

## **ORDER OF AN EXECUTIVE OFFICER NOTICE OF CLOSURE**

**To:** Thi Thu Thuy Nguyen  
"the Owner"

**RE:** The personal services facility located in Calgary, Alberta and municipally described as:  
Emily Nails 923 40 Street SW Calgary, Alberta

**WHEREAS** I, an **Executive Officer** of **Alberta Health Services**, have inspected the above noted premises pursuant to the provisions of the Public Health Act, RSA 2000, c. P-37, as amended;

**AND WHEREAS** such inspection disclosed that the following conditions exist in and about the above noted premises which are or may become injurious or dangerous to the public health or which might hinder in any manner the prevention or suppression of disease, namely:

- a. The service provision area is in the front living/sitting area of the home. There is no separation between the service provision area and living area(s).
- b. There is no sink available for the purposes of hand washing and equipment reprocessing. The operator is currently using the kitchen sink for reprocessing equipment.
- c. There is a foot basin in the service provision area, pedicure services were being advertised. An intermediate level disinfectant other than 70% alcohol is not available for disinfecting this piece of equipment.
- d. There is a used nail buffer at the manicure table.

**AND WHEREAS** such inspection disclosed that the following breaches of the Public Health Act and the Personal Services Regulation, Alberta Regulation 20/2003 exist in and about the above noted premises, namely:

- a. The service provision area is in the front living/sitting area of the home. There is no separation between the service provision area and living area(s). This is in contravention of Section 5 of the Personal Services Regulation, which states "The personal service facility is being operated in an unsatisfactory location that is not separate from living, sleeping, dining areas, or other incompatible activities."
- b. There is no sink available for the purposes of hand washing and equipment reprocessing. The operator is currently using the kitchen sink for reprocessing equipment. This is in contravention of Section 4(1) of the Personal Services Regulation, which states, "A personal service facility in which body piercing, ear piecing, electrolysis ,tattooing or aesthetics service are provided must be equipped with a sink that is (a) stainless steel, (b) supplied with soap and hot air dryers or single service towels in suitable dispensers, (c) not in a washroom, (d) only used for washing hands and cleaning equipment, (e) only used by the staff and clients of the personal service facility, and (f) in or readily accessible to the service provision area"
- c. There is a foot basin in the service provision area, pedicure services were being advertised. An intermediate level disinfectant other than 70% alcohol is not available for disinfecting this piece of equipment. This is in contravention of Section II 9(c) of the Health

Standards and Guidelines for Esthetics which states that “The manicure bowl or pedicure bowl shall be cleaned and disinfected with an intermediate level disinfectant between clients.

- d. There is a used nail buffer at the manicure table. This is in contravention of Section II 2(c) of the Health Standards and Guidelines for Esthetics which states “Any disposable or single-use equipment shall be discarded between clients.”

**AND WHEREAS**, by virtue of the foregoing, the above noted premises are hereby declared to be **Closed**.

NOW THEREFORE, I hereby **ORDER** and **DIRECT**:

1. That the Owner immediately close the above noted premises.
2. That the Owner immediately undertake and diligently pursue the completion of the following work in and about the above noted premises, namely:
  - a. Relocate the service provision area so that it is separated from all other living areas within the home.
  - b. Provide a sink immediately accessible to the esthetics room that is operational at all times. Ensure the sink is equipped with warm water, soap and single use hand towels for the purpose of handwashing.
  - c. Obtain disinfectants accepted by Alberta Health Services.
  - d. Cease advertisement of esthetic services to the public until assessment is conducted by an Executive Officer with Alberta Health Services to reopen.
1. That until such time as the work referred to above is completed to the satisfaction of an Executive Officer of Alberta Health Services; the above noted premises shall remain closed.

The above conditions were noted at the time of inspection and may not necessarily reflect all deficiencies. You are advised that further work may be required to ensure full compliance with the Public Health Act and regulations, or to prevent a public health nuisance.

DATED at Calgary, Alberta, June 14, 2018

Confirmation of a verbal order issued to Thuy Thi Thu Nguyen on June 13, 2018

Julie Yamaoka, CPHI(C)  
Executive Officer  
Alberta Health Services

You have the right to appeal

A person who        a) is directly affected by a decision of a Regional Health Authority, and  
                              b) feels himself aggrieved by the decision

may appeal the decision by submitting a Notice of Appeal form within ten (10) days after receiving the order to:

Public Health Appeal Board  
c/o Central Reception  
Main Floor, ATB Place North Tower  
10025 Jasper Avenue NW  
Edmonton, Alberta, T5J 1S6  
Phone: 780-222-5186  
Fax: 780-422-0914  
Email: [HealthAppealBoard@gov.ab.ca](mailto:HealthAppealBoard@gov.ab.ca)  
Website: <http://www.health.alberta.ca/about/PHAB.html>

A Notice of Appeal form may be obtained by contacting Alberta Health Services at 780-342-0122 or by contacting the Public Health Appeal Board.

Health Legislation, Regulations and Standards

Electronic versions of the Public Health Act and Regulations are available at the Alberta Queen's Printer Bookstore 10611 - 98 Avenue, Main Floor, Park Plaza, Edmonton, Alberta, T5K 2P7 or [www.qp.gov.ab.ca](http://www.qp.gov.ab.ca).

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**Copies of standards are available by contacting the Health Protection Branch of Alberta Health at 780-427-4518 or by visiting: [www.health.alberta.ca/about/health-legislation.html](http://www.health.alberta.ca/about/health-legislation.html)**

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[www.albertahealthservices.ca/eph.asp](http://www.albertahealthservices.ca/eph.asp)