

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

STATE BOARD OF COSMETOLOGY)	
AND BARBER EXAMINERS,)	
)	
Petitioner,)	
)	
v.)	Case No.: 18-0635
)	
OZEE MCCOLLUM)	
)	
Respondent.)	

**ORDER OF THE MISSOURI
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS
DISCIPLINING THE BARBER LICENSE OF OZEE MCCOLLUM**

On or about November 30, 2018, the Administrative Hearing Commission entered its Decision in the case of *Missouri Board of Cosmetology and Barber Examiners v. Ozee McCollum*, Case No. 18-0635. In that Decision, the Administrative Hearing Commission found that Respondent Ozee McCollum’s barber license (license # 2000148990) is subject to disciplinary action by the Board pursuant to § 328.150.2(2), RSMo.

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 of the Administrative Hearing Commission is incorporated herein by reference in its entirety.

Pursuant to notice and §§ 621.110 and 328.150.3, RSMo, the Board held a hearing on July 22, 2019, at approximately 9:15 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 Jamie J. Cox. Respondent received proper notice and opportunity to appear and appeared in person and by 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.

I.

Based upon the foregoing the Board hereby states:

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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 Decision of the Administrative Hearing Commission in *Missouri Board of Cosmetology and Barber Examiners v. Ozee McCollum*, Case No. 18-0635, 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. Respondent appeared and offered testimony and exhibits regarding the case.

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 Decision issued by the Administrative Hearing Commission on November

30, 2018, in *Missouri Board of Cosmetology and Barber Examiners v. Ozee McCollum*, Case No. 18-0635, 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 November 30, 2018, Respondent's barber license is subject to disciplinary action by the Board pursuant to § 328.150.2(2), RSMo.

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 barber license of Ozee McCollum (license no. 2000148990) is hereby placed on **PROBATION** for a period of five (5) years, subject to the terms and conditions set forth below.

IV.

TERMS AND CONDITIONS

During the aforementioned probation, McCollum shall be entitled to practice as a barber subject to the following terms and conditions:

Specific Terms

- A. During the disciplinary period, McCollum shall not perform services for children and shall have prominently displayed signage stating that he does not perform services for children at his workstation or place of employment.
- B. During the disciplinary period, McCollum shall not provide services in any establishment without another employee or booth renter of the establishment present.
- C. During the disciplinary period, McCollum shall report to the Board each occurrence of McCollum's being arrested or finally adjudicated and found guilty, or entering a plea of

guilty or nolo contendere, in a state or federal criminal prosecution, to felony or misdemeanor offenses, within ten business days of each such occurrence.

- D. During the disciplinary period, McCollum shall submit quarterly reports to the Board. McCollum shall attest that he is in compliance with his criminal probation in case number 13SL-CR01956-01; that he is in compliance with the Board's probation issued herein; the status of all licenses; and where he is working. The first quarterly report shall be submitted on or before October 31, 2019.

General Terms

- A. During the disciplinary period, McCollum shall comply with all provisions of Chapter 328, RSMo (as amended), 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, McCollum shall keep the Board informed of his current work and home telephone numbers. McCollum shall notify the Board in writing within ten days (10) of any change in this information.
- C. During the probationary period, McCollum shall timely renew his barber 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, McCollum 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, McCollum shall appear in person for interviews with the Board or its designee upon request.
- F. 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 (as amended).
- G. 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.

H. Any failure by McCollum to comply with any condition of discipline set forth herein constitutes a violation of this Order.

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 328, RSMo (as amended), or the regulations promulgated thereunder.

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

SO ORDERED, EFFECTIVE THIS 29TH DAY OF July, 2019.

MISSOURI STATE BOARD OF COSMETOLOGY
AND BARBER EXAMINERS

Brittany Tomblinson

Brittany Tomblinson, Executive Director



9590 9266 9904 2128 2521 78