

**BEFORE THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS**

STATE BOARD OF COSMETOLOGY)	
AND BARBER EXAMINERS,)	
)	
Petitioner,)	
)	Case number: 12-0009 CB
v.)	License number: 102288
)	
CHRYSTALL BURNETT)	
)	
Respondent)	
)	

**ORDER OF THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
DISCIPLINING THE COSMETOLOGY LICENSE OF
CHRYSTALL BURNETT**

On or about November 2, 2009, the Board of Cosmetology and Barber Examiners (“Board”), issued its Order of the Missouri State Board of Cosmetology and Barber Examiners Disciplining the Class CA Cosmetology License of Chrystall Burnett (“Discipline Order”) suspending for sixty days the cosmetology license of Chrystall Burnett, license number 102288, and then placing her license on probation for five years subject to the terms and conditions set for the therein.

On July 30, 2012, at approximately 10:10 a.m., the Board held a hearing pursuant to notice and § 621.110 and § 324.042, RSMo,¹ at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining whether there had been violation(s) of the probationary terms set forth in the Discipline Order. The Board was represented by Legal Counsel Tina Crow Halcomb. Respondent received proper

¹ Unless otherwise specified, all statutory references are to the Revised Statutes of Missouri (RSMo) 2000, as amended.

notice and opportunity to appear but did not appear in person or through legal counsel. After being present and considering all of the evidence presented during the hearing, the Board issues the following Findings of Facts, Conclusions of Law and Order.

Based upon the foregoing the Board hereby states:

I.

FINDINGS OF FACT

1. The Board is an agency of the state of Missouri created and established pursuant to § 329.015, RSMo, for the purpose of licensing all persons engaged in the practice of barbering and cosmetology in this state. The Board has control and supervision of the licensed occupations and enforcement of the terms and provisions of Chapters 328 and 329, RSMo.

2. Respondent Chrystall Burnett is a natural person whose address of record with the Board is 2811 Sheridan, St. Louis, Missouri 63106.

3. Respondent holds a probationary cosmetology operator license issued by the Board, license number 102288.

4. On or about November 2, 2009, the Board issued its Discipline Order suspending the cosmetology license of Chrystall Burnett, license number 102288, for sixty days or until Respondent obtained a cosmetology establishment license or show proof of being a cosmetology employee at a licensed establishment and placing her license on probation for five years subject to the terms and conditions set for the therein.

5. Pursuant to the Discipline Order, Respondent was entitled to continue practicing as a licensed cosmetologist under chapter 329, RSMo, (except during the 60 day suspension), provided that she adhered to all of the terms and conditions of the Discipline Order.

6. The Discipline Order, on page 4, paragraph IV, C, as a term and condition, requires:

During the probationary period, Chrystall Burnett shall timely renew her class CA cosmetologist license granted hereby and shall timely pay all fees required for licensure and comply with all other Board requirements necessary to maintain said license in a current and active state.

7. The Discipline Order, on page 4, paragraph IV, F, as a term and condition, requires:

Chrystall Burnett shall submit written reports to the Board on or before January 1 and July 1 during each year of the probationary period stating truthfully whether there has been compliance with all terms and conditions of this Order. The first such report shall be received by the Board on or before January 1, 2010.

8. On or about July 6, 2011, the Board sent Respondent a Probation Violation Notice advising her of her failure to timely file a written compliance report with the Board, which was due July 1, 2011.

9. On or about July 14, 2011, the Board received a handwritten note from Respondent indicating that "I Chrystall Burnett is aware that I haven't wrote you the letter that was agreed. I am sorry for that, it's just that I let it pass my mind, and I will not do it again. Business has been the same. I will not forget next time. The economy has put me in sort of a bad way. I am still at [address]. Thank you, [signature]".

10. On September 30, 2011, Respondent's cosmetology operator license expired due to non-renewal.

11. On or about December 1, 2011, the Board sent Respondent a Probation Violation Notice advising her of her failure to timely file her renewal application and fee to renew her license, which was due on September 30, 2011.

12. On or about March 9, 2012, Respondent renewed her cosmetology operator license.

13. The Discipline Order, page 5, paragraph IV, I, provides:

The Board retains jurisdiction to hold a hearing at any time to determine if a violation of this Order has occurred and, if a violation of this Order has occurred, may seek to amend this Order or impose further disciplinary or appropriate action at the discretion of the Board. No order shall be entered by the Board pursuant to this paragraph without any required notice and opportunity for a hearing before the Board as provided by Chapter 536, RSMo (as amended).

14. The Board set this matter for probation violation hearing and served notice of the hearing upon Respondent in a proper and timely fashion.

II.

CONCLUSIONS OF LAW

15. This Board has jurisdiction over this proceeding pursuant to §§ 621.110 and 324.042, RSMo, and pursuant to the terms of the Discipline Order.

16. Pursuant to § 324.042, RSMo,

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline any discipline it would be authorized to impose in an initial disciplinary hearing.

17. Respondent, by failing to timely file her written letter of compliance with the Board, violated the terms of the Discipline Order. Accordingly, Respondent's cosmetology license is subject to further discipline by the Board.

18. Respondent, by failing to timely renew her cosmetology license, violated the terms of the Discipline Order. Accordingly, Respondent's cosmetology license is subject to further discipline by the Board.

19. As a result of the foregoing, Respondent's cosmetology license is subject to further disciplinary action by the Board pursuant to § 324.042, RSMo, and the terms of the Discipline Order.

20. The Board has determined that this Order is necessary to ensure the protection of the public.

III.

ORDER

Having fully considered all the evidence before the Board, it is the **ORDER** of the Board that the cosmetology license of Chrystall Burnett, cosmetology operator license number 102288, is hereby **SUSPENDED** for forty-five (45) days, beginning 1 calendar week before the September 24, 2012 meeting of the Board of Cosmetology and Barber Examiners. Accordingly, the suspension will begin on Monday, September 17, 2012, at 12:01 a.m. However, should Chrystall Burnett appear before the Board at the September 24, 2012 meeting of the Board, the Board may consider ending the suspension prior to completion of the full 45 day suspension.

All terms and conditions of the Discipline Order issued on November 2, 2009, including the five (5) years of probation, shall remain in full force and effect.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 329, 610 and 324, RSMo.

SO ORDERED, EFFECTIVE THIS 31 DAY OF August, 2012.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Emily Carroll, Executive Director