty license, etc. she had a few certificates hanging on the wall. she gave us a horrible experience. I was expecting to get a scalp wrap and hair style so i knew she would be playing with my hair. She said do you want a cut and I informed her no I could use just a thin of my hair. which is with a little comb that

thins your hair. Informed me she was just going to thin my hair....she scrunched it before I got out of there so at the time I didnt realize that she had gapped me or cut me so short. I get up the next morning to wash my hair and style it. I notciied she had gapped me and cut me sooo short. She has also made a huge mistake on my friends hair with her highlights..which are fixed now...but she had told my friend that her highlights looked fine..but yet my friend told her she didn't like them and wanted them fixed back and she wouldnt. i have pictures of what my hair looked like. I had to go to the beauty salon I go to twice. So I have witnesses. well we get to looking on the board website here and notice she doesn't even have her license to cut hair. What could be the next step in reporting her. Thank you. Kendra.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members
Michael Belcher Justina Gabbert
Sarah Hamrick Susan Poverom
Jim Ryan Rick Stache

Traci's Beauty Cottage and Spa
Owner Traci Wilson
50th Street MacCorkle SE
Charleston, WV 25778

February 24, 2011

COMPLAINT #: C2011-48

Dear Ms. Wilson:

The Board office has received the enclosed complaint.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

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Traci's Beauty Cottage and Spa
Owner Traci Wilson
50th Street MacCorkle SE
Charleston, WV 25778

February 24, 2011

COMPLAINT #: C2011-48

Dear Ms. Wilson:

This is the second request for response for complaint C2011-48. Please understand that your response is required, not voluntary.

Should your response not be received by April 1st, 2011, the Board will seek your attendance to the next scheduled board meeting in Parkersburg on May 23rd, 2011.

The board may seek to impose disciplinary actions against your license due to your disregard for Title 3 Series 9 rule of the West Virginia State Board of Barbers and Cosmetologists.

Sincerely,

Adam L. Higginbotham
Director



04-02-2011

To Whom It May Concern,

This letter is to address the complaint filed against Tracie's Beauty Cottage and Day Spa by Delores M. Grimmette.

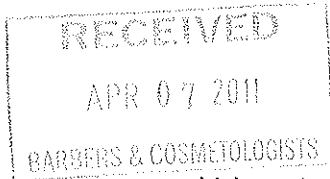
The following is a list of all services Delores M. Grimmette and her friend received:

- 2 full body mud mask treatments (which include hair masque treatments)
- 2 full body one hour massages
- 1 gel manicure
- 1 cut and color correction with highlights
- 1 cut with highlight correction

The mud treatments and massages are *seperate* services with *seperate* pricing. Both parties were explained this.

Deloris's friend originally booked our Margarita Manicure. When it was time to do her manicure, we noticed she had acrylic nails which had been for quite some time and were very overdue for a "fill". Our Margarita Manicure, or *any* of our manicures for that matter, are for real nails. Acrylic services are not currently offered at my spa. I suggested the gel manicure to possibly give her nails the extra life she needed to hold her over until she could get her acrylics repaired at another establishment. She gladly accepted.

Both Deloris M. Grimmette and her friend expressed how strongly dissatisfied they were with the outcome of their last experience with a different salon. Deloris's hair was dyed black and I had to strip the color before proceeding with the highlights. She requested long layers to take some bulk away from her long, curly hair, her new color to be a red-brown and wanted highlights like mine, which were done with a cap technique. Deloris's friend requested I that redo her highlights as well, along with a new cut. I rearranged my schedule to accommodate the lengthy color corrections, cuts and highlights for both individuals and explained to them that I could not fit in the hair masque treatments



which are included with the full body mud masks. Neither had an issue with this.

While working on both ladies, they were persistent in verbalizing their admiration of my techniques and appreciation of my time. Deloris told me my spa had always been her favorite place in the world to come to and how that is the reason why she brought her friend along with her and was thinking of bringing in a group of people she worked with soon. I have several staff members, whose names and contact information I will gladly provide, who can validate how much they were bragging about my services and how very happy they were with their experience here.

Deloris M. Grimmette and her friend were at my spa on January --, 2011 for almost 7 hours. Our hours of operation on Saturdays are from --:00am to 3:00pm. We gladly stayed open to accommodate them well past our normal business hours; 10:30pm to be exact. If they were dissatisfied with any of their services, they had more than enough time to inform me to stop said services. When their visit came to an end and it was time to pay, I began having difficulties with my credit/ debit card machine. I explained to them it had given me problems in the past then politely, and regrettably, asked if they would mind going to the nearest ATM because I recently stopped accepting checks as a method of payment. Upon their return, Deloris's friend paid her total in cash, which came to \$320.00, and gave me a sizeable tip showing her satisfaction. Deloris, however, produced an ATM slip that stated it wouldn't accept her card. The same slip also displayed her account balance. Even though Deloris was well aware of my policy, she asked if I would accept a check from her as method of payment and told me not to worry because the her ATM receipt proved she had the funds available in her account to cover the cost of her services. Against my better judgement, I obliged. I did so because Deloris, who has been a customer of mine for quite some time, and her friend were ending their experience at my spa completely happy. So, you can imagine my shock and disbelief when the teller at my bank informed me Mrs. Grimmette had put a stop-payment on the check she had given me.

As if the cancelled check wasn't enough, I was then informed by the West Virginia Board of Barbers and Cosmetologists that Deloris M. Grimmette had submitted a false and scathing letter of complaint. I find it quite convenient Deloris didn't bother filing said complaint until *after* she received paperwork from the Kanawha County Court House notifying her of my lawsuit against her for nonpayment of services rendered. The letter of complaint you received is obviously Mrs. Grimmette's attempt to get out of having to pay the money she owes. I honestly can't think of the reason why Deloris placed a stop payment on her check. I can only speculate. What I do know, however, is I will fight this until it is resolved. I've owned and operated my business since 1996 and I will *not* stand by

RECEIVED

APR 07 2011

BARBERS & COSMETOLOGISTS

while somebody attempts to tarnish my reputation with with false accusations just because they don't want to pay for something.

As I stated earlier, I will give you the contact information of the staff member who was working the front desk the day Deloris M. Grimmette and her friend visited my spa. If need be, she will gladly submit a letter stating how neither Deloris nor her friend had any complaints the entire 7 hours they were there.

In closing, I am attaching a copy of the cancelled check from Deloris M. Grimmette. I hope to resolve this in a timely fashion and will keep your office updated on the civil suit I filed against her. Please don't hesitate to contact me if you require more details or documentation.

Sincerely,

Tracie Wilson
Tracie's Beauty Cottage and Day Spa
506 50th Street SE
Charleston, WV 25304
Work: 304-925-1772
Cell: 304-552-0371
Email: Halo197336@yahoo.com

THE STYLES CHECK COMPANY 1-800-724-3257

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 Board of Barbers and Cosmetologists
 1201 Dunbar Avenue
 Dunbar, WV 25064

Earl Ray Tomblin
 Governor

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Traci's Beauty Cottage and Spa
 Owner Traci Wilson
 50th Street MacCorkle SE
 Charleston, WV 25778

May 31, 2011

COMPLAINT #: C2011-48

Dear Ms. Wilson:

The Board of Barbers and Cosmetologists reviewed the complaint filed against you at the May 23rd, 2011 board meeting and determined the complaint is not within the jurisdiction of the Board.

The Board would like to issue a warning that you respond to the Board's requests within the allocated time or face disciplinary action.

Sincerely,

Adam L. Higginbotham
 Director

C2011-49

Higginbotham, Adam L

From: Higginbotham, Adam L
Sent: Thursday, February 24, 2011 11:14 AM
To: Higginbotham, Adam L
Subject: RE: WVBBC Complaint

From: Adam.L.Higginbotham@wv.gov [mailto:Adam.L.Higginbotham@wv.gov]
Sent: Tuesday, February 22, 2011 8:37 AM
To: Higginbotham, Adam L; Western, Patrick L
Cc: spongebritt@comcast.net
Subject: WVBBC Complaint

West Virginia Board of Barbers and Cosmetologists

Complaint Form

Individual Making Complaint

Name: Brittany Davia
Address: 82 Cypress Point Drive
Charles Town, WV 25414
Phone: 2404813831
E-mail: spongebritt@comcast.net

Individual or Business Named in the Complaint

Name: Francine Nguyen
Company: Perfect Nails
Address: 178 Flowing Spring Road
Charles Town, WV 25414
Phone: 3047287790

List of Witnesses

Carla Floyd- 161 Baltusrol Drive Charles Town, WV 25414 Titus Davis- 82 Cypress Point Drive
Charles Town, WV 25414

Description of Complaint

I am writing you for a consultation of employee negligence. On Sunday 13 February 2011 my husband, Titus Davis, and my mother, Carla Floyd, both received pedicures from a local nail salon in Charles Town, WV. Upon returning home, they both complained of pain in their feet from a callus removal treatment that was used. Titus and my mother said that the substance burned their feet. When they complained to the nail technician, she said it was the "tingling" sensation meaning the substance was working. Within two hours, their toenails were orange in addition to one of my mother's toes was oozing puss. Throughout the week both continued to complain about the pain. Their toes were feeling worse. The big toe on my husband's right foot started to turn black and puffy. Other than the toe that oozed puss, my mother's toes bled and were bruised. I suggested that they both see a doctor. On Friday 18 February 2011, my husband was seen at the Martinsburg VA Medical Center. The doctor was concerned about an infection. The toe was drained of fluid and given a shot of antibiotics. My mother has contacted her physician; but due to the holiday weekend, is currently waiting to hear back. On Saturday 19 February 2011, my mother showed her bruises to the nail technician. She immediately said that it was not her fault. She went a step further to say that my mother's toes were bruised before she received the pedicure. Please know that my mother stumped her toe the night before which caused the nail to peel. This is the same toe that oozed puss. It is my understanding that if the technician saw a bruise on the toe, she should not have put a substance containing acid on the foot. My mother asked why her other toes, even on the opposite foot, were bruised too. The technician would not accept responsibility. I also asked why the toenails of Titus and my mother had turned orange. The lady insisted that she did not put anything on their toes and the discoloration is not her fault. A week has passed since the pedicures were received. Both Titus and my mother are still in pain and limping. I am asking for your assistance in stopping this from happening to other customers. The nail technician clearly believes that she did nothing wrong and is not responsible. My wish is that you can assist us in holding them liable for the injuries and put a stop to their negligent procedures. Thank you, Brittany Davis *If it helps, I have pictures of all four feet.



Earl Ray Tomblin
Governor

State of West Virginia
Board of Barbers and Cosmetologists
1201 Dunbar Avenue
Dunbar, WV 25064

p: 304.558.2924
f: 304.558.3450
www.wvbbs.org

Director
Adam L. Higginbotham

Board Members

Michael Belcher	Justina Gabb
Sarah Hamrick	Susan Povero
Jim Ryan	Rick Stache

Perfect Nails
Huong Nguyen and Francine Nguyen
178 Flowing Spring Road
Charles Town, WV 25414

February 24, 2011

COMPLAINT #: C2011-49

Dear Ms. Nguyen:

The Board office has received the enclosed complaint.

Additionally, please review the complaint and photographs enclosed.

According to 3CSR9, you are required to respond to the complaint enclosed in writing within 14 days of receipt of this letter.

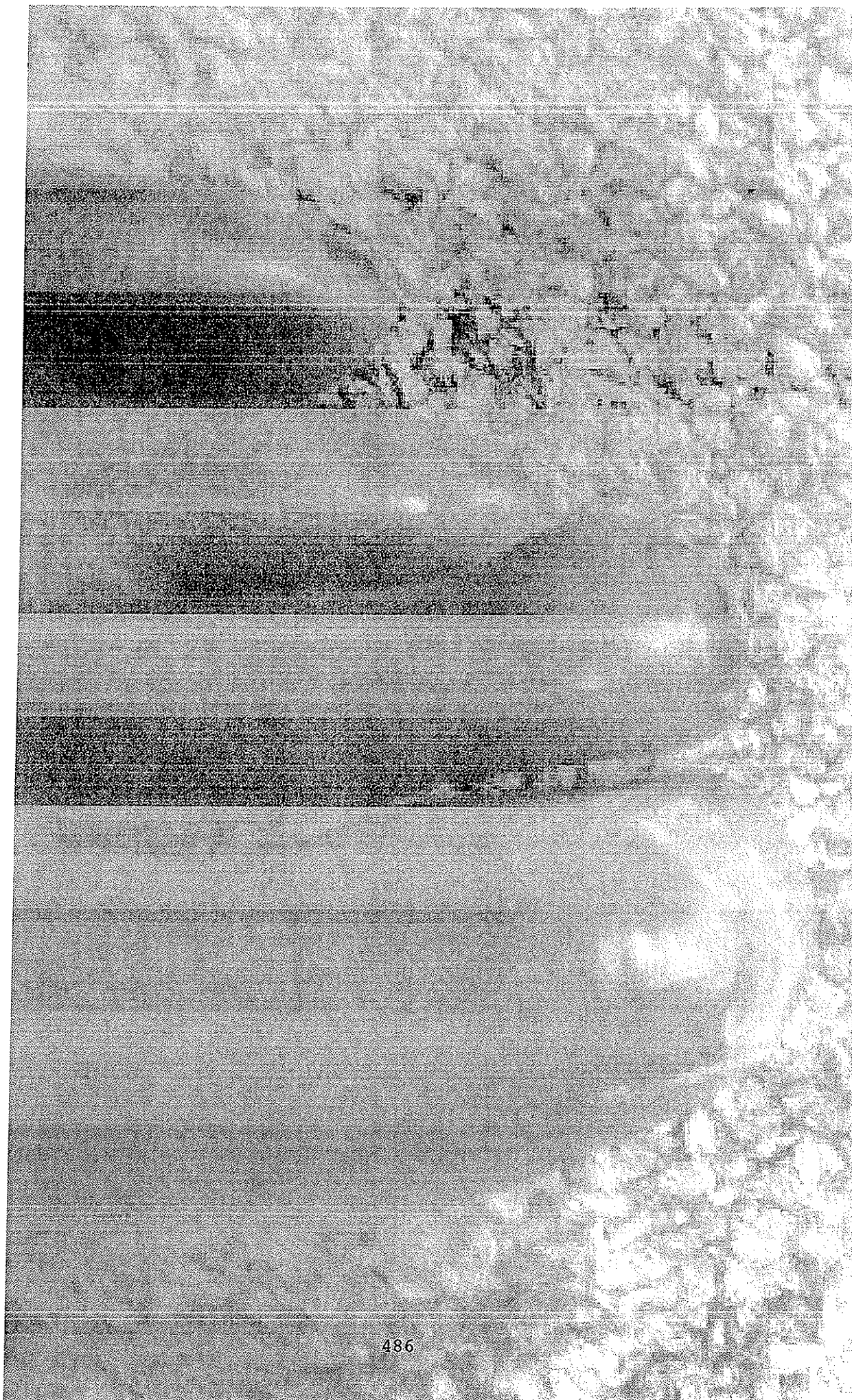
Please mail your response to:

WVBBC Response
1201 Dunbar Avenue
Dunbar, WV 25064

Sincerely,

Adam L. Higginbotham
Director



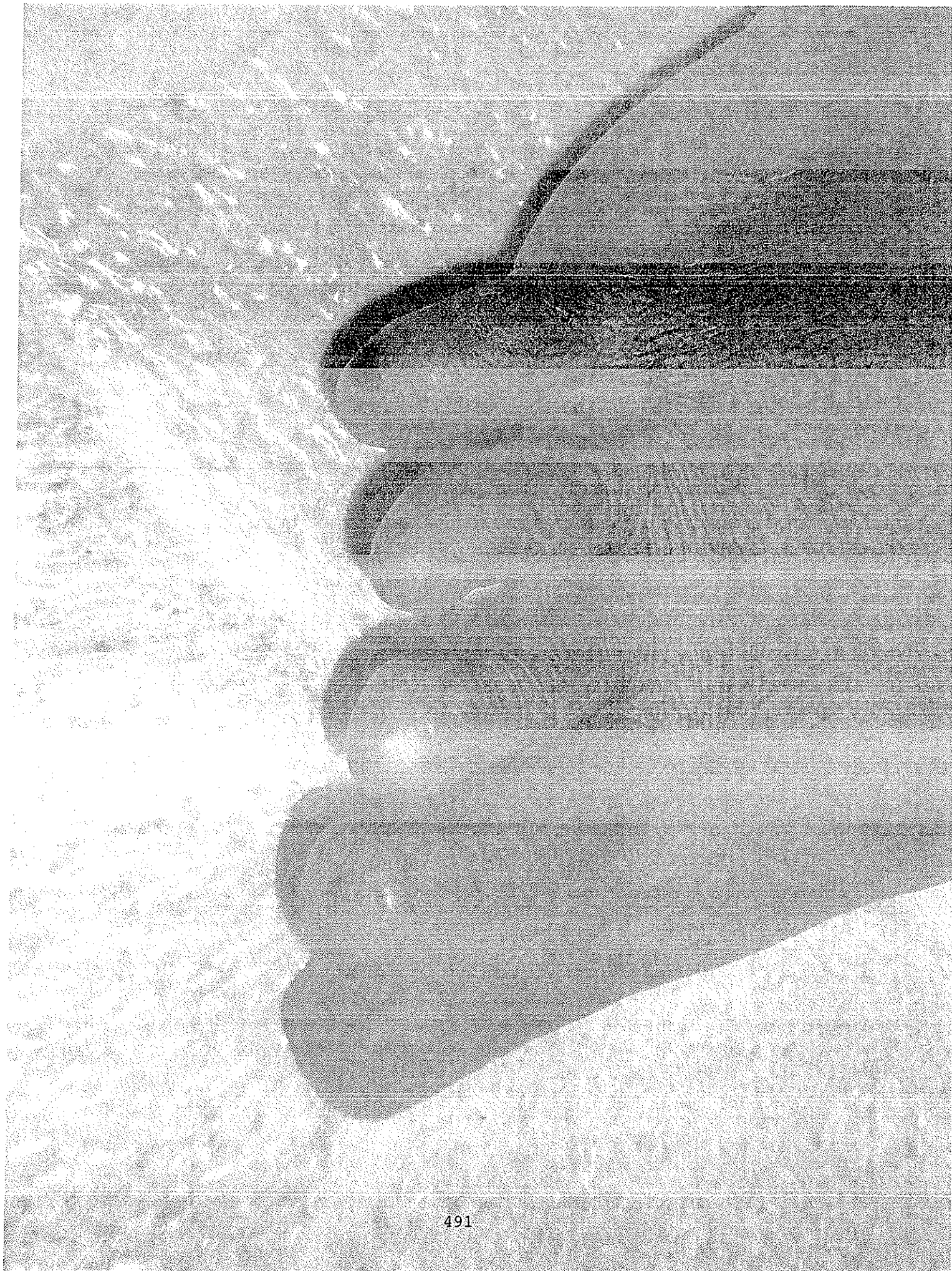


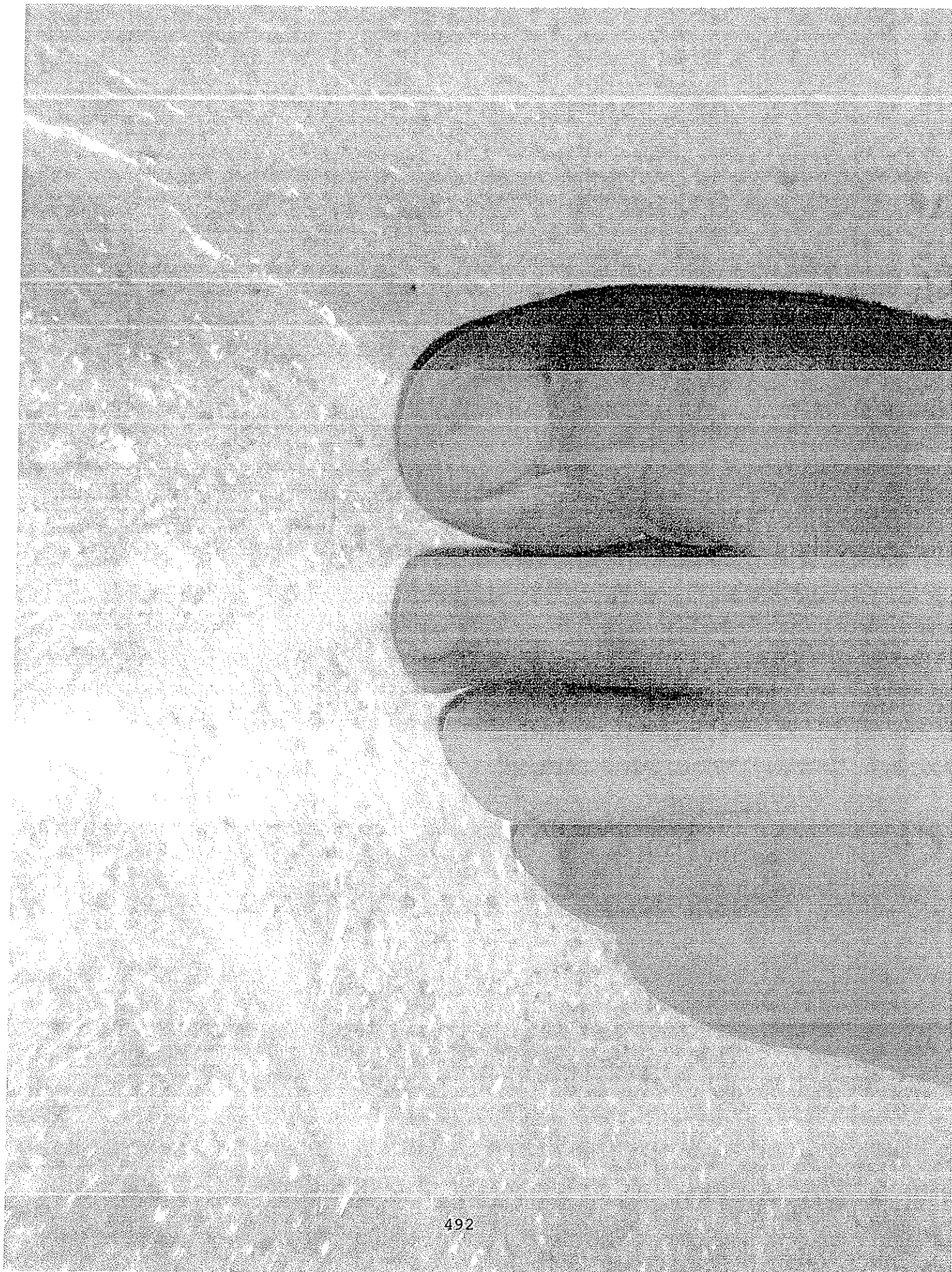




[REDACTED]







Dear WVBBC,

Hi, my name is Francine nguyen. I am a cosmetologist and currently license in 4 state states. MD, NC, VA, and DC. I am also graduated student from Nova Community College in Northern Virginia, Spring of 2008, for pharmacist technician. I was currently attending the same school to continue my study as a pharmacist, because due to my pregnancy a had to take of time away until after the baby is here. A little about myself. Yes, dear board I would like to thank you for taking the time to read this letter of mine.

I just received your letter almost the end of the first week in march of 2011. After reviewing all the pictures and did a few research. I couldn't believe these people sent these kind of pictures to the board after I done told them the reason why these infections occurred on their toes. They really went out of their way to pull their own toes nail off trying to get me in trouble with the board and ruin my reputation. I will explain to the board every little detail to what had happened that day . But I can assure to you the board that these infections did not coming from me at all. I cannot give them these infections nor the chair that I worked in gave these infections. I love my job, I am the best at it and am proud of what I do to. That is the reason why I am still in it over 10 past years now.

Brittany Davis came into the shop around the middle of that week to buy her husband Mr. Titus Davis a gift certificate for \$45 to get the spa deluxe pedicure done. Before she left she ask me about the old people that was here and I told her that they are gone. Its just me here. So she left and I went on with my work. When Sunday came Feb.13.2011 around 12:15pm. Two people came in and wanting to get pedicure done. One of them handed me the gift card and I know right then that this was for Titus Davis that I sold for, accompany with him was his mother in law Carla Floyd. I took them both to the pedicure chairs and got my bleach and start spraying the pools and cleaning before I got their feet in it, after everything was done, without looking at how bad their feet were, I told them to put it in the pool. I soak Titus Davis first and start to work on Carla Floyd, after cleaning her nail bed off with acetone, she told me that the all the tips of her toes was hurting due to her over cutting it at home, as I can see at the time 3 out 5 had pus in it with yellow fluids. Although the 2 toe nail had a little bit of discoloration from her getting colors, Its wasn't torn. She told me that I don't have to cut her toe nail or her cuticle just give her a regular pedicure and she wants me to razor the bottom of her feet. I said no ! I don't use the razor here the only thing I can do for her was the callus treatment to replace the razor. The callus treatment only treat on the area that have callus only, 5 to 10 minutes depends on how thick the callus itself is. Which is that what they have, very extremely bad calluses. I wonder why they didn't sent those picture that show how nasty the bottom of their feet were also, along with these pictures. Carla Floyd told me that she is a diabetic. I said that is the reason why your wound couldn't heal , she is also a very heavy set lady. Her feet were big and swollen, from looking at her toe and feet from my experience and study, I know that she had poor blood circulation to the feet and also improper diets. Including being a diabetic, existing conditions: rubbing these toes that had built up fluids could cause the blood vessel to burst and bruised. The pedicure did not cause her to have these infections. Please look at these toes carefully, cuticle still there, trimming was out of shapes and horrible looking. The 2 toes at the time of pedicure was fine. But had a little discoloration, now looking like someones tried to ripped it apart. Why? I was terrified even looking at this and wonder how can such people could go out of their way to do all this just because they couldn't get their money back. No, I refused to give them the money back because I didn't do this. I worked on her almost an hour an half, not even a dollar tip to make me happy. But she was happy after I finished with her. I was the one whom told her not to put any color on and to seek for a doctor for her toe and watch out for the pus. She said OK. My pedicure chair may be doll looking but its very clean. I bleach around the pool, inside the 2 jets and outside the cover with each clients. Also

I do the same after I finished with my client.

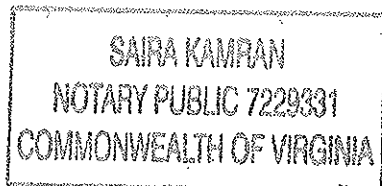
Titus Davis, he is also a heavy man and his toes had pus in it due to having ingrown toe nails. He asked to dig in there and get it out and razor his bottom I said no, because it was too deep, and I don't razor. all I did was cut his nail on his Right toe at a small angle. Please look carefully, as you can see cutticle was still on that toe that I didn't cut. For his left toe why there was a dot they, because he told me that he went to Davi Nail Salon down the road by the Walmart and they nipped him. It still looked infected. So didn't work on that either. He also told me that before he left out of that nail salon he accidentally kicked one of the technician there across the room and she fell to the ground and that is the reason why he wouldn't want to go back there to get his feet done anymore. All I did was a spa pedicure for 45\$ and 10\$ for the callus remover but he told me that since he is in the military they trained his feet to be hard like this and he can't feel anything, but yet after the pedicure was done he like it a lot and asked for an upgrade to the stone pedicure which he had to pay 20\$ extra for that. Everything was done and he was happy. Wasn't a dime of tip and left. Total I worked on him was almost an hour and a half.

I don't understand if these people have any remorse at all for this. A 7 months pregnant woman sat and work on both of their feet for almost 3 hours. And did all kind of jokes like this to me. Dear Board the day that Mr. Adam Higgins came to the shop with Mr. Rick Stach one of the board member. After they left out of there. Brittanny Davis walk into the salon with her son on right hand and stood in front of me and told me that she was sorry for what she did and said to me the other day on Feb. 19, 2011. She said "I am sorry for what I did and said to you Francine, I didn't know that you was 7 months pregnant." All that and left the salon. I was very hurt for what she did. To wrapped this up to me at that time all she wants was her money back for a free services and I refused. Nothing is for free! Specially when I put my times like that on these people and gave my best to them. I don't deserve this kind of behavior. Please Board review this carefully and let me know your decisions. The only thing that I know I broke was working little early before I got my license. Over all still am not an uneducated woman out of the street. I am a license cosmetologist.

Thanks for reading, I know its a lot to read and the form of letter don't look that great but I wasn't feeling to well.

Dear G

Exp 07/31/12.

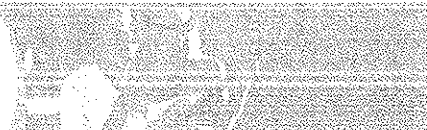


Francine,
please call if you
have any questions.
If you want to have
a meeting with me,
the clients and the
board that's is fine
too. I will be there.

Francine ⁴⁹⁵ Ray Rain



Where luxury
meets laid-back.



About.com Walking

Home Page

Black Toenail

By Wendy Bargerndner, About.com Guide Updated October 15, 2007

About.com Health's Disease and Condition content is reviewed by our Medical Review Board

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At the end of a long walk or run, you may notice that a toenail has turned black or gray, and may be swollen under the nail. What happened? What's going to happen?

What is Black Toenail?

As you walk or run, your foot slides forward in your shoe, banging your toes against the top, front, and sides with each step. Your feet also swell during a walk or run and get compressed by your socks and shoes. That pressure and impact can damage your toenail beds, or create a blister under the toenail itself. When this happens, the extra blood and fluid cause your toenail to separate from the toenail bed, or the "toenail in training" as the Jeff Galloway site calls it. The blood colors the toenail black.



Black toenail

Wendy Bargerndner © 2005

Is Your Black Toenail Painful?

If there is a blister under the toenail, you may see the toenail raised and it may be swollen and painful. It is best to try to ignore this for 24 hours and see if it goes down by itself. If it is still raised and painful after a day, then you may want to drain the fluid. If the edge of the swollen area is near the edge of the nail, sterilize a needle, sanitize the area, and try to pierce the blister with the needle. Press to drain it, apply alcohol and/or antibiotic cream.

If the swollen area isn't near the edge of the nail, you will need to drill through the nail to drain it. Sterilize a paper clip with a flame, sanitize the nail with alcohol, and while the paper clip is still glowing red, pierce straight down through the nail to make a puncture to drain the excess fluid. Press to drain the fluid. Sanitize the area with alcohol and antibiotic cream.

If the toe continues to be swollen and red after you have drained the excess fluid, see a doctor to ensure it has not become infected. Take infection seriously, if it continues to hurt or the pain increases, this is a bad sign. Toe infections can lead to blood infections, gangrene, and worse, especially if you have diabetes.

Will I Lose My Toenail?

The short answer is - yes. It will take a few weeks or months, but as the toenail continues to grow, eventually it shoves out the damaged, blackened toenail. The black toenail is raised off of the toenail bed, and underneath it is often the healthy remainder of your toenail. Your black toenail will gradually loosen from the sides and you will be able to trim it away.

When Will My Toes Be Pretty Again?

If pretty toes are important to you, you can paint the black toenail or even the thin new toenail, or the bare skin. Most people won't notice the difference if you use a darker shade of polish. Full replacement of your toenail takes about 3 months, and the new toenail will often be a bit wavy, thin in some areas and thicker in others. After 4-5 months your toenail should be back to normal.

How Can I Prevent Black Toenail?

Your running or walking shoes and socks must fit correctly. Your feet swell a full shoe size over the course of a longer run or walk, and your toes must have someplace to expand into. The toebox must be wide enough, yet not too wide or your toes will bang around in it. Getting fit at a technical running shoe store in your area is your best method of ensuring your shoes fit correctly.

[Getting Shoes Fit Right](#)

The trauma of toes banging into the shoe can be eliminated by proper lacing of your shoes to keep your heel in the heelbox rather than letting the foot slide forward in the shoe with each step.

[See: Shoe Lacing to Prevent Heel Slippage](#)

Reference: [Fixing Your Feet: Prevention and Treatments for Athletes](#) by John Vonhof, Wilderness Press, 2006

Related Searches [Jeff Galloway](#) [Socks And Shoes](#) [Black Toenail](#) [Antibiotic Cream](#) [Blood Infection](#) [Toe Infection](#)

Diseases & Conditions

Foot and Skin Related Complications of Diabetes

For people with diabetes, having too much glucose (sugar) in their blood for a long time can cause some serious complications, including foot and skin problems, as well as heart disease, stroke, kidney disease, eye damage, and other problems.

How can diabetes affect my feet?

Diabetes can cause two problems that can affect your feet:

- **Diabetic neuropathy** — Uncontrolled diabetes can damage your nerves. If you have damaged nerves in your legs and feet, you might not feel heat, cold or pain. This lack of feeling is called diabetic neuropathy. If you do not feel a cut or sore on your foot because of neuropathy, the cut could get worse and become infected.
- **Peripheral vascular disease** — Diabetes also affects the flow of blood. Without good blood flow, it takes longer for a sore or cut to heal. Poor blood flow in the arms and legs is called peripheral vascular disease. (The word "peripheral" means "located away from a central point," and the word "vascular" refers to the blood vessels. Peripheral vascular disease is a circulation disorder that affects blood vessels away from the heart.)

If you have an infection that will not heal because of poor blood flow, you are at risk for developing gangrene, which is the death of tissue due to a lack of blood. To keep gangrene from spreading, the doctor may have to remove a toe, foot, or part of a leg. This procedure is called amputation. Diabetes is the most common, non-traumatic cause of leg amputations. Each year, more than 56,000 people with diabetes have amputations. However, research suggests that more than half of these amputations can be prevented through proper foot care.

What are some common foot problems of people with diabetes?

Anyone can get the foot problems listed below. For people with diabetes, however, these common foot problems can possibly lead to infection and serious complications, such as amputation.

Athlete's foot — Athlete's foot is a fungus that causes itching, redness, and cracking. Germs can enter through the cracks in your skin and cause an infection. Medicines that kill the fungus are used to treat athlete's foot. These medicines may be pills and/or creams applied directly to the problem area. Ask your health care provider to recommend a medication for athlete's foot.

Fungal infection of nails — Nails that are infected with a fungus may become discolored (yellowish-brown or opaque), thick and brittle, and may separate from the bed of the nail. In some cases, the nail may crumble. The dark, moist and warm environment of shoes can promote fungal growth. In addition, an injury to the nail can put you at risk for a fungal infection. Fungal nail infections are difficult to treat. Topical medications are available, but they only help a small number of fungal nail problems. Oral medications may be prescribed by your health care provider. Treatment also may include periodic removal of the damaged nail tissue.

Calluses — A callus is a build-up of hard skin, usually on the underside of the foot. Calluses are caused by an uneven distribution of weight, generally on the bottom of the forefoot or heel. Calluses also can be caused by improperly fitting shoes or by a skin abnormality. Keep in mind that some degree of callus formation on the sole of

the foot is normal. Proper care is necessary if you have a callus. After your bath or shower, use a pumice stone to gently remove the build-up of tissue. Use cushioned pads and insoles. Medications also may be prescribed to soften calluses. DO NOT try to cut the callus or remove it with a sharp object.

Corns — A corn is a build-up of hard skin near a bony area of a toe or between toes. Corns may be the result of pressure from shoes that rub against the toes or cause friction between the toes. Proper care is necessary if you have a corn. After your bath or shower, use a pumice stone to gently remove the build-up of tissue. Do not use over-the-counter remedies to dissolve corns. DO NOT try to cut the corn or remove it with a sharp object.

Blisters — Blisters can form when your shoes keep rubbing the same spot on your foot. Wearing shoes that do not fit properly or wearing shoes without socks can cause blisters, which can become infected. When treating blisters, it's important not to "pop" them. The skin covering the blister helps protect it from infection. You also may use an antibacterial cream and clean, soft bandages to help protect the skin and prevent infection.

Bunion — A bunion forms when your big toe angles in toward the second toe. Often, the spot where your big toe joins the rest of the foot becomes red and callused. This area also may begin to stick out and become hard. Bunions can form on one or both feet. Bunions may run in the family, but most often they are caused by wearing high-heeled shoes with narrow toes. These shoes put pressure on the big toe, pushing it toward the second toe. The use of felt or foam padding on the foot may help protect the bunion from irritation. A device also may be used to separate the big and second toes. If the bunion causes severe pain and/or deformity, surgery to realign the toes may be necessary.

Dry skin — Dry skin can result if the nerves in your legs and feet do not get the message from your brain (because of diabetic neuropathy) to sweat, which keeps your skin soft and moist. Dry skin can crack, which can allow germs to enter. Use moisturizing soaps and lotions to help keep your skin moist and soft.

Foot ulcers — A foot ulcer is a break in the skin or a deep sore, which can become infected. Foot ulcers can result from minor scrapes, cuts that heal slowly or from the rubbing of shoes that do not fit well. Early intervention is important in treating foot ulcers. Ask your health care provider for advice on how to best care for your wound.

Hammertoes — A hammertoe is a toe that is bent because of a weakened muscle. The weakened muscle makes the tendons (tissues that connect muscles to bone) shorter, causing the toes to curl under the foot. Hammertoes can run in families. They also may be caused by wearing shoes that do not fit properly (are too short). Hammertoes can cause problems with walking and can lead to other foot problems, such as blisters, calluses, and sores. Splinting and corrective footwear can help in treating hammertoes. In severe cases, surgery to straighten the toe may be necessary.

Ingrown toenails — Ingrown toenails occur when the edges of the nail grow into the skin. Ingrown nails cause pressure and pain along the nail edges. The edge of the nail may cut into the skin, causing redness, swelling, pain, drainage, and infection. The most common cause of ingrown toenails is pressure from shoes. Other causes of ingrown toenails include improperly trimmed nails, crowding of the toes, and repeated trauma to the feet from activities such as running, walking, or doing aerobics. Keeping your toenails properly trimmed is the best way to prevent ingrown toenails. If you have a persistent problem or if you have a nail infection, you may need a health care provider's care. Severe problems with ingrown nails may be corrected with surgery to remove part of the toenail and growth plate.

Planter warts — Planter warts look like calluses on the ball of the foot or on the heel. They may appear to have small pinholes or tiny black spots in the center. They are usually painful and may develop singly or in clusters. Planter warts are caused by a virus that infects the outer layer of skin on the soles of the feet. DO NOT use over-the-counter medications to dissolve the wart. If you are not sure if you have a planter wart or a callus, let your health care provider decide.

Can these foot problems be prevented?

Proper foot care can help prevent these common foot problems and/or treat them before they cause serious complications. Here are some tips for good foot care:

1. Take care of yourself and your diabetes. Follow your health care provider's advice regarding nutrition, exercise, and medication. Keep your blood glucose level within the range recommended by your health care provider.
2. Wash your feet in warm water every day, using a mild soap. Do not soak your feet. Dry your feet well, especially between the toes.
3. Check your feet every day for sores, blisters, redness, calluses or any of the other problems listed above. If you have poor blood flow, it is especially important to do a daily foot check.
4. If the skin on your feet is dry, keep it moist by applying lotion after you wash and dry your feet. Do not put lotion between your toes. Your health care provider can tell you which type of lotion is best to use.
5. Gently smooth corns and calluses with an emery board or pumice stone. Do this after your bath or shower, when your skin is soft. Move the emery board in only one direction.
6. Check your toenails once a week. Trim your toenails with a nail clipper straight across. Do not round off the corners of toenails or cut down on the sides of the nails. After clipping, smooth the toenails with an emery board.
7. Always wear closed-toed shoes or slippers. Do not wear sandals. Do not walk barefoot, even around the house.
8. Always wear socks or stockings. Wear socks or stockings that fit your feet well and have soft elastic.
9. Wear shoes that fit well. Buy shoes made of canvas or leather, and break them in slowly.
10. Protect your feet from heat and cold. Wear shoes at the beach or on hot pavement. Wear socks at night if your feet get cold.
11. Keep the blood flowing to your feet. Put your feet up when sitting, wiggle your toes and move your ankles several times a day, and don't cross your legs for long periods of time.
12. Stop smoking. Smoking can make blood flow problems worse.
13. If you have a foot problem that gets worse or won't heal, contact your health care provider for advice and treatment.
14. Make sure your diabetes doctor examines your feet during each check-up.
15. See your podiatrist (foot doctor) every two to three months for check-ups, even if you don't have any foot problems.

When should I contact my health care provider?

Contact your health care provider if you experience any of the following problems:

- Changes in skin color
- Changes in skin temperature
- Swelling in the foot or ankle
- Pain in the legs
- Open sores on the feet that are slow to heal or are draining
- Ingrown toenails or toenails infected with fungus
- Corns or calluses
- Dry cracks in the skin, especially around the heel
- Unusual and/or persistent foot odor

How can diabetes affect my skin?

If your blood glucose is high, your body loses fluid, causing your skin to become dry. This occurs because the body is turning the water into urine to remove excess glucose from the blood. Your skin also can get dry if the nerves, especially those in your legs and feet, do not get the message to sweat (because of diabetic neuropathy). Sweating helps keep your skin soft and moist.

Dry skin can become red and sore, and can crack and peel. Germs can enter through the cracks in your skin and cause an infection. In addition, dry skin usually is itchy, and scratching can lead to breaks in the skin and infection.

Skin problems are common in people with diabetes. Blood glucose provides an excellent breeding ground for bacteria and fungi, and can reduce the body's ability to heal itself. These factors put people with diabetes at greater risk for skin problems. In fact, as many as a third of people with diabetes will have a skin disorder related to their disease at some time in their lives. Fortunately, most skin conditions can be prevented and successfully treated if caught early. But if not cared for properly, a minor skin condition can turn into a serious problem with potentially severe consequences.

What are some common skin problems in people with diabetes?

Some of the problems listed below—such as bacterial infections, fungal infections and itching—are skin conditions that can affect anyone. However, people with diabetes are more prone to getting these conditions, which can lead to serious complications. Some of the conditions listed—such as diabetic dermopathy, necrobiosis lipoidica diabetorum and eruptive xanthomatosis—occur only in people with diabetes. (Remember, people with diabetes also can develop skin conditions that affect people who do not have diabetes.)

Some common skin conditions include:

Acanthosis nigricans — This is a condition that results in the darkening and thickening of the skin. Often, areas of tan or brown skin, sometimes slightly raised, appear on the sides of the neck, the armpits, and groin. Occasionally, these darkened areas may appear on the hands, elbows, and knees. Acanthosis nigricans usually strikes people who are very overweight. There is no cure for acanthosis nigricans, but losing weight may improve the condition. Acanthosis nigricans usually precedes diabetes.

Allergic reactions — Allergic reactions to foods, bug bites, and medicines can cause rashes, depressions, or bumps on the skin. If you think you may be having an allergic reaction to a medicine, contact your health care provider. Severe allergic reactions may require emergency treatment. It is especially important for people with diabetes to check for rashes or bumps in the areas where they inject their insulin.

Atherosclerosis — Atherosclerosis is the narrowing of blood vessels from a thickening of the vessel walls. While atherosclerosis most often is associated with blood vessels in or near the heart, it can affect blood vessels throughout the body, including those that supply the skin. When the blood vessels supplying the skin become narrow, changes occur due to a lack of oxygen. Loss of hair, thinning and shiny skin, thickened and discolored toenails, and cold skin are symptoms of atherosclerosis. Because blood carries the white blood cells that help fight infection, legs and feet affected by atherosclerosis heal slowly when they are injured.

Bacterial infections — There are different kinds of bacterial infections affecting the skin. These include styes, which are infections of the glands of the eyelids; boils, which are infections of the hair follicles; and carbuncles, which are deep infections of the skin and the underlying tissue. There also are bacterial infections that affect the nails. With a bacterial infection, the areas involved generally are hot, swollen, red, and painful. Most bacterial infections require treatment with antibiotics in the form of pills and/or creams.

Bullosis diabetorum (diabetic blisters) — In rare cases, people with diabetes develop blisters that resemble burn blisters. These blisters—called bullosis diabetorum—can occur on the fingers, hands, toes, feet, legs, or

forearms. Diabetic blisters usually are painless and heal on their own. They often occur in people who have diabetic neuropathy. Bringing your blood glucose level under control is the treatment for this condition.

Diabetic dermopathy — Diabetes can affect the small blood vessels of the body that supply the skin with blood. Changes to the blood vessels because of diabetes can cause a skin condition called diabetic dermopathy. Dermopathy appears as scaly patches that are light brown or red, often on the front of the legs. The patches do not hurt, blister or itch, and treatment generally is not necessary. The patches are sometimes called skin spots.

Digital sclerosis — The word "digital" refers to your fingers and toes, and "sclerosis" means hardening. Digital sclerosis, therefore, is a condition in which the skin on your toes, fingers and hands become thick, waxy and tight. Stiffness of the finger joints also may occur. The treatment is to bring your blood glucose level under control. Lotions and moisturizers may help soften the skin.

Disseminated granuloma annulare — This condition causes sharply defined, ring- or arc-shaped areas on the skin. These rashes most often occur on the fingers and ears, but they can occur on the trunk. The rash can be red, red-brown or skin colored. Treatment usually is not required, but some cases may benefit from a topical steroid medication, such as hydrocortisone.

Eruptive xanthomatosis — Eruptive xanthomatosis can occur in some individuals when blood glucose levels are not well controlled and when triglycerides in the blood rise to extremely high levels. This condition appears as firm, yellow, pea-like bumps on the skin. The bumps—which are surrounded by red halos and are itchy—usually are found on the feet, arms, legs, buttocks and backs of the hands. Treatment for eruptive xanthomatosis consists of controlling your blood glucose level. Lipid-lowering drugs also may be needed.

Fungal infections — A yeast-like fungus called *Candida albicans* is responsible for many of the fungal infections affecting people with diabetes. This fungus creates itchy red rashes, often surrounded by tiny blisters and scales. These infections most often occur in warm, moist folds of the skin. Three common fungal infections are jock itch, which appears as a red, itchy area on the genitals and the inside of the thighs; athlete's foot, which affects the skin between the toes; and ringworm, which causes ring-shaped, scaly patches that can itch or blister. Ringworm can appear on the feet, groin, trunk, scalp, or nails. Medicines that kill the fungus may be needed to treat these infections.

Itching — Itching skin, also called pruritus, can have many causes, such as a yeast infection, dry skin or poor blood flow. When itching is caused by poor blood flow, the lower legs and feet are most often affected. Using lotion can help to keep your skin soft and moist, and prevent itching due to dry skin.

Necrobiosis lipoidica diabetorum — Necrobiosis lipoidica diabetorum (NLD) is caused by changes in the blood vessels and generally affects the lower legs. With NLD, the affected skin becomes raised, yellow and waxy in appearance, often with a purple border. Sometimes, NLD is itchy and painful. As long as the sores do not break open, treatment is not necessary. If the sores do break open, see your health care provider for treatment.

Scleroderma diabetorum — Like digital sclerosis, this condition causes a thickening of the skin; but scleroderma diabetorum affects the skin on the back of the neck and upper back. This condition, which is rare, most often affects people with diabetes who are overweight. The treatment is to bring your blood glucose level under control. Lotions and moisturizers may help soften the skin.

Vitiligo — Vitiligo is a condition that affects skin coloration. With vitiligo, the special cells that make pigment (the substance that controls skin color) are destroyed, resulting in patches of discolored skin. Vitiligo often affects the trunk, but may be found on the face around the mouth, nostrils and eyes. This condition usually occurs in people with type 1 diabetes. There is no specific treatment for vitiligo. You should use sunscreen with a SPF of 15 or higher to prevent sunburn on the discolored skin.

Assessing skin turgor (fullness) is a way for health care workers to assess the amount of fluid loss that may occur from various conditions, such as diarrhea or vomiting. Loss of body fluid through frequent urination also is a concern for people with diabetes. Skin turgor refers to the skin's elasticity (its ability to change shape and return to normal). An assessment of skin turgor is used to help determine the effects of diabetes on skin health.

Can these skin problems be prevented?

Keeping your diabetes under control is the most important factor in preventing the skin-related complications of diabetes. Follow your health care provider's advice regarding nutrition, exercise, and medication. Keep your blood glucose level within the range recommended by your health care provider. Proper skin care also can help reduce your risk of skin-related problems.

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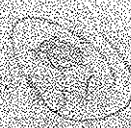
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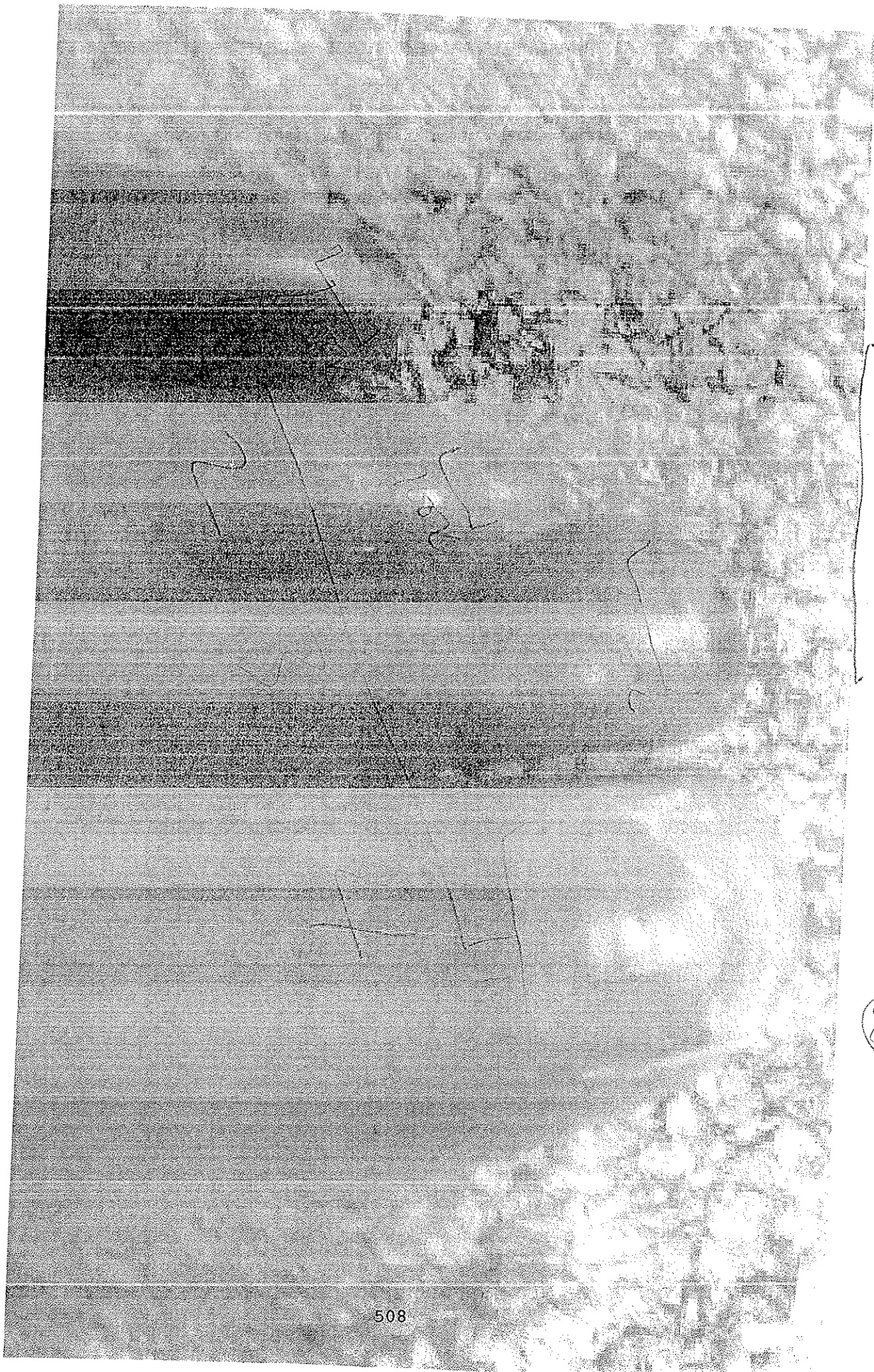
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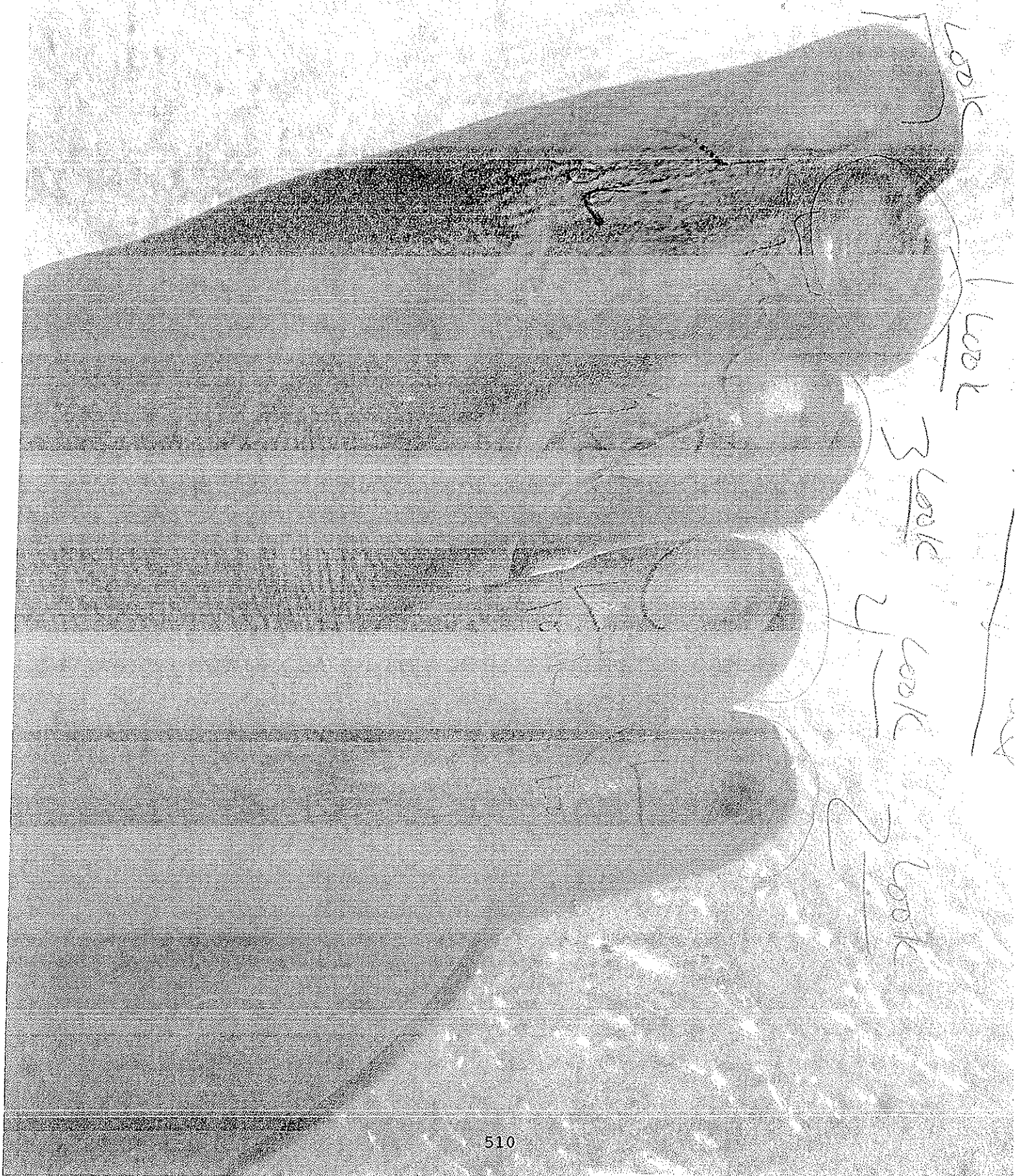


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Earl Ray Tomblin
Governor

State of West Virginia
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Perfect Nails
Huong Nguyen and Francine Nguyen
178 Flowing Spring Road
Charles Town, WV 25414

May 31, 2011

COMPLAINT #: C2011-49

Dear Ms. Nguyen:

The Board of Barbers and Cosmetologists reviewed the complaint filed against Francine Nguyen at the May 23rd, 2011 board meeting and determined that some issues were valid.

There were several violation notices issued for unlicensed workers and sanitary issues on February 22nd, 2011. Due to the violation notices that were issued on February 22nd, 2011 the Board closed the complaint filed against Francine Nguyen and Perfect Nails.

Sincerely,

Adam L. Higginbotham
Director

