

**STATE OF VERMONT
BOARD OF BARBERS AND COSMETOLOGISTS**

IN RE:
BICH NGOC T DO
Applicant

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Docket No: APP-CO-20-0402

STIPULATION AND CONSENT ORDER

The Applicant, Bich Ngoc T Do, and the State of Vermont, by its Attorney General, William H. Sorrell, stipulate to the statements of Board Authority, Facts and Understandings set forth below and agree to the entry of the following Consent Order by the Vermont State Board of Barbers and Cosmetologists as a final order in this matter.

Board Authority

- 1) The Vermont Board of Barbers and Cosmetologists has jurisdiction to investigate and adjudicate allegations of unprofessional conduct by applicants for manicuring licenses and to approve consent orders entered by the parties pursuant to 3 V.S.A. §129; 26 V.S.A. §276; and the Board of Barbers and Cosmetologists Rules (hereinafter "Rules").
- 2) Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession is unprofessional conduct upon which the Board may take disciplinary action. 3 V.S.A. §129a(a)(3).
- 3) Practicing or offering to practice beyond the scope permitted by law is unprofessional conduct upon which the Board may take disciplinary action. 26 V.S.A. §288(1).

Facts

- 4) Applicant, Bich Ngoc T Do, has applied for a manicuring license in the State of Vermont.
- 5) Bich Ngoc T Do has recently practiced the profession without being licensed and

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without being exempt. Specifically, Applicant practiced without a license at Magic Nails and My-Kim Nails.

- 6) Applicant has been operating without a current license since November 30, 1999.

Charges

- A. The acts and circumstances described above constitute unprofessional conduct pursuant to:
- (1) Failing to comply with provisions of federal or state statutes or rules governing the practice of the profession. 3 V.S.A. §129a(a)(3); and
 - (2) Practicing or offering to practice beyond the scope permitted by law. 26 V.S.A. §288(1).

Understandings

- B. The Applicant understands that the Board of Barbers and Cosmetologists must review and accept the terms of the Order set forth below and that if the Board rejects all or any portion of the Order, then this entire document shall be null and void.
- C. The Applicant has read and reviewed this entire document and agrees that it contains the entire agreement between the parties.
- D. The Applicant is not under the influence of any drugs or alcohol at the time this document is being signed.
- E. The Applicant agrees that she has had sufficient opportunity to consult with legal counsel before signing this document.

- F. The Applicant agrees to settle the charge against her on the terms set forth in this order and is voluntarily waiving her right to a contested hearing before the Board of Barbers and Cosmetologists.
- G. The Applicant agrees that the Order set forth immediately below may be entered by the Board of Barbers and Cosmetologists.

Consent Order

H. Based on the above stipulations, it is **ADJUDGED** as follows:

- (1) The "Facts" listed above are true; and
 - (2) The Applicant has engaged in unprofessional conduct in that the Applicant has:
 - (a) Failed to comply with provisions of federal or state statutes or rules governing the practice of the profession. 3 V.S.A. §129a(a)(3); and
 - (b) Practicing or offering to practice beyond the scope permitted by law. 26 V.S.A. §288(1).
- I. Based on the above stipulation and on the above Findings and Conclusions of this Board, it is **ORDERED** as follows:
- (a) The Board hereby **REPRIMANDS** Applicant's license.
- J. Applicant agrees not to have an apprenticeship for a period of one (1) year.
- K. Notwithstanding any provision above, Applicant must meet all Board of Barbers and Cosmetologists requirements for license renewal and license reinstatement.
- L. This Stipulation and Consent Order is a matter of public record and may be

reported to other licensing authorities as provided in 3 V.S.A. §129(a).

M. This Stipulation and Consent Order will remain part of the Applicant's licensing file and may be used in determining sanctions in future disciplinary matters.

AGREED TO:

BY: BICH NGOC T DO
APPLICANT

Date: 04/09/02


Bich Ngoc T Do

AND BY: STATE OF VERMONT
WILLIAM H. SORRELL
ATTORNEY GENERAL

Date: 4/10/02


George C. Haegele IV
Assistant Attorney General

ACCEPTED AND SO ORDERED:

BOARD OF BARBERS AND
COSMETOLOGISTS

Date: 4-15-02


Chairperson

Dated entered: 4/15/02

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