

**Board of Cosmetology**  
**December 3, 2018 Board Meeting Minutes**  
10:06 AM to 3:09 PM  
Board of Cosmetology Conference Room  
1000 University Avenue West Suite 100, St. Paul, MN 55104

**Present at Meeting:**

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Rhonda Besel, Chair	Gina Fast, Executive Director
Chelsey Anderson, Vice Chair	Catrina Mairose, Chief of Staff
Jodi Friendshuh, Member	Diane DelaBarre, Senior Manager of Operations
Stephen Adams, Member	Rebecca Gaspard, Policy Analyst
Kurt Deile, Member	Alex Herbert, School Liaison
Donna Dungy, Member	Jenna Bohl, Licensing Division Manager
Marcie Smith Fields, Member	Lene Kiser, Compliance Division Manager
	Andrew Reding, Inspections Division Manager
	Tami Thein, Executive Assistant

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**I. Call to Order**

- Meeting called to order at 10:06 AM.

**II. Approval of Proposed Agenda**

- Motion: Approve proposed agenda with flexibility.
- Seconded; 7 Aye, 0 Nay; **Motion Carried.**

**III. Approval of September 30<sup>th</sup>, 2018 Board meeting minutes**

- Motion: Approve September 30, 2018 meeting minutes.
- Seconded; 7 aye 0 Nay; **Motion Carried.**

**IV. New Business: Rule Waiver & Variance Requests**

- *Stacie Goodmanson*
  - **Request:** Waiver of Rule 2105.0145, Subp. 2 A (2), which requires applicants for an initial Salon Manager License to have 2,700 hours of licensed practice within the three years prior to application. This request is based on financial hardship.
  - **Motion:** Approve the waiver request of Rule 2105.0145, Subp. 2 A (2). **Seconded.**

- **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was approved.
- *Avita Regan*
  - **Request:** Waiver of Rule 2105.0145 Subp. 2 A (2), which requires applicants for an initial Salon Manager License to have 2,700 hours of licensed practice within the three years prior to application. This request is based on medical hardship.
  - **Motion:** Approve the waiver request of Rule 2105.0145 Subp. 2 A (2). **Seconded.**
  - **Decision:** On a vote of 6 ayes and 1 abstained, the waiver request was approved.
- *Andreesa Wright*
  - **Request:** Waiver of Rule 2110.0510, which requires a cosmetology-training program to consist of at least 1,550 hours of coursework and include a minimum number of clinical service exercises. Her request is based on hardship.
  - **Motion:** Table the request to gather additional information.
  - **Decision:** On a vote of 7 ayes and 0 nays, the motion to table was approved.
- *Janell Johnson*
  - **Request:** Waiver of Rule 2105.0360 Subp. 6 A, which requires each salon work area to contain a hand-washing sink. This request is based on financial hardship.
  - **Motion:** Approve the waiver request of Rule 2105.0360 Subp. 6 A. **Seconded.**
  - **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was approved.
- *Minnesota School of Beauty*
  - **Request:** Variance of Rule 2110.0710, which requires schools to enroll students in no less than a full training program.
  - **Motion:** Approve Variance request of Rule 2110.0710. **Seconded.**
  - **Decision:** On a vote of 7 ayes and 0 nays, the variance request was approved based on the following:
    - Application of the rule would result in hardship or injustice.
    - Granting the variance for the Petitioner would be consistent with public interest.
    - The variance would not prejudice the substantial legal or economic rights of any person or entity.
    - The variance will remain in effect until last day of February 2022.

#### **V. New Business: Public Comment**

- *Salon Owners regarding Inspection Penalties*
  - **Motion:** Amend agenda to allow Public Comment. **Seconded.**
  - **Decision:** On a vote of 7 ayes and 0 nays, the amendment request was approved.

**Adjourned for lunch at 12:28 PM.**

**Called to order at 1:15 PM.**

## VI. New Business: Rulemaking Activity

- Small Rules Update, Revisor's Draft 0-4552
  - Sinks – Possible option to replace current requirements for a sink in each work area.
  - Waivers: Eliminate waivers or clarify grounds for waiver.
  - Storage of hazardous materials: Considering eliminating any requirements for storage in closed cupboards, as hazardous substances in a salon (disinfectant, color products, acetone, cleaning agents, etc.) represent no more threat in a salon than they do in the grocery store aisles.
  - Question as to whether there should be any requirements for salons that remodel or expand salon spaces.
  - Preliminary rules drafts expected for review by the Rules Committee in winter 2018-2019.
- School Rules Overhaul, Revisor's Draft 0-4456
  - Overhaul of Minnesota Rule Chapter 2110 (includes updates of Ch. 2105 as needed.)
  - Preliminary plan 24-36 month project, estimated *earliest* completion 3<sup>rd</sup> Quarter 2020.

## VII. New Business: Division Reports

- Administrative Division
  - Welcome Marcie Smith-Fields to the Board.
  - Committee updates
    - Complaint Committee: Chelsey Anderson, Rhonda Besel, Stephen Adams.
    - Rules Committee: Donna Dungy, Stephen Adams, Rhonda Besel.
    - Legislative Committee: Chelsey Anderson, Donna Dungy, Stephen Adams
    - Licensing Committee: Marcie Smith-Fields, Kurt Deile, Jodi Friendshuh
    - Chair: Rhonda Besel
    - Vice Chair: Chelsey Anderson
  - 2019 Board Meeting Dates
    - February 4
    - April 29
    - July 22
    - October 7
    - December 2
- Compliance Division
  - Complaint Committee meeting held on 8/13/18 and reviewed 123 complaints.
  - In the third quarter of 2018, 72 new complaints were filed. Board staff currently have 140 open complaints and are tracking 276 closed complaints.
- Inspections Division
  - In the third quarter of 2018, 1322 salons and 6 schools were inspected.
  - More than 2,200 inspections have been performed, and 1,200 invoices have been assessed, using the new Laserfiche system.
- Licensing Division
  - In the third quarter of 2018, Licensing maintained an average processing time of about eight business days, an average of 52 licenses issued per day, and 262 licenses issued per week.
  - Currently working to hire a new front desk service specialist. The division has been short-staffed since July due to a couple of leaves of absences.

- Aequo International is the only Board-approved vendor providing foreign credentialing services and has been in use since May of 2016. Recently, Board staff, schools and licensing applicants have experienced challenges in working with Aequo International. Board staff plan to research other vendors who provide foreign credentialing services and bring the results to the Board at an upcoming Board meeting.
- Advanced practice esthetician operator, salon manager and instructor grandfathering license applications started coming in on November 1, 2018. A handful of these licenses have been issued so far. The grandfathering period will run through July 31, 2019.

#### Policy Division

- Practical Skills Task Force
  - The Practical Skills Task Force’s Cosmetology, Esthiology, and Nail Technology (CENT) Committee met on October 22, 2018. The purpose of this meeting was to review the Practical Skills Test Guide and comments received from the public. The committee made technical changes to each section that will be incorporated into the guide by staff. In addition to updating the current test, the group also proposed an Infection Control Practical Skills Test of all initial licensure programs.
  - Discussion on clinical service exercises (“quotas”) is the next topic for the committee. A meeting will be set once staff have completed changes to the guide and other school-related projects, like curriculum approvals, are completed. The updated Practical Skills Test and clinical service exercises for cosmetology, esthiology, and nail technology students are likely at least one year out from implementation. There will be opportunity for board and public input as part of the development process, prior to implementation.
- Biennial Report
  - The Board’s Biennial Report, required by statute, is near completion and will be provided to Board Members. The Board’s report will be compiled with Health Licensing Boards and submitted to the legislature and Governor by the Administrative Services Unit.
- Staff Training and recognition
  - On November 5, staff received hospitality training. The training included discussion on the experience of the Board’s customers and how to blend hospitality with delivering regulatory services.
  - Eight staff members were recognized for their years of dedicated service.

#### VIII. New Business: Performance Review

- *Performance Review (Closed Session) pursuant to 13D.05 Sub 3.*
  - **Determined that our ED’s performance is excellence and may be eligible for all pay increases and achievement awards for the next year.**

#### IX. Adjournment

- Meeting adjourned at 3:09 PM.