

Effective 11/22/11



Protecting, maintaining and improving the health of all Minnesotans

October 17, 2011

Mr. Shane Joseph Post
[REDACTED]

RE: MDH File Number: BAC12032

Dear Mr. Post:

Based on the facts and law in this matter as described in the enclosed Staff Determination, the Minnesota Department of Health (MDH) has determined that you provided body art services in an unlicensed body art establishment, in violation of Minnesota Statutes, section 146B.02, subdivision 4. The Department hereby issues this reprimand. This action is authorized pursuant to Minnesota Statutes, sections 214.10, and 146B.08, subdivision 4.

You may either accept the discipline as stated herein or you may appeal. If you accept, please provide a statement of your acceptance. If you wish to appeal the discipline, you must provide a written statement as to which facts are in error and your grounds for your appeal. Your written statement must be received within 30 days from the date this letter is received by you. During that 30-day period, you also have the right to challenge this decision in a contested-case hearing, as provided under Minnesota Statutes, Chapter 14. Requests for a hearing should also be made in writing and include specific grounds for challenging the Department's decision.

You must provide a written statement of your decision to either accept or appeal the discipline outlined in the enclosed Determination, within 30 days of your receipt of this letter, to:

Tom Hiendlmayr, Director of the Health Occupations Program
Minnesota Department of Health
PO Box 64882
Saint Paul, MN 55164-0882

You may also deliver your request to 85 East Seventh Place, Suite 220, Saint Paul, MN; or fax it to Mr. Hiendlmayr at (651)201-3839. If you have any questions about this matter, please contact Kyle Renell at (651)201-3727.

Sincerely,

A handwritten signature in cursive script that reads "Darcy Miner".

Darcy Miner, Director
Compliance Monitoring Division

Enclosure

cc: Tom Hiendlmayr, Director of the Health Occupations Program

**HEALTH OCCUPATIONS PROGRAM
MINNESOTA DEPARTMENT OF HEALTH**

**A Determination In the Matter of
Shane Joseph Post
Body Art Technician**

AUTHORITY

1. The Minnesota Department of Health (MDH) has authority to discipline body art technicians for violations of law under Minnesota Statutes, section 214.131, subdivision 2, and Minnesota Statutes, section 146B.08, subdivision 4. The types of discipline MDH may impose include revocation or suspension of licensure or any reasonable lesser action.
2. Pursuant to Minnesota Statutes, section 146B.02, subdivision 4, a technician must only provide body art services in licensed establishments.

FINDINGS OF FACT

1. Shane Joseph Post (Hereinafter "Technician") has been licensed as a Body Art Technician since December 31, 2010.
2. On August 23, 2011, a complaint was received which alleged Technician had participated in Halfway Jam 2011 during July. There was no record of an application for a temporary event permit associated with that event.
3. In a statement received on September 19, 2011, Technician admitted to participating in the event without a temporary event permit.

CONCLUSION

1. Technician did not comply with the requirements under Minnesota Statutes, section 146B.02, subdivision 4, because he provided body art services in an unlicensed establishment.

DETERMINATION

1. Technician is hereby reprimanded.