

BEFORE THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

STATE BOARD OF COSMETOLOGY)
AND BARBER EXAMINERS,)
)
 Petitioner,)
)
v.)
)
ANTOINE DIXON,)
)
 Respondent.)

CASE NO.: 12-2180 CB

ORDER OF THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
DISCIPLINING THE BARBER OPERATOR LICENSE OF
ANTOINE DIXON

On or about June 25, 2013, the Administrative Hearing Commission entered its Default Decision in the case of *State Board of Cosmetology and Barber Examiners v. Antoine Dixon*, Case No. 12-2180 CB. In that Default Decision, the Administrative Hearing Commission found that Respondent Antoine Dixon’s barber operator license (license # 2007032320) is subject to disciplinary action by the State Board of Cosmetology and Barber Examiners (“Board”) pursuant to § 328.150.2 (5), (6) and (12), RSMo.¹

The Board has received and reviewed the record of the proceedings before the Administrative Hearing Commission and the Default Decision of the Administrative Hearing Commission and the Complaint upon which such decision was based. The record and Default Decision of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

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

Pursuant to notice and §§ 621.110 and 328.150.3, the Board held a hearing on September 30, 2013, at approximately 9:00 a.m., at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri 65102, for the purpose of determining the appropriate disciplinary action against Respondent's license. The Board was represented by Legal Counsel Tina Crow Halcomb. Respondent, having received proper notice and opportunity to appear, 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. The Board hereby adopts and incorporates by reference the Default Decision of the Administrative Hearing Commission in *State Board of Cosmetology and Barber Examiners v. Antoine Dixon*, Case No. 12-2180 CB, and the Complaint on which such decision is based, in its entirety.

3. The Board set this matter for disciplinary hearing and served notice of the disciplinary hearing upon Antoine Dixon ("Respondent" or "Licensee") in a proper and timely fashion.

II.

CONCLUSIONS OF LAW

4. This Board has jurisdiction over this proceeding pursuant to § 621.110 and § 328.150.3, RSMo.

5. The Board expressly adopts and incorporates by reference the Conclusions of Law contained in the Default Decision issued by the Administrative Hearing Commission on March 17, 2011, in *State Board of Cosmetology and Barber Examiners v. Antoine Dixon*, Case No. 12-2180 CB, and the Complaint on which such decision is based and hereby enters its Conclusions of Law consistent therewith.

6. As a result of the foregoing, and in accordance with the Administrative Hearing Commission's Order on June 25, 2013, Respondent's barber operator license, number 2007032320 is subject to disciplinary action by the Board pursuant to § 328.150.2 (5), (6) and (12), RSMo.

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

III.

ORDER

8. Having fully considered all the evidence before the Board, and giving full weight to the Default Decision of the Administrative Hearing Commission and the Complaint on which it was based, it is the ORDER of the Board that the barber operator license of Antoine Dixon, license no. 2007032320, is hereby SUSPENDED for a period until Licensee either obtains a barber establishment license or provides written evidence satisfactory to the Board that Licensee

is employed by a licensed barber establishment. Such suspension shall not in any event exceed three (3) years. Immediately following such suspension, or immediately upon the effective date of this Order should there be no suspension, Licensee's barber operator license shall be placed on probation for a period of five (5) years. During the aforementioned probation, but excluding the above specified period of suspension, Licensee shall be entitled to practice as a licensed barber subject to the following terms and conditions.

IV.

TERMS AND CONDITIONS

9. During the aforementioned probation, Licensee shall be entitled to practice as a licensed barber subject to the following terms and conditions:
 - A. During the disciplinary period, Licensee shall comply with all provisions of Chapters 328 and 329, RSMo, all applicable board regulations, all applicable federal and state drug laws, rules and regulations and all applicable federal and state criminal laws. "State" includes the state of Missouri, all other states and territories of the United States, and the ordinances of their political subdivisions.
 - B. During the disciplinary period, Licensee shall keep the Board informed of Licensee's current work and home address and telephone numbers. Licensee shall notify the Board in writing within ten days (10) of any change in this information.
 - C. During the probationary period, Licensee shall timely renew Licensee's barber operator license and any barber establishment license 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.
 - D. During the probationary period, Licensee shall accept and comply with unannounced visits from the Board's representatives to monitor compliance with the terms and conditions of this Order.
 - E. During the disciplinary period, Licensee shall appear in person for interviews with the Board or its designee upon request.
 - F. Licensee 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, 2014.

- G. 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.
- H. Unless otherwise specified by the Board, all reports, documentation, notices, or other materials required to be submitted to the Board shall be forwarded to: Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1335, Jefferson City, Missouri 65102.
- I. Any failure by Licensee to comply with any condition of discipline set forth herein constitutes a violation of this Order.

10. This Order does not bind the Board or restrict the remedies available to it concerning any violation by Licensee of the terms and conditions of this Order, Chapters 328 or 329, RSMo, or the regulations promulgated thereunder.

11. The Board will maintain this Order as an open, public record of the Board as provided in Chapters 328, 329, 610, and 324, RSMo.

12. This Order shall go into effect on the tenth (10th) day following the Order date set forth below.

SO ORDERED, THIS 16 DAY OF October, 2013.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Emily Carroll, Executive Director