

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

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS,)	
)	
)	
Petitioner,)	
)	
v.)	Case No. 14-006 PV
)	
CRYSTALL BURNETT,)	
)	
Respondent.)	

**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND DISCIPLINARY ORDER**

At its regularly scheduled meeting on June 1, 2015, at approximately 9:00 a.m., and pursuant to notice described in the Findings of Fact, the Missouri State Board of Cosmetology and Barber Examiners ("Board") took up the probation violation complaint alleging that Chrystall Burnett ("Respondent"), has failed to comply with the terms of her probation of her "Class CA-hairdressing and manicuring" license, license number 102288.

The board appeared at the hearing through its attorney Jamie Cox. Despite adequate notice, Respondent did not appear at the hearing in person and was not represented by legal counsel. Division of Professional Registration Legal Counsel Thomas Townsend served as the board's legal advisor at the hearing, during deliberations, and in the preparation of this order.

Findings of Fact

1. The Missouri State Board of Cosmetology and Barber Examiners ("Board") is an agency of the State of Missouri created and existing pursuant to § 329.015, RSMo, for the purpose of executing and enforcing the provisions of Chapters 328 and 329, RSMo.

2. Respondent is a natural person whose address of record for the Board is 4061 Dr. Martin Luther King Blvd., St. Louis, Missouri 63113.

3. Respondent holds a "Class CA-hairdressing and manicuring" license, license number 102288.

4. Respondent's "Class CA-hairdressing and manicuring" license, license number 102288 is, and was at all relevant time, current and valid.

5. Respondent's "Class CA-hairdressing and manicuring" license was originally disciplined on or about November 2, 2009, at which time Respondent's license was suspended for sixty (60) days followed by a five (5) year period of probation.

6. The November 2, 2009 disciplinary Order states on page 4, paragraph IV, F, as a term and condition, that Respondent 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."

7. On or about August 31, 2012 Respondent's "Class CA- hairdressing and manicuring" license was again disciplined as a result of continued violations of Respondent's probation, in part for a failure to timely file her written letter of compliance with the Board; and was suspended for forty-five (45) days to be followed by the conclusion of Respondent's previously ordered probation.

8. Jurisdiction and venue are proper before the Missouri State Board of Cosmetology and Barber Examiners pursuant to the November 2, 2009 and August 31, 2012 disciplinary Orders and § 324.042, RSMo, which authorizes the Board to impose additional discipline in a disciplinary hearing arising from a probation violation.

9. During the probationary period, Respondent was entitled to continue practicing as a licensed cosmetologist under Chapter 329, RSMo, provided shall adhere to all terms and conditions of the Disciplinary Order.

10. On or about August 6, 2014, Probation Violation Complaint was filed with the Board which asserted that Respondent failed to comply with all Board requirements necessary to maintain her license in a current and active state as required by the November 2, 2009 disciplinary Order on page 4, paragraph IV, C, as a term and condition.

Conclusions of Law

11. The Committee has jurisdiction in this proceeding, pursuant to the November 2, 2009 and August 31, 2012 disciplinary Orders and § 324.042, RSMo, to determine whether Respondent has violated the terms and conditions of the November 2, 2009 and August 31, 2012 disciplinary Orders regarding Respondent's "Class CA-hairdressing and manicuring" license, license number 102288.

12. Section 324.042, RSMo, provides:

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.

13. Respondent violated the terms and conditions of discipline set forth in the November 2, 2009 disciplinary Order, as described in the Findings of Fact of this Order, by violating the disciplinary Order's page 4, paragraph IV, C and F as detailed in paragraphs 6 through 10 above.

Decision and Order

14. It is the decision of the Missouri State Board of Cosmetology and Barber Examiners that Respondent has violated the terms of the November 9, 2009 Disciplinary Order, and that Respondent's "Class CA-hairdressing and manicuring" license, license number 102288, is, therefore, subject to further disciplinary action.

15. The Missouri State Board of Cosmetology and Barber Examiners orders that Respondent's "Class CA-hairdressing and manicuring" license, license number 102288, be **CENSURED**.

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 16 DAY OF July, 2015.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Emily R. Carroll, Executive Director