

Board of Cosmetologist Examiners
October 12, 2015 Board Meeting Minutes

9:03 AM to 2:05 PM

Conference Room A, University Park Plaza
2829 University Ave SE, Minneapolis, MN 55414

Present at Meeting:

Mary Finnegan, Chair	Gina Stauss Fast, Executive Director
Laurie Boggess, Member	Diane DelaBarre, Assistant Executive Director
Rhonda Besel, Member	Catrina Mairose, Licensing Div Manager
Kurt Deile, Member	Lene Kiser, Interim Compliance Div Manager
Jodi Friendshuh, Member	Andrew Reding, Interim Inspection Div Manager
Nicki Dixson, Member	Tami Thein, Assistant to the Executive Director
Chelsey Bell (electronically), Member	Rebecca Gaspard, Rules Analyst
Michele Owen, Attorney	Alex Herbert, Licensing Specialist

I. Call to Order

MF: Called meeting to order at 9:03 AM.

II. Approval of Proposed Agenda

LB: Made a motion to pass the proposed agenda with flexibility.

ND: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

III. Approval of Minutes

LB: Made a motion to approve the minutes from the July 20, 2015 Board meeting.

ND: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

IV. New Business: Waivers, In-House Request, Practical Skills Test Update and Approval & Rulemaking Update

A. Waiver – Barbara Berg

CM: BB is requesting a waiver of MN 2105.0160, which requires applicants for a salon manager license to have 2,700 hours of licensed practice within the three years prior to application. BB is requesting that the work experience she has accumulated since she was initially licensed in January 2015 be considered sufficient to obtain her salon manager license. Her request is based on financial hardship.

LB: Made motion to grant the request for waiver due to financial hardship.

RB: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

B. Waiver – Jimela (Mimi) Jackson

CM: JJ is requesting a waiver of MN 2105.0160, which requires applicants for a Salon Manager License to have 2,700 hours of licensed practice within the three years prior

to application. JJ is requesting that the work experience her recent work experience in an unlicensed salon be used to her to obtain her salon manager license. Her request is based on financial hardship.

KD: Made motion to grant the request for waiver due to financial hardship.

CB: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

C. Waiver—Krystal Johnson

CM: KJ is requesting a waiver of MN 2105.0160, which requires applicants for a Salon Manager License to have 2,700 hours of licensed practice within the three years prior to application. KJ is requesting that the work experience her recent work experience in an unlicensed salon be used to her to obtain her salon manager license. Her request is based on financial hardship.

KD: Made motion to grant the request for waiver due to financial hardship.

RB: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

D. Waiver—Melody Stewart

CM: MS is requesting a waiver of MN Rule 2105.0200, Subp. 2, A (1) which requires applicants to have practiced in a licensed salon for at least 1,800 hours at any time within the three years of their license cycle or 400 hours per each year, or to take a 40 hour refresher course. This request is based on medical hardship.

KD: Made motion to grant the request for waiver due to financial hardship with completion of 4 hour CE and exams within six months.

LB: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

E. Waiver – Christine Stafford

CM: CS is requesting a waiver of MN Rule 2105.0210, which requires individuals who have held an inactive Cosmetology License for more than three years to complete a 155 hour refresher course. Her request is based on financial hardship.

KD: Made motion to grant the request for waiver due to financial hardship.

ND: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

MF calls for break at 9:55AM.

MF calls for order at 10:07AM.

F. Waiver – Breshonna Staples

CM: BS is requesting a waiver of MN Rule 2105.0150 which requires applicants to apply for and become licensed within three years of completion of the 1550/600/350 hour course of training. This request is based on the medical hardship her son has faced.

KD: Made motion to grant the request for waiver due to financial hardship with understanding that BS take and pass the theory exam, take a 40 hour refresher course and current exams, which are due to expire in December are extended for six months to complete all of this.

LB: Seconded. 7 Ayes, 0 Nays. **Motion Carried.**

G. Waiver— Jason Deavalon

CM: JD is requesting a waiver of MN Rule 2110.0130 which allows a passing exam score to be valid for 12 months. JD has passed two of the three exams required to obtain an initial Instructor License, but is requesting an extension of the expiration dates due to the difficulty he has experienced in passing the third, Instructor General Theory Exam. His request is based on scheduling issues with the testing vendor and on medical hardship.

KD: Made motion to grant the request for waiver due to financial hardship on condition of documentation of all disabilities.

MF: Seconded. 5 Ayes, 0 Nays, 2 Abstain. **Motion Carried.**

H. In-House Request

GSF: Staff is looking for a rule interpretation on whether a cosmetology school can occupy more than one physical location.

Discussion: Every school location need their own license.

GSF: Staff is looking for direction on whether laser, microneedling, and dermablading services can be included in training curriculum for the initial cosmetology and esthiology training courses.

Discussion: This falls in the 1% unregulated and to refer to sign of unregulated services.

GSF: Staff would like the Board to pursue one of the following options regarding the unregulated services sign required by MN Rule 2105.0100: Declare the rule as obsolete or clarify whether it is only services defined as unregulated in rule.

Discussion: Declare the rule as obsolete.

I. Testing Update and Approval

CM: Grant Board approval of the Practical Skills Test and Written Practical Test. Define these two new tests as the “board-approved practical examination” listed in current rule. Decide date that each test will be required for all initial operator licenses: February 1, 2016 for Practical Skills Test & January 1, 2016 for Written Practical Test.

MF calls for break at 11:57AM.

MF calls for order at 12:18PM.

CB no longer present for meeting.

J. Waiver – Mary Stenfors

CM: MS is requesting a waiver of MN Rule 2105.0210, which requires individuals who have had an expired license for more than three years to complete a 155 hour refresher course. Her request is based on medical and financial hardship.

KD: Made motion to grant waiver due to medical and financial hardship with the completion of 40 hour refresher and exams within one year.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

K. Waiver – Joee Nelson

CM: JN is requesting a waiver of MN Rule 2105.0200, which requires individuals to have at least 1,800 hours of licensed practice throughout their license cycle or at least 400 hours in each year, or to complete a 40 hour refresher course to renew the license as active. Her request is based on financial and medical hardship.

LB: Made motion to grant waiver due to medical and financial hardship.

RB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

L. Waiver – Sarah Kurn

CM: SK is requesting a waiver of MN Rule 2105.0210, which requires individuals who have held an inactive Cosmetology License for more than three years to complete a 155 hour refresher course. Her request is based on financial hardship.

KD: Made motion to grant waiver due to medical and financial hardship.

JF: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

M. Waiver – Diane Cruz

CM: DC is requesting a waiver of MN Rule 2105.0210, which requires individuals who have had an expired license for more than three years to complete a 155 hour refresher course. Her request is based on financial hardship.

RB: Made motion to deny waiver due to no evidence of financial hardship.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

N. Waiver – Mafanta Dolley

CM: MD is requesting a waiver of MN Rule 2105.0150 which requires applicants to apply for and become licensed within three years of completion of the 1550/600/350 hour course of training. This request is based on medical hardship.

KD: Made motion to grant waiver due to medical hardship with the completion of 155, pass all exams within one year.

LB: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

O. Waiver – Barlin Abdi

CM: BA is requesting a waiver of MN Rule 2105.0150, which requires applicants to apply for and become licensed within three years of completion of the 1550/600/350 hour course of training. BA was granted a waiver of this rule at the July 2014 Board meeting but did not meet the one year deadline of 7/21/2015. BA is now requesting an extension of her original waiver due to the difficulty she had in passing the written exams.

LB: Made motion to grant waiver due to financial hardship.

ND: Seconded. 6 Ayes, 0 Nays. **Motion Carried.**

P. Rulemaking Update

RG: There are 4 rule projects (major rules overhaul, mobile salons, advanced practice

esthetic license, and the overhaul of chapter 2110 on schools). Special Board Meeting to discuss draft, review the SONAR and seek board approval with any necessary changes. January 12th, 2016.

V. Division Reports- Compliance Division Report, Licensing Division Report and Inspection Division Report

A. Administrative Division Report

GSF: Staffing addition, Building expansion and updates, new website, NIC update, 2016 Board Meetings, outreach activities and Budget

B. Compliance Division Report

LK: In the 1st quarter of fiscal year 2016, a total of 57 new complaints were filed with the Board. Board staff currently has 250 active complaints.

C. Inspection Division Report

AR: 267 total inspections completed from 7/21/15 – 9/30/15.

D. Licensing Division Report

CM: Since the July meeting, we have maintained an average processing time of about 14 business days. Once the two new Licensing Specialists are fully trained, processing time should decrease.

VI. Adjournment

MF: Adjourned the meeting at 2:05PM.