

BEFORE THE MISSOURI  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS

STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS,	)	
	)	
Petitioner,	)	
	)	
v.	)	CASE # 09-0579 CB
	)	
HIEN LE,	)	
	)	
Respondent.	)	

ORDER OF THE MISSOURI  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS  
DISCIPLINING THE CLASS MO-COSMETOLOGY/MANICURING LICENSE OF HIEN LE

On or about April 21, 2010, the Administrative Hearing Commission entered its Decision in the case of *State Board of Cosmetology and Barber Examiners v. Hien Le*, Case No. 09-0579 CB. In that Decision, the Administrative Hearing Commission found that Respondent Hien Le's Class MO Cosmetology/Manicuring license (license # 2004023599) is subject to disciplinary action by the State Board of Cosmetology and Barber Examiners ("Board") pursuant to § 329.140.2(5), (6), (10), (13) and (15), RSMo 2000.<sup>1</sup>

The Board has received and reviewed the record of the proceedings before the Administrative Hearing Commission and the Decision of the Administrative Hearing Commission. The record and Decision of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

Pursuant to notice and §§ 621.110 and 329.140.3, the Board held a hearing on November 8, 2010, at approximately 9:00 a.m., at the Division of Professional Registration, 3605 Missouri

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<sup>1</sup> Unless otherwise specified, all statutory references are to the Revised Statutes of Missouri as amended.

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 Cum. Supp. 2009, 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 (as amended).

2. The Board hereby adopts and incorporates by reference the Decision of the Administrative Hearing Commission in *State Board of Cosmetology and Barber Examiners v. Hien Le*, Case No. 09-0579 CB, in its entirety.

3. 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

4. This Board has jurisdiction over this proceeding pursuant to § 621.110 and § 329.140.3.

5. The Board expressly adopts and incorporates by reference the Conclusions of Law contained in the Decision issued by the Administrative Hearing Commission on April 21, 2010, in *State Board of Cosmetology and Barber Examiners v. Hien Le*, Case No. 09-0579 CB, 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 April 21, 2010, Respondent's Class MO Cosmetology/Manicuring license is subject to disciplinary action by the Board pursuant to § 329.140.2 (5), (6), (10), (13) and (15).

7. 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, and giving full weight to the Decision of the Administrative Hearing Commission, it is the ORDER of the Board that the Class MO Cosmetology/Manicuring license of Hien Le (license no. 2004023599) is hereby REVOKED. Hien Le shall immediately return his Class MO Cosmetology/Manicuring license, number 2004023599, and any other indicia of such licensure to the Board.

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

SO ORDERED, EFFECTIVE THIS 24 DAY OF NOVEMBER, 2010.

MISSOURI STATE BOARD OF COSMETOLOGY  
AND BARBER EXAMINERS

  
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Emily Carroll, Executive Director