

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

STATE BOARD OF COSMETOLOGY)	
AND BARBER EXAMINERS,)	
)	
)	Petitioner,
)	
v.)	Case No. 2023-001912
)	
IRENE BROWN,)	
)	Respondent.

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

At its regularly scheduled meeting on July 29, 2024, 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 Irene Brown (“Brown”) failed to comply with the terms of her probation of her Class CA – hairdressing and manicuring license. The board appeared at the July 29, 2024 hearing through its attorney Gregory Mitchell. Brown did not appear individually or by legal counsel at the hearing. Division of Professional Registration Chief Legal Counsel Sarah Ledgerwood was present at July 29, 2024 hearing as the board’s legal advisor, 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 Chapter 329, RSMo.
2. Brown is a natural person, whose address of record with the Board is 7852 Olive Blvd, St. Louis, Missouri, 63130.

3. Brown holds a Class CA – hairdressing and manicuring license, license number 084404, issued by the Board. Brown’s Class CA – hairdressing and manicuring license is current and active and on probation as described in paragraph 6 below.

4. Brown operated a cosmetology establishment, Irene R. Brown, located at 7852 Olive Blvd, St. Louis, Missouri 63130.

5. Brown held a cosmetology establishment license for Irene R. Brown, license number 2019029355. The cosmetology establishment license for Irene R. Brown expired on September 30, 2021.

6. On or about February 6, 2024, the Board and Brown entered into a Settlement Agreement placing Brown’s Class CA – hairdressing and manicuring license on probation for three years as a result of practicing without a current and active establishment license for Irene R. Brown.

7. During the probationary period Brown was entitled to offer and engage in the practice of cosmetology pursuant to Chapter 329, RSMo, provided that she adhered to all the terms and conditions of the Settlement Agreement.

8. The February 6, 2024, Settlement Agreement, pages 4 and 5, paragraph A, required that Brown renew and post a current and active cosmetology establishment license at Irene R. Brown and provide the Board written notification of renewing and posting the establishment license within thirty days of the effective date of the Settlement Agreement. The Settlement Agreement was effective February 6, 2024.

9. On or about April 24, 2024, the Board inspector conducted an inspection at Irene R. Brown. Brown was present at the time of the inspection. The Board’s inspection revealed the following violations: Licensee did not have a current and active establishment license for Irene R. Brown in violation of § 329.045, RSMo and 20 CSR 2085-10.010. The Board’s inspection determined that Brown’s cosmetology establishment license, license

number 2019029355 was expired. The Board issued a Violation Notice on May 7, 2024 regarding the April 24, 2024 inspection.

10. On or about July 29, 2024, Licensee applied for a cosmetology establishment license for Irene R. Brown, nearly six months following the effective date of the Settlement Agreement.

11. On or about May 7, 2024, more than thirty days after the date of the February 6, 2024 Settlement Agreement, the Board filed a probation violation complaint based on Licensee's failure to renew and post the current and active establishment license. The Board held a probation violation hearing on July 29, 2024. Licensee did not appear at the hearing and was not represented by legal counsel despite receiving notice of the hearing and the probation violation complaint. The Board adduced testimony and entered three exhibits into evidence – Exhibit 1: the Notice of Probation Violation Hearing, certified green card with Licensee's signature, and Probation Violation Complaint; Exhibit 2: The April 24, 2024 Inspection Report citing Licensee for failure to have a current and active establishment license posted at Irene R. Brown, 7852 Olive Blvd, St. Louis, MO; and Exhibit 3: The Violation Notice, dated May 7, 2024, of the April 24, 2024 Inspection.

Conclusions of Law

12. The Committee has jurisdiction in this proceeding, pursuant to the February 6, 2024, Settlement Agreement and § 324.042, RSMo, to determine whether Brown violated the terms and conditions of the February 6, 2024 Settlement Agreement.

13. 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.

14. Brown violated the terms of discipline set forth in the February 6, 2024, Settlement Agreement, as described in the Findings of Fact of this Order by failing to timely renew and post a current and active establishment license and provide written notification to the Board within thirty days of the effective date of the February 6, 2024, Settlement Agreement.

15. The February 6, 2024, Settlement Agreement and § 324.042, RSMo, allow the Board to take such disciplinary action that the Board deems appropriate for failure to comply with the terms of February 6, 2024, Settlement Agreement, as described in the Findings of Fact of this Order.

Decision and Order

16. It is the decision of the Missouri State Board of Cosmetology and Barber Examiners that Brown violated the terms of the February 6, 2024, Settlement Agreement by failing to timely renew and post a current and active establishment license and provide written notification to the Board within thirty days of the effective date of the February 6, 2024 Settlement Agreement, that her Class CA – hairdressing and manicuring license is, therefore, subject to further disciplinary action, and that her cosmetology establishment license, July 29, 2024, is subject to issuance on probation as a result of the violations of the February 6, 2024 Settlement Agreement.

A. **Class CA – Hairdressing and Manicuring License**

1. The Missouri State Board of Cosmetology and Barber Examiners orders that the cosmetologist license for Irene Brown, number 084404, be subject to **no additional discipline**. Brown’s Class CA – hairdressing and manicuring license remains on probation, subject to the terms and conditions detailed in the February 6, 2024 Settlement Agreement.

B. **Cosmetology Establishment License**

1. Irene Brown is granted a cosmetology establishment license for Irene R. Brown, license number 2024030574, which is hereby placed on **PROBATION** for a period of three (3) years from the effective date of this Order, subject to the terms and conditions set forth below.

TERMS AND CONDITIONS

During the aforementioned probation, Brown shall be entitled to a cosmetology establishment license subject to the following terms and conditions:

- A. During the disciplinary period, Brown shall comply with all provisions of Chapter 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, Brown shall keep the Board informed of the current work and home telephone numbers. Brown shall notify the Board in writing within ten days (10) of any change in this information.
- C. During the probationary period, Brown shall timely renew the cosmetology establishment 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.
- D. During the probationary period, Brown 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, Brown shall appear in person for interviews with the Board or its designee upon request.
- F. Brown 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 July 1, 2014.
- G. If, at any time during the probationary period, Brown changes the address from the state of Missouri, or ceases to maintain the cosmetology establishment license current or active under the provisions of Chapter 329, RSMo, or fails to keep the Board advised of all current places of residence, the time of such absence,

unlicensed or inactive status, or unknown whereabouts shall not be deemed or taken to satisfy any part of the probationary period.

- H. 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.
- I. 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 1062, Jefferson City, Missouri 65102.
- J. Any failure by Brown to comply with any condition of discipline set forth herein constitutes a violation of this Order.

17. This Order does not bind the Board or restrict the remedies available to it concerning any violation by Respondent of the terms and conditions of this Order, Chapters 324 and 329, RSMo, or the regulations promulgated thereunder.

18. 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 9th DAY OF AUGUST, 2024.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS



Karla Johansen, Executive Director