

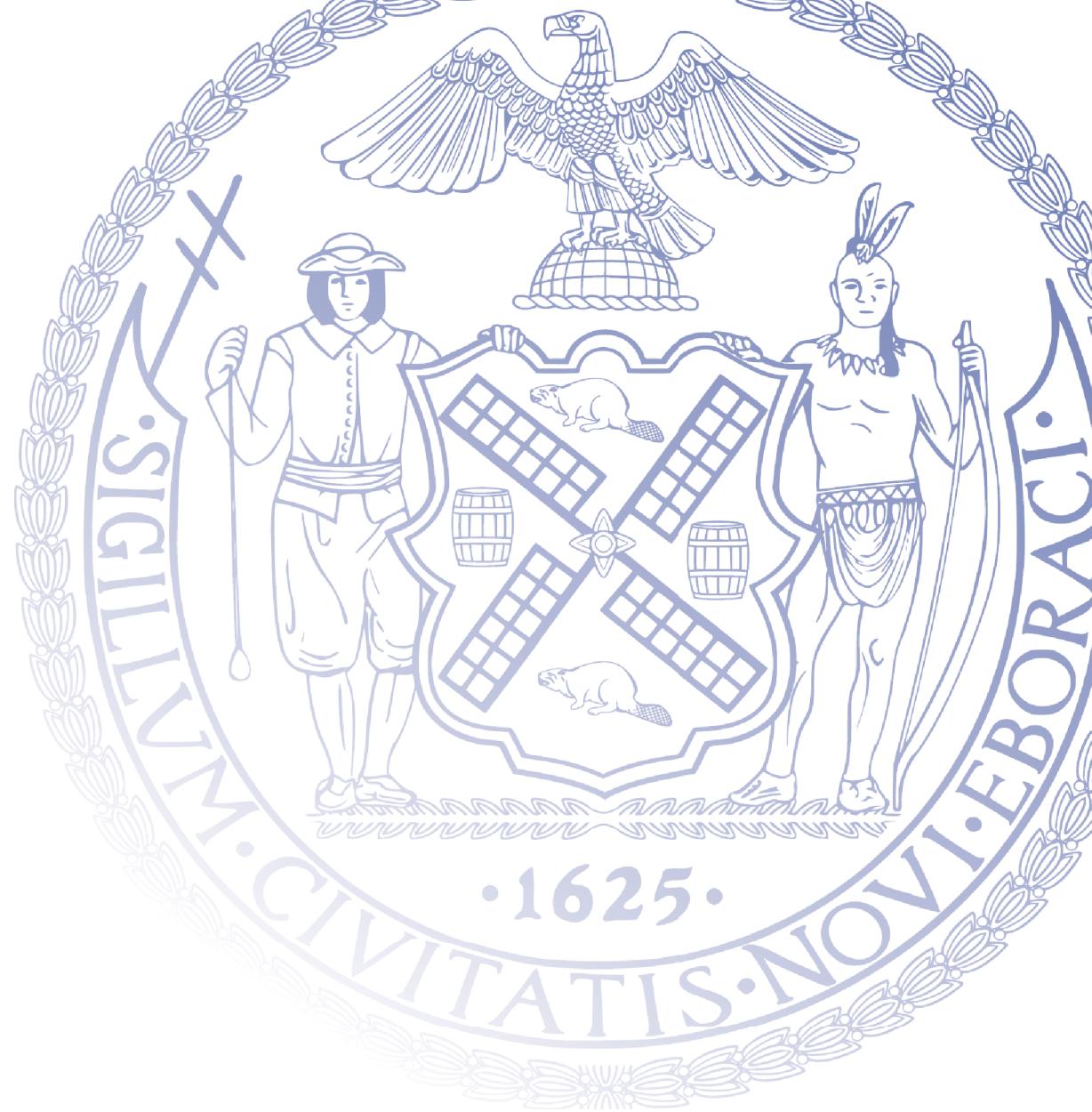
DECEMBER 2025

Moving The Needle

**A Joint Enforcement
Operation Against
Improperly Licensed
Medspas in NYC**



**OVERSIGHT AND
INVESTIGATIONS
DIVISION**



ABOUT THE NEW YORK CITY COUNCIL OVERSIGHT AND INVESTIGATIONS DIVISION

The Oversight and Investigation Division (OID) is an interdisciplinary team of investigators, policy and data analysts, and attorneys dedicated to strengthening the City Council's oversight and legislative work. Through comprehensive, fact-based investigations, OID brings clarity to matters of public significance by identifying issues, presenting findings, and improving transparency in City government.

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Table of Contents

Executive Summary	1
Introduction	3
The Inspections	4
Results of Inspections	5
Post Inspection Hearings	8
Recommendations	10
Conclusion	11
Acknowledgements	12
Appendix	13
End Notes	16

Executive Summary

Medical Spas (or “medspas”) have proliferated across New York City, often offering both traditional aesthetic beauty services and medical procedures such as Botox, fillers, and IV therapies.¹ While these businesses are advertised as quick and convenient alternatives to traditional plastic surgeon visits, a series of inspections coordinated by the New York City Council’s Oversight and Investigations Division (OID) and conducted in collaboration with multiple New York State agencies revealed systemic violations of state law.

Between June and September 2024, OID coordinated inspections of 15 medspas across all five New York City boroughs in partnership with the New York State Department of State’s Bureau of Licensing Services (DOS), the Department of Health’s Bureau of Investigations (BI) and Bureau of Narcotic Enforcement (BNE), and with advisory support from the New York State Education Department (NYSED). The team inspected three businesses in the Bronx, four in Brooklyn, three in Manhattan, four in Queens, and one in Staten Island.

Investigators documented a wide range of violations across the inspected medspas, finding violations at every location.

Specifically, every business was found to be offering medical procedures, such as injectables or IV treatments, without the required licensure and oversight, and 93% failed to properly display licenses. 86% were missing required safety records, and 73% operated without any medical professional present to oversee medical procedures. 63% had chemical or fire safety violations, such as improper storage of hazardous materials, while 60% lacked proof of liability insurance altogether. Sanitation and hygiene failures were also widespread, observed in 53% of businesses, ranging from overflowing sharps containers to dirty implements potentially being reused between clients. Labeling issues were documented in 46% of businesses, including medications in unmarked or handwritten bottles, and 26% relied on unlicensed practitioners or practitioners whose licenses had expired.

Following inspections, the DOS Licensing Division initiated disciplinary proceedings against all 15 businesses. Four cases have already been adjudicated, resulting in license revocations through consent orders. In each case, businesses and individuals lost their legal authority to operate, underscoring the gravity of the violations.

There are serious consequences to these problematic practices. Consumers face heightened risks of injury, infection, or exposure to unsafe substances.² At the same time, many members of the public may be unaware that Appearance Enhancement Businesses are legally barred from offering these medical treatments.

To address these risks, the Council recommends:

- **Transparency for consumers:** State lawmakers should require AEBs to post clear notices informing consumers of the services they cannot legally provide;
- **Stronger oversight:** Regulatory agencies should institutionalize coordinated inspections to ensure compliance with licensing, sanitation, and medical standards; and
- **Public education:** State agencies should launch a multilingual public education campaign to help New Yorkers recognize unlicensed facilities, understand the dangers, and know their rights.

Introduction

In New York City, beauty is big business, and few industries have grown faster in recent years than the medical spa, or “medspa.”³ These storefront clinics often blur the line between day spa and doctor’s office, offering both appearance enhancement services, such as waxing, manicures, or facials, as well as medical services, like fillers or botulinum toxin (“Botox”) injections.

New York State law, however, draws a firm distinction. Esthetic, cosmetology, and nail businesses require an Appearance Enhancement Business (AEB) license issued by the New York State Department of State.⁴ Medical procedures, however, fall under a different framework:⁵ by law, they can only be performed by licensed medical professionals,⁶ and only within medical practices organized under specific corporate rules.⁷

In the summer of 2024, the New York City Council’s Oversight and Investigations Division (OID) brought together an interagency team of investigators from the New York State Department of State (DOS),⁸ the New York State Department of Health’s Bureau of Narcotic Enforcement (DOH BNE),⁹ and the New York State Department of Health’s Bureau of Investigations (DOH BI)¹⁰ to evaluate select New York City medspas’ compliance with state laws and regulations.

The enforcement operation uncovered a troubling reality. Every medspa inspected was found to be offering medical procedures without the proper licensing, some were also offering foreign or unregulated medications, and some were even using expired or potentially fraudulent products. These practices not only flout state law but also put New Yorkers’ health at risk.¹¹

FIGURE 1: Examples of both plastic surgery and spa services offered on the website of one of the inspected businesses



<ul style="list-style-type: none">• Botox• Lip Fillers• Brazilian Buttlifts• Breast Augmentation• Laser scar and stretch mark removal	<ul style="list-style-type: none">• Laser hair removal• Anti-Aging Facial• Facial Microdermabrasion• Micro needling• Facial extractions
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The Inspections

Between June and September of 2024, OID brought together a multiagency enforcement team with DOS, the DOH BI and DOH BNE, with advisory and legal input from the New York State Education Department (NYSED), to conduct inspections of 15 medspas across all five boroughs.¹²

OID and DOS identified target locations using the following criteria that suggested risks to consumers and potential violations:

- 1. Possession of an AEB License:** All businesses held AEB licenses through DOS, giving DOS the clear authority to conduct inspections of the sites and review the services being offered.
- 2. Appearing to Offer Medical Procedures Without Proper Licensure and/or Appropriate Medical Oversight:** Each business appeared to be offering medical procedures such as the application of Botox and fillers without being registered as a doctor- or nurse practitioner-owned Professional Corporation through NYSED. Moreover, it appeared as if the individuals performing the medical services were not properly licensed as well. For example, an advertisement on what appeared to be the Instagram page of one of the inspected businesses, depicted a woman matching the appearance of the cosmetologist that OID and state officials identified as the owner of the business, seemingly injecting an individual. Cosmetologists are not permitted to perform medical procedures.¹³ This was one of many social media advertisements found by OID and State investigators that appeared to be on pages representing target businesses that advertised medical procedures.
- 3. Additional Warning Signs:** The agencies also factored in customer reviews, complaints, and prior disciplinary actions to zero in on businesses that posed the greatest risks.

Following attempted confirmation that the targeted medspas offered medical procedures, the enforcement team conducted a thorough inspection of each site. DOS investigators issued Notices of Violation (NOVs) where unlicensed, noncompliant, or illegal practices were observed. Partner agencies documented additional evidence, reviewed advertising and promotion materials, and verified whether licensed medical professionals were present. In addition, narcotics investigators from BNE reviewed any controlled substances on site to ensure proper documentation and initiated investigations against businesses they determined to be in possession of controlled substances without the required compliance documentation.

Results of Inspections

Concerningly, all 15 of the inspected businesses received DOS violations. At every location inspected, investigators found the business to be offering medical procedures without the required licensure. This is shown in Figure 2 below, which groups specific violations into broader categories, and also shows that nearly all businesses had license display problems (93%) and were missing required safety records (86%). Serious sanitation and hygiene issues were observed in over half of the businesses. For example, at the Staten Island medspa, used needles overflowed out of an open container. At one Queens medspa, medications were stored in a kitchen fridge alongside staff lunches.

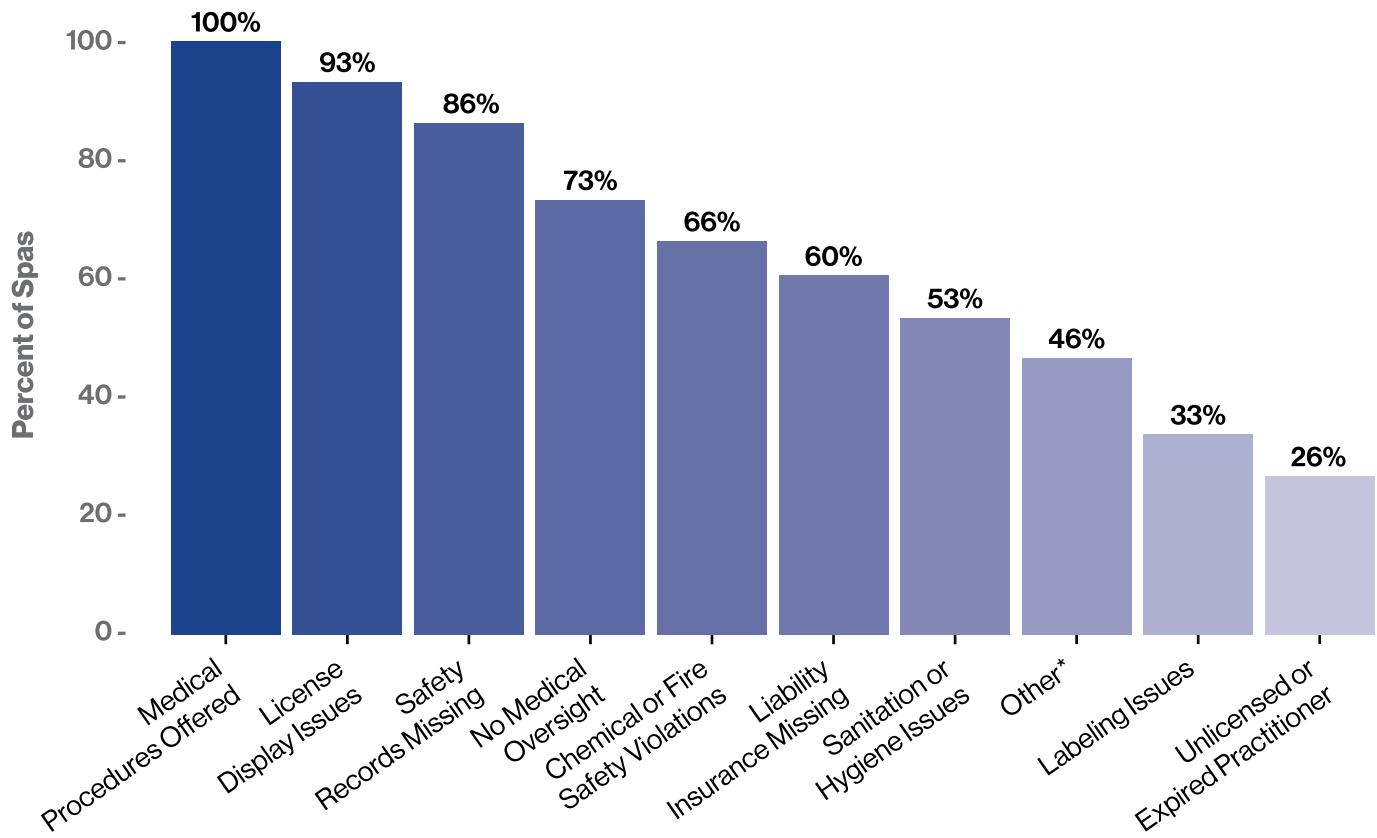
At multiple locations, investigators observed medications stored on site were expired and/or appeared to be foreign-sourced, and in at least one instance, what appeared to be prescription medications were found in clear bottles with hand-written labels. One-third of the inspected medspas received improper labeling violations.

Moreover, the locations posed various risks to staff and patrons on site, with 66% of sites found to have chemical or fire safety violations. At a Staten Island medspa that offered nail services, the ventilation system was broken and fumes permeated throughout the entire salon, leading to respiratory difficulties for investigators while the inspection was conducted.

Beyond DOS inspection violations, potential wage and hour violations were also uncovered. At one Bronx site, staff informed investigators that they were being forced to work seven days a week, with no paid time off.¹⁴

FIGURE 2

Percentage of Medspas Receiving Violations (by Violation Type)



Note: Other category includes unauthorized tattoo/makeup/massage, RX meds/lab draws/phlebotomy, failure to cooperate, and unauthorized business name. Please see the Appendix for a comprehensive list of specific violations encompassed in each category of this Figure.

Figure 3 below shows that violations were not limited to a few outlier businesses but were consistently found across nearly all locations inspected. These patterns demonstrate that noncompliance is widespread and often multifaceted, with individual businesses accumulating multiple, serious violations rather than isolated infractions.

FIGURE 3**Breakdown of Violations Issued to Each Medspa Inspected**

	Spa A	Spa B	Spa C	Spa D	Spa E	Spa F	Spa G	Spa H	Spa I	Spa J	Spa K	Spa L	Spa M	Spa N	Spa O
Medical Procedures Offered	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
License Display Issues	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Safety Records Missing	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
No Medical Oversight	●	●		●	●		●	●	●	●			●	●	
Chemical or Fire Safety Violations		●		●		●	●	●			●	●	●	●	●
Liability Insurance Missing	●	●		●	●	●					●	●	●	●	●
Sanitation or Hygiene Issues	●		●		●	●	●			●		●	●		
Labeling Issues	●		●		●			●		●					
Unlicensed or Expired Practitioner				●	●						●				●
Other*	●	●		●	●	●			●	●					●

Post Inspection Hearings

Following the issuance of notices of violation, the DOS Licensing Division may pursue penalties by proving its case in a disciplinary hearing¹⁵ or by entering into a settlement agreement with the licensee.¹⁶ In emergencies, DOS may first take temporary action, such as a license suspension, while the case proceeds.¹⁷ To advance its case, the Licensing Division must follow the State Administrative Procedure Act¹⁸ and its own regulations¹⁹ to first contact the licensee, giving them “notice” of the charges and the hearing, wherein the licensee has “the opportunity to be heard”—both of which are constitutional requirements.²⁰

At hearings, an administrative law judge (ALJ) employed by the DOS Office of Administrative Hearings (DOS-OAH) presides impartially,²¹ as a DOS lawyer prosecutes the Licensing Division’s case and the licensee (called the Respondent) defends itself or can be represented by counsel.²² After hearing evidence, the ALJ issues a written decision making factual findings and conclusions of law.²³ That decision can then be appealed to the Secretary of State or their designee.²⁴ The Secretary’s decision can be challenged in court.²⁵ At any time during this process, the two parties may sign a formal agreement to settle the case, called a consent order.²⁶ As shown below, DOS consent orders in this context often include agreed upon facts and require a Respondent to admit liability and accept penalties, including even license revocation.

OUTCOMES OF ADJUDICATED CASES

DOS’s Licensing Division pursued disciplinary actions against the 15 inspected businesses. According to information available on DOS’s website, to date, four cases have been fully adjudicated. The cases for the remaining 11 inspected businesses appear to still be pending and therefore identifying information for these medspas was not included in this report. The finalized adjudications are as follows:

1. Eun S. Shin and Beauty Forever NY Inc., 2024-14903 (Dep’t of State, Gen. Couns. Aug. 4, 2025)²⁷

- **Outcome:** Consent Order (August 4, 2025).
- **Admissions:** Respondents Shin and Beauty Forever NY Inc. admitted to violations of failing to clean and disinfect implements, poor hygienic practices, and offering inappropriate services.
- **Penalty:** Respondent Shin’s esthetician license and the AEB license for Beauty Forever NY Inc. were surrendered and recorded as revoked. Shin is barred from reapplying for an esthetician license for one year.

2. Marina Kushnareva, Konstantin Kushnarev, and Faces NYC Spa, 2024-14026 (Dep't of State, Supervising Att'y Apr. 25, 2025)²⁸

- **Outcome:** Consent Order (April 25, 2025).
- **Admissions:** Respondents Faces NYC Spa, Kushnareva, and Kushnarev admitted Kushnareva failed to post licenses, failed to provide proof of insurance, failed to have safety data sheets available for inspection, and that all respondents offered inappropriate services in violation of the General Business Law and appearance enhancement regulations.
- **Penalty:** The cosmetology licenses of both respondents and the AEB license for Faces NYC Spa were revoked.

3. Bella Marder and Bellisima Hair Inc., 2024-14071 (Dep't of State, Gen. Couns. Sept. 4, 2025)²⁹

- **Outcome:** Consent Order (September 27, 2024).
- **Admissions:** Respondents Bellisima Hair Inc. and Marder admitted permitting a cosmetologist to provide services without posting their license, failing to make required insurance documentation available, and violated rules regarding sanitization and the safe storage of flammable and soiled materials. Respondents also admitted to offering inappropriate services.
- **Penalty:** Both the AEB license for Bellisima Hair Inc. and Marder's cosmetology license were revoked.

4. Lana Colden, Downtown City Spa and Downtown Citi Spa, 2024-14023 (Dep't of State, Supervising Att'y Jul. 23, 2025)³⁰

- **Outcome:** Consent Order (July 23, 2025).
- **Admissions:** Respondents Downtown City Spa, Downtown Citi Spa, and Colden admitted that they offered inappropriate services in violation of the General Business Law, failed to have safety data sheets available for inspection, failed to file an address change, and failed to cooperate with a department inspection.
- **Penalty:** Respondent Colden's cosmetology license and Respondents Downtown City Spa and Downtown Citi Spa's respective AEB licenses were all revoked.

These findings highlight the serious penalties to businesses and licensees that can be imposed by DOS through its enforcement actions. In all cases, the practitioners and their businesses lost their licenses to practice in their industry. These outcomes speak to the gravity of the violations observed during the inspections and the tools that are available to further address these issues industry-wide.

Recommendations

LEGISLATIVE

State law is clear on who may and may not perform medical procedures: treatments such as Botox, dermal fillers, platelet-rich plasma therapy, and body contouring may be performed only by licensed medical professionals.³¹ Customers who visit AEBs may not realize that these establishments are legally barred from offering such procedures, or that the person performing the treatment may not be a licensed medical professional.

To address this, state lawmakers should consider passing a law that requires all AEBs to prominently post a standardized notice stating that they are not licensed to perform medical procedures, in addition to the information they currently are required to display. This notice should include a list of common services that AEBs cannot legally provide, such as Botox and other injectables, dermal fillers, platelet-rich plasma (PRP) treatments, intravenous (IV) therapy and infusions, and body contouring procedures like “liquid lipo.”

ENFORCEMENT

Regulatory agencies including DOS, DOH, and NYSED should conduct regular inspections of medspas modeled on this interagency inspection initiative to ensure compliance with licensing, sanitation, insurance, and medical requirements. Given the overlapping authority of multiple agencies over medspa businesses, it is important to coordinate, standardize, and systematize inspections with each of these agencies to review the full breadth of procedures offered, including any services performed under an AEB license or, if properly licensed as a professional corporation, the medical services being provided.

EDUCATION

To protect consumers, state agencies should launch a coordinated multi-media education campaign. This campaign should equip New Yorkers with the tools to recognize unlicensed or unsafe facilities, understand the medical risks associated with certain procedures, and know their rights when patronizing businesses offering aesthetic services. Messaging should be accessible in multiple languages.

Conclusion

The inspections of medspas across New York City revealed systemic and overlapping issues, ranging from improper medical procedures to safety and hygiene violations. These services may be performed incorrectly or with expired or counterfeit products,³² which can lead to poor results, injuries,³³ or in extreme cases, even death.³⁴ These issues not only pose risks to consumer health and safety but also highlight the need for strong compliance and oversight. Addressing these problems clearly requires coordinated enforcement, along with public education to ensure consumers understand the risks of unlicensed or improperly licensed facilities. Finally, given the seriousness of these violations, a legislative review on both the city and state level may be warranted to strengthen standards, clarify agency regulatory authority, and close loopholes that allow these practices to persist.

Acknowledgements

NYC Council Speaker Adrienne Adams thanks the Oversight and Investigations Division, specifically, Uzair Qadir, Data Scientist; Brian Parcon, Legislative Counsel; Amisa Ratliff, Policy Analyst; and Katie Sinise, Investigator, under the supervision of Kevin Frick, Assistant Deputy Director, Zachary Meher-Casallas, Assistant Deputy Director, and Meagan Powers, Acting Director; and Antonio M. Rodriguez, Senior Designer, Event & Production Services Unit. Appreciation is extended to the New York State Department of State, the New York State Department of Health, and the New York State Education Department for their cooperation and partnership throughout this investigation.

Appendix

This report assigns violations to broad categories for analysis. The following appendix provides a breakdown of the specific procedures or violations that encompass each category. Not every business that fell within each category offered all services listed.

CATEGORY	VIOLATION
Medical Procedures Offered	Botox injections Lip fillers (either applied with hypodermic needle or compressed air device (i.e."pressure pens")) Hip-dip injections Brazilian Butt Lift (BBL) Weight loss injections Liquid liposuction (liquid lipo) Laser liposuction Body contouring Platelet-rich plasma (PRP) IV therapy IV energy boosters Teeth whitening Tattoo removal Permanent makeup Scar treatment Mole removal Cavi-lipo Permanent hair removal Ear candling Permitting the practice of medicine without a license
No Medical Oversight	No physician present on-site during procedures Offering procedures without having a medical practitioner present Offering procedures with owner acknowledging no physician present or contracted Offering procedures without identifying a valid physician or nurse practitioner Expired Nurse Practitioner license used to perform procedures Offering procedures without a referring physician on-site Offering procedures without supervision of a valid licensed physician Offering procedures without a qualified medical practitioner (160.27(f)) Shop owner not employed by or located on the premises of a medical facility

CATEGORY	VIOLATION
Unlicensed or Expired Practitioner	Offering massage services without identifying a Licensed Massage Therapist
	Expired Nurse Practitioner license
	Unable to verify credentials of individuals administering injections
	Acting as a nurse without appropriate license (including phlebotomy)
	Claiming staff as Nurse Practitioner without record in NYSED
Rx Meds / Lab Draws / Phlebotomy	Presence of prescription medications prescribed to unknown individuals
	Handwritten labels on prescription bottles
	Stacks of lab draw orders found on-site
	Box labeled fentanyl found in refrigerator
	Performing phlebotomy without appropriate license
Liability Insurance Missing	No proof of liability insurance on premises
License Display Issues	Failed to post DOS license sign (160.10(d))
	Failed to post business license
	Failed to post operator licenses
	Posted expired licenses
	Posted photocopied/invalid license copies
	Failed to affix photographs to business/operator licenses
	Failure to file address change with DOS
	Failed to post nail practitioner bill of rights
	Failed to post itemized price list
	Failed to have itemized price list
	Failed to have ventilation certificate
	Offered services without signed ventilation compliance certificate
Safety Records Missing (MSDS / Disinfectant Invoices)	No invoices for disinfectants
	No Material Safety Data Sheets (MSDS)
	MSDS not available for inspection (160.25(d))
Chemical / Fire Safety Violations	Lit candles in treatment room
	Flammable/combustible chemicals not stored in metal cabinet away from ignition sources
	Alcohol/sanitizer/disinfectant not stored properly

CATEGORY	VIOLATION
Sanitation / Hygiene Issues	Dirty implements at styling station
	Failure to clean, disinfect, or sterilize implements
	Tools not submerged in disinfectant
	Pumice stones and graters not stored properly
	Combs with hair on bristles
	Expired permanent makeup products used
	Dirty foot tub
	No covered trash bin in procedure room
	Towels in uncovered bin
	Single-use tools reused (credo knives, emery boards, powder puffs, etc.)
	Overflowing sharps container
	Permitting unlicensed individuals to perform services
Labeling Issues	Products in unlabeled containers
	Multiple bottles missing product identification
	White substances in unlabeled bottles
	Blueish/pink/purple liquids with no labels
	Unlabeled bottles stored near service stations (violates 160.26)
Unauthorized Massage	Offering/providing massage services without identifying Licensed Massage Therapist
	Unable to identify massage tech
	Violates 160.27(b)
Unauthorized Tattoo / Permanent Makeup	Offering/providing permanent makeup without identifying licensed tattoo artist
	Unable to identify license of permanent makeup artist
Failure to Cooperate	Refused to allow inspectors to examine products during inspection (160.14(b))
Unauthorized Business Name	Operating under a name not matching licensed business name
	Unauthorized usage of business name on signage and cards

End Notes

¹ See, e.g., Amanda Mull, *How Med Spas Conquered America*, BLOOMBERG (Feb. 19, 2025, 07:00 ET) <https://www.bloomberg.com/news/articles/2025-02-19/med-spas-boom-with-botox-lip-filler-weight-loss-drugs-in-demand?embedded-checkout=true>.

² See, e.g., Press Release, U.S. Dep't of Just., Hell's Kitchen Aesthetician Arrested for Unlawfully Injecting Counterfeit Botox (Jan. 22, 2025), <https://www.justice.gov/usao-sdny/pr/hells-kitchen-aesthetician-arrested-unlawfully-injecting-counterfeit-botox>.

³ See, e.g., Amanda Mull, *How Med Spas Conquered America*, BLOOMBERG (Feb. 19, 2025, 07:00 ET) <https://www.bloomberg.com/news/articles/2025-02-19/med-spas-boom-with-botox-lip-filler-weight-loss-drugs-in-demand?embedded-checkout=true>.

⁴ See N.Y. GEN. BUS. LAW § 401(2); N.Y. COMP. CODES R. & REGS. tit. 19, § 160.1(b). Individuals providing esthetic, cosmetology, nail specialty, or waxing services must be individually licensed as well. N.Y. GEN. BUS. LAW § 401(1).

⁵ APPEARANCE ENHANCEMENT LICENSEES – PROCEDURAL SERVICE DETERMINATIONS, N.Y. DEPT. OF STATE (Mar. 25, 2025) (DOS provided guide marking performance of "Fillers" services as requiring a medical license).

⁶ N.Y. EDUC. LAW § 6522 (limiting the practice of medicine to those licensed by the state); *Id.* at § 6542 (allowing licensed physician's assistants to perform medical services under the supervision of a physician); *Id.* at § 6549 (allowing licensed special assistants to perform medical services under the supervision of a physician); *Id.* at § 6902 (limiting the practice of nursing to those licensed by the state); see also N.Y. COMP. CODES R. & REGS. tit. 19, § 160.27(c) (specifically barring appearance enhancement licensees from diagnosing or treating diseases).

⁷ See generally OFF. OF PROFESSIONS, CORPORATE PRACTICE OF THE PROFESSIONS (1998) <https://www.opnysed.gov/corporate/corporate-practice-professions> (advising the Board of Regents of the current landscape of the business organizational structures for the provision of professional services).

⁸ DOS oversees business licensing and consumer protection standards, particularly in the context of AEBs. See N.Y. GEN. BUS. LAW § 402. Their role was central in reviewing whether medspas were operating within the scope of their registered business activities and whether advertising practices violated consumer protection laws.

⁹ DOH BNE is authorized to inspect and audit the manufacture, distribution, and storage of controlled substances in the state. See N.Y. COMP. CODES R. & REGS. tit. 10, §§ 80.6 and 80.23. Since many injectable treatments involve regulated substances, BNE investigators ensured compliance with prescription, storage, and distribution requirements — and flagged instances where controlled drugs were being administered without medical oversight.

¹⁰ DOH BI's role was to assess whether medspas were venturing beyond cosmetic treatments into surgical territory, and to document violations that posed serious risks to patient health and safety.

¹¹ See, e.g., Press Release, NYC. Health Dep't, Beware of Botulinum Toxin ("Botox") Injections by Non-Medical Providers (Apr. 19, 2024), <https://www.nyc.gov/site/doh/about/press/pr2024/beware-botox-injections-by-non-medical-professionals.page>.

¹² Three of the businesses were in the Bronx, four were in Brooklyn, three were in Manhattan, four were in Queens, and one was in Staten Island.

¹³ See APPEARANCE ENHANCEMENT LICENSEES – PROCEDURAL SERVICE DETERMINATIONS, N.Y. DEPT. OF STATE (Mar. 25, 2025).

¹⁴ The employees referenced were employed by a nail salon across the street from the medspa target location that was jointly inspected due to shared ownership with the medspa. This complaint was referred to the relevant authorities at the New York State Department of Labor for further investigation.

¹⁵ N.Y. COMP. CODES R. & REGS. tit. 19 § 400.4.

¹⁶ See generally N.Y. A.P.A. § 301(5) ("Unless precluded by statute, disposition may be made of any adjudicatory proceeding by stipulation, agreed settlement, consent order, default, or other informal method.").

¹⁷ See, e.g., Office of Administrative Hearings Decision in Complaint No. 2024-14023, *Dept. of State Licensing Services v. Lana Colden*, at 2 ¶ 16 (citing N.Y. State Admin. Proc. Act Section 401(3)), [https://docs.dos.ny.gov/oah/decisions/2024/August/Lana%20Colden%2020\(2024-14023\).pdf](https://docs.dos.ny.gov/oah/decisions/2024/August/Lana%20Colden%2020(2024-14023).pdf).

¹⁸ See *Guide to Statutes and Rules Relating to Hearings and Appeals*, N.Y. Dept. of State (June 2016), 3 ("All hearings will be conducted in accordance with the State Administrative Procedure Act."); see generally N.Y. A.P.A. § 301.

¹⁹ N.Y. COMP. CODES R. & REGS. tit. 19 § 400 et seq.

²⁰ U.S. CONST. amend. V; see generally *Mathews v. Eldridge* 424 U.S. 319 (1976) (interpreting due process requirements).

²¹ N.Y. A.P.A. § 303-304; see also N.Y. COMP. CODES R. & REGS. tit. 19 § 400.2(b) and (d).

²² N.Y. A.P.A. § 301(4).

²³ N.Y. A.P.A. § 307(1); N.Y. COMP. CODES R. & REGS. tit. 19 § 400.2(j).

²⁴ N.Y. COMP. CODES R. & REGS. tit. 19 400.2(k) and (l).

²⁵ See generally 6 N.Y. Jur. 2d Art. 78 § 11 (describing judicial review of administrative action).

²⁶ N.Y. A.P.A. § 301(5).

²⁷ Eun S. Shin, 2024-14903 (Dep't of State, Gen. Couns. Aug. 4, 2025).

28 Marina Kushnareva, 2024-14026 (Dep't of State, Supervising Att'y Apr. 25, 2025).

29 Bella Marder, 2024-14071 (Dep't of State, Gen. Cours. Sept. 4, 2025).

30 Lana Colden, 2024-14023 (Dep't of State, Supervising Att'y Jul. 23, 2025).

31 APPEARANCE ENHANCEMENT LICENSEES – PROCEDURAL SERVICE DETERMINATIONS, N.Y. DEPT. OF STATE (Mar. 25, 2025) (DOS provided guide marking performance of "Fillers" services as requiring a medical license).

32 See, e.g., Press Release, U.S. Dep't of Just., Hell's Kitchen Aesthetician Arrested for Unlawfully Injecting Counterfeit Botox (Jan. 22, 2025), <https://www.justice.gov/usao-sdny/pr/hells-kitchen-aesthetician-arrested-unlawfully-injecting-counterfeit-botox>.

33 See, e.g., Press Release, N.Y.C. Health Dep't, Beware of Botulinum Toxin ("Botox") Injections by Non-Medical Providers (Apr. 19, 2024), <https://www.nyc.gov/site/doh/about/press/pr2024/beware-botox-injections-by-non-medical-professionals.page>.

34 See, e.g., Erika Edwards and Marina Kopf, *Warnings Grow About Risky IV Drips and Injections at Unregulated Med Spas*, NBC News (Jan. 1, 2024, at 08:00 EST), <https://www.nbcnews.com/health/health-news/warnings-grow-risky-iv-drips-injections-unregulated-med-spas-rcna131495>.