

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

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	Case No. 13-2151CB
)	
TANYA ILENE COOK,)	
)	
Respondent.)	

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

On or about October 3, 2012, the Administrative Hearing Commission entered its Default Decision in the case of *Missouri Board of Cosmetology and Barber Examiners v. Tanya Ilene Cook*, Case No. 11-2151 CB. In its Default Decision, the Administrative Hearing Commission found that Respondent's student cosmetology license (license number 2009015082) subject to disciplinary action by the Missouri Board of Cosmetology and Barber Examiners ("Board") pursuant to § 329.140.2(3),(6), (11) and (13), RSMo, .¹

The Board has received and reviewed the record of the proceedings before the Administrative Hearing Commission, including the properly pled complaint filed before the Administrative Hearing Commission on October 28, 2011 and the Default Decision of the Administrative Hearing Commission. The record of the Administrative Hearing Commission, including the properly pled complaint and Default Decision, is incorporated herein by reference in its entirety.

Pursuant to notice and § 621.110 and § 329.140.3, RSMo, the Board scheduled a hearing to be held on January 29, 2013, at approximately 9:00 a.m. at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri, for the purpose of determining the appropriate disciplinary action against Respondent's student cosmetology license. The Board rescheduled the hearing at the aforementioned location on October 26, 2014, at approximately 1:00 p.m. The Board was represented by Attorney Scott Evans. Despite proper and timely notice, which included certified mailings returned as being "not deliverable as addressed/unable to forward" and legal notice publication in the Troy Free Press

¹ All statutory references are to Missouri Revised Statutes 2000, as amended, unless otherwise indicated.

on four separate dates, Respondent was not present for the hearing and was not represented by 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. The Board hereby adopts and incorporates herein the properly pled complaint and Default Decision of the Administrative Hearing Commission in *Missouri Board of Cosmetology and Barber Examiners v. Tanya Ilene Cook*, Case No. 11-2151 CB, in its entirety. In that Default Decision, the Administrative Hearing Commission determined that the Board filed a properly pled complaint before the Administrative Hearing Commission on or about October 28, 2011, that Respondent was properly served with the complaint and that Respondent never filed an answer or otherwise responded to the complaint.

3. In its Default Decision, the Administrative Hearing Commission determined there was cause to discipline Respondent's license pursuant to § 329.140.2(3),(6), (11) and (13), RSMo, as established in the properly pled complaint, as a result of Respondent's submission of fraudulent materials to the Board to obtain her student cosmetology license, numbered 2009015082.

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

II.

Conclusions of Law

5. The Board has jurisdiction over this proceeding pursuant to § 621.110 and § 329.140.3, RSMo.

6. The Board expressly adopts and incorporates by reference the properly pled complaint and the October 3, 2012 Default Decision of the Administrative Hearing Commission in *Missouri Board of Cosmetology and Barber Examiners v. Tanya Ilene Cook*, Case No. 11-2151 CB, finding cause to discipline Respondent's student cosmetology license pursuant to § 329.140.2(3),(6), (11) and (13), RSMo.

7. As a result of the foregoing, and as identified in the Default Decision of the Administrative Hearing Commission, Respondent's student cosmetology license is subject to disciplinary action by the Board, pursuant to § 329.140.2(3),(6), (11) and (13), RSMo.

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

III.

Order

9. Having fully considered all the evidence before the Board, and giving full weight to the Default Decision of the Administrative Hearing Commission, it is the **ORDER** of the Board, that Respondent's student cosmetology license, license number 2009015082, is hereby **REVOKED** from the effective date of this Order. Upon receipt of this Order, Respondent shall immediately return all evidence of licensure to the Board.

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

SO ORDERED, THIS 16 day of December, 2014.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Emily Carroll, Executive Director