

Board of Cosmetologist Examiners

May 13, 2013 Board Meeting

9:00am, Conference Room A, University Park Plaza
2829 University Ave SE, Minneapolis, MN 55414

Present at Meeting:

Laurie Boggess, Chair	Michele Owen, Attorney
Kurt Deile, Member	Billi Jo Jones, Licensing and Inspection Divisions Manager
Robert Salmonson, Member	Rebecca Gaspard, Compliance
Mary Finnegan, Member	
Gina Stauss Fast, Executive Director	
Diane DelaBarre, Assistant Executive Director	

I. *Call to Order*

LB Called meeting to order at 9:03am

II. *Approval of Proposed Agenda*

BS made a motion to pass the proposed agenda with flexibility.

MF seconded. 4 Ayes. 0 Nays. **Motion Carried.**

III. *Approval of Minutes*

KD made a motion to approve the minutes from February 2013.

MF seconded. 4 Ayes. 0 Nays. **Motion Carried.**

IV. *New Business*

A. Waiver – Grace Strait

GSF Ms. Strait is requesting a waiver of Rule 2105.0150 that requires successful completion of the Certification of Skills. She is claiming medical necessity.

MF Made a motion to grant a waiver to Grace Strait based on medical need.

KD Seconded. 4 Ayes. 0 Nays. **Motion Carried.**

B. Waiver – Hang Ngo

GSF Ms. Ngo is requesting a waiver of Rule 2105.0140 Subp (A) that requires evidence of completion of high school or general education certificate. She claims a financial hardship.

KD Made a motion to grant a waiver to Hang Ngo based on hardship.

BS Seconded. 4 Ayes. 0 Nays. **Motion Carried.**

C. Waiver – Kimberly Mandley

GSF Ms. Mandley would like a waiver to Rule 2105.0160 requiring at least 2700 hours of work experience within the last three years and of 2105.0210 Subp (3) that requires a

refresher course of 155 hours for a cosmetologist. She claims medical necessity and financial hardship.

KD Made a motion to deny Ms. Mandley a waiver based on lack of supporting documentation but would consider if another request is made that included appropriate documentation supporting the necessity and hardship.

BS Seconded. 4 Ayes. 0 Nays. **Motion Carried.**

D. Waiver – Sharon Fearon

GSF Ms. Fearon is requesting a waiver to Rule 2105.0210 that requires completion of a refresher course of a minimum of 155 hours for a license expired more than three years. She claims financial hardship.

MF Made a motion to deny Ms. Fearon's request for a waiver based on availability of course. A request to have a list of schools contacted submitted to the office to support claim that no courses are being offered.

KD Seconded. 4 Ayes. 0 Nays. **Motion Carried.**

E. Waiver – Christine Swenning

This began as a public comment then a motion was made by KD to add this as a waiver request to the agenda. MF Seconded.

Ms. Swenning is requesting a waiver to Rule 2105.0160 requiring at least 2700 hours of work experience within the last three years. She is claiming medical necessity.

MF made a motion to grant the waiver for Christine Swenning based on medical necessity. BS Seconded. 4 Ayes, 0 Nays. **Motion Carried.**

V. *Old Business*

F. Certification of Skills

Discussion: It was proposed that a task force of 8-10 members be formed to work on a standardized update of the Board's Certification of Skills. The members should include individuals from both urban and rural areas, private and public schools, and a recent graduate.

MF made a motion to form task force.

BS Seconded. 4 Ayes, 0 Nays. **Motion Carried**

G. Defining Openings/Archways in Salons. Revisit of Board Rule Clarification regarding the definition of work space.

Discussion: On December 7, 2009 the Board clarified that the definition of a work space as "the immediate area where services are performed, and in the same room as defined by 4 walls."

The Board staff has posed the question regarding how large an opening to a room needs to be in order to constitute the same 'work area' as the larger salon space. It was proposed that the definition of work space be amended to " the immediate area where

services are performed, and in the same room as defined by 4 walls with less than a 5 foot unobstructed opening.” There was discussion regarding equitable standards for all salon types and requiring a hand sink that will be discussed further.

BS made a motion to amend the December 7, 2009 work space definition to include the reference to a 5’ foot unobstructed opening.

KD Seconded. Ayes 4 Nays 0 **Motion Carried**

H. Advanced Esthetician Task Force – No action taken

VI. *In-House Requests*

I. Client Implements, Tools, and Supplies

Discussion regarding reviewing ideas about clients bringing in their own tools to licensed salons or tools being stored separate containers on an individual basis for reuse.

2105.0380 Operational Requirements for salons. Determining if a client’s tools are stored for reuse if that can be considered the use of clean and sanitized tools. It has been determined that the Board will write a position statement that tells licensees and the public that items that are described in rule as disposable cannot be stored for individual client use and must be discarded. It will no longer be acceptable for salon to store any used implements in the salon. It would also state that client’s bringing in tools would require the salon to ensure that that item is sanitized prior to use. New directives and education to inspectors will be given.

J. 2013 Legislative Session Update

Two bills that have been in process since 2010. Draft docket was provided. Policy portion passed for all practical purpose, fiscal part has not passed as they are waiting on tax bill.

VII. *Adjournment*

KD Made a motion to adjourn the meeting at 11:55am .

MF Seconded. 4 Ayes. 0 Nays. **Motion Carried.**