



NEVADA STATE BOARD OF COSMETOLOGY

LAS VEGAS OFFICE
8945 West Russell Road, Suite 100
Las Vegas, Nevada 89148

RENO OFFICE
740 Del Monte Lane, Suite 12
Reno, Nevada 89511

January 19, 2021
Phone: (702) 508-0015
www.nvcosmo.com

Via regular and certified mail

Jennifer Frazier/ Reflections Styling Salon
2590 Idaho St.
Elko, NV 89801

Re: Complaint Number C-2020-0970

Ms. Frazier:

On October 22, 2020 you appeared before Administrative Law Judge J. Greiner. A copy of ALJ Greiner's Findings of Facts and Conclusions of Law was sent to you via certified mail on or about November 2, 2020.

On January 11, 2021 the Nevada State Board of Cosmetology (Board) reviewed the Findings of Fact, Conclusions of Law, and Recommendations as per Administrative Law Judge Jill Greiner. The Board voted to affirm and adopt ALJ Greiner's findings and recommendations.

Enclosed is a signed copy of the Board Order for your records. Also enclosed is an itemized breakdown of the costs associated with your case.

The Board voted to have the 15 day suspension of your license, C-33676 and your salon's license, S-14465 run concurrently. Your 15 day suspension begins on January 19th, 2021 the date of the Board order.

In addition to the 15 day suspension, the total owed in this matter is \$2,130.18. This total reflects attorneys' fees and costs expended in this matter. If you require a payment plan, one can be set up for you.

If you have any questions, or need to set up a payment plan please call the office at 702-508-0015 or email inspection@nvcosmo.com.

Respectfully,

A handwritten signature in black ink, appearing to read "Gary K. Landry".

Gary K. Landry
Executive Director

GKL/le

BEFORE THE NEVADA STATE BOARD OF COSMETOLOGY

NEVADA STATE BOARD OF
COSMETOLOGY,

Case No. C2020-0970

Petitioner,

vs.

JENNIFER JUNE FRAZIER (License No.
C-33676); and REFLECTIONS STYLING
SALON (License No. S-14465),

Respondents.

ORDER

WHEREAS, the Nevada State Board of Cosmetology having met at a public,
open meeting on the 19, day of JANUARY, 2021 and the
above-captioned matter having come before the Board for review of the attached
Findings of Facts, Conclusions of Law, and Recommendations;

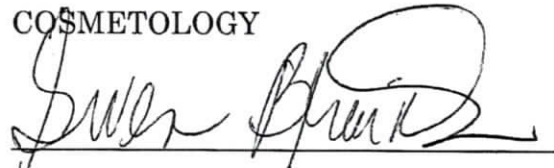
WHEREAS the Nevada State Board of Cosmetology, having reviewed the
attached Findings of Fact, Conclusions of Law, and Recommendations;

Good cause appearing therefore,

IT IS HEREBY ORDERED that the Administrative Law Judge's Findings of
Fact, Conclusions of Law, and Recommendations are affirmed and adopted.

DATED this 19 day of JANUARY, 2021

NEVADA STATE BOARD OF
COSMETOLOGY



GWEN BRAIMOH, President of the Nevada
State Board of Cosmetology

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CERTIFICATE OF SERVICE

I certify that I am an employee of the Nevada State Board of Cosmetology, and that on 1-19-21, I deposited for mailing in the United States Mail, first-class postage prepaid, a true and correct copy of the foregoing ORDER addressed to the following:

JENNIFER JUNE FRAZIER
2590 Idaho Street 7020 1810 0000 7913 7613
Elko, Nevada 89801

REFLECTIONS STYLING SALON
2590 Idaho Street
Elko, Nevada 89801

7020 1810 0000 7913 7606



An employee of the Nevada State Board of
Cosmetology

Statement Date	Date	Item	Hours	Rate	Amount
July 31, 2020	7/31/2020	Review file for potential charge against Reflections Salon; review statutes and regulations; review Governor's Directive for grounds for possible causes of action; various correspondence with Board staff regarding same.	1.8	154.36	277.85
August 31, 2020	8/11/2020	Draft e-mail to Board Staff regarding Reflections Salon matter.	0.3	154.36	46.31
	8/14/2020	Draft and revise Complaint and Notice of Hearing against Reflections Spa and Salon; draft e-mail to Board Staff on same	2.8	154.36	432.21
	8/17/2020	Review follow up e-mails from Board staff regarding inspection summary for Reflections Salon to supplement Complaint on same.	0.2	154.36	30.87
	8/18/2020	Review additional documents provided by Board Staff regarding Reflections Salon; revise and supplement Complaint against Reflections Salon on same.	0.4	154.36	61.74
	8/18/2020	Review additional documents provided by Board staff; revise and supplement Complaint against Reflections; draft e-mail to Board Staff on same.	0.6	154.36	92.62
	8/18/2020	Review additional documents provided by Board Staff supplement Complaint against Reflections; draft e-mail to Board staff on same.	0.5	154.36	77.18
	8/19/2020	Review e-mail from Board staff regarding comments and proposed changes to Reflections Salon complaint; revise and supplement complaint per direction, grammar and formatting.	0.6	154.36	92.62
September 30, 2020		No Charges Posted			
October 31, 2020	10/7/2020	Draft hearing outline for use in upcoming ALJ hearing against Reflections Styling Salon.	1	154.36	154.36
	10/8/2020	Revise and update hearing outline for Reflections Salon per discussion with Board staff	0.3	154.36	46.31
	10/8/2020	Review e-mail from board staff regarding updated information from inspectors for Reflections Salon; update hearing outline regarding same.	0.3	154.36	46.31
	10/20/2020	Revise and supplement hearing outline for use at upcoming hearing against Reflections Salon per discussion with Board staff	0.2	154.36	30.87
	10/21/2020	Plan and prepare for upcoming administrative hearing against Reflections Styling Salon/Jennifer June Frazier.	0.5	154.36	77.18
	10/22/2020	Attend hearing with ALJ Jill Greiner on Reflections Salon matter	1.2	154.36	185.23
	10/23/2020	Draft and revise Findings of Fact, Conclusions of Law, and Recommendations for Reflections Salon matter.	1.5	154.36	231.54
	10/26/2020	Draft e-mail to ALJ Jill Greiner regarding proposed decision for Reflections Salon.	0.1	154.36	15.44
	10/26/2020	Review e-mail from ALJ Jill Greiner regarding request for decisions for Reflections in Word format; respond to same.	0.1	154.36	15.44
	10/27/2020	Review e-mail from ALJ Jill Greiner regarding draft proposed Decision on Reflections Salon matter; review proposed edits; draft response to same	0.3	154.36	46.31
	10/28/2020	Review e-mail from ALJ Jill Greiner regarding updated draft proposed Decision on Reflections Salon matter; review proposed edits; draft response to same.	0.4	154.36	61.74
	10/29/2020	Review finalized Decision related to Reflections Salon; forward same to Board staff	0.2	154.36	30.87
November 30, 2020	11/05/2020	Draft and revise Order related to Reflections Salon Findings of Fact, Conclusions of Law, and Recommendations.	0.5	154.36	77.18
				Total:	2130.18

1 **BEFORE THE NEVADA STATE BOARD OF COSMETOLOGY**

2 **NEVADA STATE BOARD OF**
3 **COSMETOLOGY,**

Case No. C2020-0970

4 **Petitioner,**

5 **vs.**

6 **JENNIFER JUNE FRAZIER (License No.**
7 **C-33676); and REFLECTIONS STYLING**
8 **SALON (License No. S-14465),**

9 **Respondents.**

10 **FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS**

11 Pursuant to the authority conferred upon it by NRS 644A.245 and NRS 644A.270,
12 the Nevada State Board of Cosmetology delegated its authority to hear this contested case
13 to Administrative Law Judge Jill Greiner.

14 This matter was heard on October 22, 2020. Appearing on behalf of Petitioner
15 Nevada State Board of Cosmetology ("Board") was Deputy Attorney General Justin R.
16 Taruc. Appearing on behalf of Respondents Jennifer June Frazier ("Frazier") and
17 Reflections Styling Salon ("Reflections") (collectively "Respondents") was Jennifer June
18 Frazier.

19 Oral and documentary evidence were received, including documents submitted by
20 the Board marked as Exhibits 1 through 6, and the matter was deemed submitted for
21 decision upon the close of the hearing on October 22, 2020. Administrative Law Judge
22 Greiner, having read all the papers, and having heard and reviewed all evidence received,
23 hereby finds, concludes, and recommends as follows:

24 **FINDINGS OF FACT**

25 1. On or about July 12, 2011, Respondent Frazier received a cosmetology license
26 from the Board and was issued License No. C-33676. At all times relevant, Respondent
27 Frazier engaged in the business of cosmetology, and therefore is subject to the jurisdiction
28 of the Board and the provisions of NRS Chapter 644A and NAC Chapter 644A.

1 2. On or about February 26, 2015, Respondent Reflections received a
2 cosmetology establishment license from the Board to operate a salon and was issued
3 License No. S-14465. At all times relevant, Respondent Reflections engaged in the
4 business of cosmetology, and therefore is subject to the jurisdiction of the Board and the
5 provisions of NRS Chapter 644A and NAC Chapter 644A.

6 3. Respondent Frazier was at all relevant times the owner of Respondent
7 Reflections.

8 4. On March 12, 2020, Nevada State Governor Steve Sisolak issued a
9 Declaration of Emergency to facilitate the State's response to the COVID-19 pandemic.

10 5. On March 20, 2020, Governor Sisolak issued Declaration of Emergency for
11 COVID-19 Directive 003 that required the closure of non-essential businesses, including
12 "aesthetic services such as beauty shops, barber shops, nail salons, tanning salons, and
13 wax salons."

14 6. On April 28, 2020, the Board received a consumer complaint that
15 Respondents' establishment never closed pursuant to Declaration of Emergency for
16 COVID-19 Directive 003 and had stayed open and was receiving clients.

17 7. Although the Board provided a copy of a social media posting perhaps
18 indicating that during the period of closure of non-essential businesses pursuant to
19 Declaration of Emergency for COVID-19 Directive 003, Respondent Frazier may have been
20 accepting personal appointments and working during the closure of non-essential
21 businesses, the Board did not provide any direct evidence in support of this allegation.

22 8. On May 7, 2020, Governor Sisolak issued Declaration of Emergency Directive
23 018 that allowed nail care salons and hair salons licensed by the Board to reopen to
24 customers, provided that:

25 (1) Salons and barber shops with walls or partitions between stations or
26 chairs may utilize all stations, but under no circumstances may more than one customer
27 or client be seated at any given station or chair.

28 (2) Salons and barber shops without wall or partitions between stations

1 may only seat customers or clients at every other station or chair, or arrange stations or
2 chairs so that a minimum of 6 feet of separation between customers is maintained.

3 (3) Salons and barber shops may not accept customers or clients on a
4 walk-in basis, and technicians, stylists and barbers may not serve or accept appointments
5 for more than one customer at any given time.

6 (4) Customers waiting for appointments must wait outside the facility and
7 must practice social distancing by maintaining a minimum of 6 feet of separation between
8 customers not residing in the same household.

9 (5) Technicians, stylists, barbers, and other employees must wear face
10 coverings at all times.

11 (6) Persons licensed by the Nevada Board of Cosmetology or State
12 Barber's Health and Sanitation Board must abide by all guidelines promulgated by their
13 respective boards. Boards are directed to impose disciplinary measures against licensees
14 who violate this provision.

15 9. On or about May 7, 2020, Industry-Specific Guidance was released by the
16 Nevada Health Response Center, in coordination with the Local Empowerment Advisory
17 Panel ("LEAP"), which included guidance on the reopening of hair care salons. Therein,
18 the Guidance specifically noted that "face masks" are mandatory within the Infection
19 Prevention Item Checklist. Further, the Guidance required that nail care salons "must
20 follow the strict guidance set forth under Section 16 of Emergency Directive 018."

21 10. On May 14, 2020, the Board performed an inspection of Respondents'
22 cosmetology establishment and found that Respondents' staff were not wearing face
23 coverings.

24 11. On May 24, 2020, the Board received a complaint that Respondents were not
25 complying with the Governor's Directive, including that Respondents' staff were not
26 wearing facial coverings.

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1 18. Subsection 16 of Nevada Governor Sisolak's Declaration of Emergency
2 Directive 018 also provides that nail care salons and hair salons licensed by the Board
3 may reopen to customers amid the COVID-19 pandemic, provided that a number of safety
4 precautions are followed, including subsection (5), which specifically states that
5 "[t]echnicians, stylists, barbers, and other employees must wear face coverings at all
6 times."

7 19. NRS 644A.850(1) provides grounds for disciplinary action by the Board,
8 including subsection (n), which states that "[a]ny other unfair or unjust practice, method
9 or dealing which, in the judgment of the Board, may justify such [disciplinary] action."¹

10 20. NRS 644A.850(2) provides that if the Board determines that a violation of
11 NRS 644A.850 has occurred, it may: (a) Refuse to issue or renew a license or certificate of
12 registration; (b) Revoke or suspend a license or certificate of registration; (c) Place the
13 licensee or holder of a certificate of registration on probation for a specified period; (d)
14 Impose a fine not to exceed \$2,000; or (e) Take any combination of the actions authorized
15 by paragraphs (a) to (d) inclusive.

16 21. NRS 622A.370 provides that in these proceedings the prosecutor has the
17 burden of proof, and the standard of proof is a preponderance of the evidence.

18 22. The Board alleged as a First Claim for Relief that Respondents should be
19 subject to discipline pursuant to NRS 644A.850(1)(n) for engaging in unfair or unjust
20 practices, methods, or dealings, by failing to comply with Declaration of Emergency for
21 COVID-19 Directive 003, when Respondents continued to service clients amid the closure
22 of non-essential businesses. However, without direct proof thereof, undersigned
23 Administrative Law Judge concluded that the Board did not sufficiently prove by a
24 preponderance of the evidence that Respondents continued to service clients amid the
25 closure of non-essential businesses.

26 23. The Board alleged as a Second Claim for Relief that Respondents should be
27 subject to discipline pursuant to NRS 644A.850(1)(n) for engaging in unfair or unjust

28 ¹See also NAC 644A.870(1).

1 practices, methods, or dealings, by failing to comply with Section 16 of Governor Sisolak's
2 Declaration of Emergency Directive 018, when Respondents' staff failed to wear facial
3 coverings during the inspection on May 14, 2020.

4 24. Undersigned Administrative Law Judge finds that the Board met its burden
5 in proving that Respondents violated NRS 644A.850(1)(n) for engaging in unjust practices
6 by failing to comply with Section 16 of Governor Sisolak's Declaration of Emergency
7 Directive 018, when Respondents' staff failed to wear facial coverings on May 14, 2020,
8 and are thus subject to discipline for this offense.

9 25. The Board alleged as a Third Claim for Relief that Respondents should be
10 subject to discipline pursuant to NRS 644A.850(1)(n) for engaging in unfair or unjust
11 practices, methods, or dealings, by failing to comply with Section 16 of Governor Sisolak's
12 Declaration of Emergency Directive 018, when Respondents' staff failed to wear facial
13 coverings on July 21, 2020.

14 26. Undersigned Administrative Law Judge finds that the Board met its burden
15 of proving that Respondents violated NRS 644A.850(1)(n) for engaging in unjust practices
16 by failing to comply with Section 16 of Governor Sisolak's Declaration of Emergency
17 Directive 018, when Respondents' staff failed to wear facial coverings on July 21, 2020,
18 and are thus subject to discipline for this offense.

19 **HEARING OFFICER RECOMMENDATIONS TO THE BOARD**

20 Based on the foregoing, and good cause appearing therefore,

21 IT IS HEREBY RECOMMENDED that the Nevada State Board of Cosmetology
22 suspend Respondent Frazier's cosmetology license for a period of fifteen (15) days.

23 IT IS HEREBY FURTHER RECOMMENDED that the Nevada State Board of
24 Cosmetology suspend Respondent Reflections' cosmetological establishment license for a
25 period of fifteen (15) days.²

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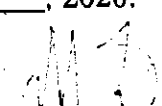
28 ²These suspensions can be concurrent, if preferred by the Board.

1 IT IS HEREBY FURTHER RECOMMENDED that the Nevada State Board of
2 Cosmetology order Respondents to reimburse the Board for its attorneys' fees and costs
3 expended in this matter. The Board will provide Respondents with an itemized statement
4 of its fees and costs expended within fifteen (15) days of the date of the Board's final order
5 in this matter.

6 IT IS HEREBY FURTHER RECOMMENDED that pursuant to NRS 241.034,
7 written notice of the Board's meeting to discuss and take possible action on the
8 undersigned Administrative Law Judge's Findings of Fact, Conclusions of Law, and
9 Recommendations be delivered personally to Respondents at least five (5) working days
10 before the meeting or sent by certified mail to the last known address of Respondents at
11 least twenty-one (21) working days before the meeting.

12 Should the Board order Respondents to pay fees and costs, if additional time for
13 payment is needed, Respondents may contact Board staff to coordinate a payment plan.

14 Dated this 28th day of October, 2020.

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18 JILL GREINER, ESQ.
19 Administrative Law Judge
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CERTIFICATE OF SERVICE

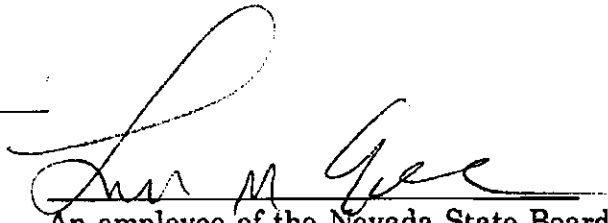
I certify that I am an employee of the Nevada State Board of Cosmetology, and that on 11/2/20, I deposited for mailing in the United States Mail, first-class postage prepaid, a true and correct copy of the foregoing FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDATIONS addressed to the following:

JENNIFER JUNE FRAZIER
2590 Idaho Street
Elko, Nevada 89801

7020 1810 0000 7913 1710

REFLECTIONS STYLING SALON
2590 Idaho Street
Elko, Nevada 89801

7020 1810 0000 7912 5016



An employee of the Nevada State Board of
Cosmetology