

**Minnesota Board of Cosmetology**  
**September 11, 2023, Board Meeting Minutes**

10:06 AM to 12:17 PM

In-Person and WebEx Meeting

1000 University Avenue West, Suite 100, St. Paul, MN 55104

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**Board Members Present:**

Chelsey Anderson, Chair  
Mahogany Plautz, Vice Chair  
Rhonda Besel, Member  
Joi Bohn, Member  
Donna Dungy, Member  
Catrina Mairose, Member  
Marcie Smith-Fields, Member

**Board Members Not Present:**

**Staff Present:**

Gina Fast, Executive Director  
Jenna Bohl, Senior Manager of Policy & Regulation  
Allen Barr, Asst. Attorney General  
Anne Anderson, Business & Communications Analyst  
Tami Thein, Executive Assistant  
Angie Valdez, Licensing Division Manager  
Nora Wakefield, School Liaison  
Jodie Wehrspann, Board Administrative Coordinator

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**I. Call to Order**

- Meeting called to order at 10:06 AM by Chelsey Anderson, Chair.
- Meeting held in person and by telephone or electronic means according to Minnesota Statutes, Chapter 13D.
- Executive Director Gina Fast welcomed new Board members Joi Bohn and Catrina Mairose.

**II. Attendance**

- Chelsey Anderson, Chair, conducted roll call of Board Members.

**III. Approval of Proposed Agenda**

- **Motion:** Rhonda Besel – Approve proposed agenda with flexibility.
- **Seconded** by Donna Dungy; 7 ayes, 0 nays; **Motion Carried.**
  - *Ayes:* Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
  - *Nays:* None

**IV. Approval of Meeting Minutes**

- **Motion:** Rhonda Besel – Approve minutes from the June 12, 2023, Board Meeting and August 4, 2023, Special Board Meeting.
- **Seconded** by Mahogany Plautz; 7 ayes, 0 nays; **Motion Carried.**
  - *Ayes:* Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
  - *Nays:* None

**V. New Business: Rule Waiver Requests**

- *Ava Smits [Ava's request was heard first, as she attended the meeting in person.]*
  - **Request:** Ava Smits is requesting a waiver of MN Rule [2110.0670 E\(5\)](#), which requires documentation of a student's successful completion of clinical service exercises, curriculum, and practical skills test on a course completion certificate. Ava is asking to be exempt from the eyelash extension clinical service exercises and the eyelash extension portion of the Practical Skills Test required for esthetician licensure due to medical hardship. A student is required to complete the full school curriculum, and the Practical Skills Test is a part of the curriculum. A

waiver of this rule would allow the Course Completion Certificate to be considered complete without eyelash extension quotas and eyelash extension Practical Skills Test scores.

- **Motion:** Rhonda Besel - Approve the request with the condition that Ava must not practice eyelash extensions or would become subject to disciplinary action. **Seconded** by Mahogany Plautz.
  - **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was granted.
    - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
    - Nays: None
- *Grace Binsfeld*
    - **Request:** Grace Binsfeld requests a waiver of the artificial nails section of the practical skills test, which is to be documented on her course completion certificate required under [Rule 2105.0145 Subp. 1 C \(1\)](#). This request is based on medical hardship. Approval of this request would allow exemption from the artificial nails portion of the practical skills test, and the Course Completion Certificate would be considered complete without practical skills test scores for artificial nail application and removal.
    - **Motion:** Rhonda Besel – Motion to approve the request with the condition that Grace must not practice artificial nails or would become subject to disciplinary action. **Seconded** by Mahogany Plautz.
    - **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was granted.
      - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
      - Nays: None
- *Northeast Metro 916 Intermediate School District (ISD) Career & Technical Center*
    - **Request:** Carol Bengtson, on behalf of Northeast Metro 916 Intermediate School District (ISD) Career & Technical Center, requests a waiver of the new version (effective September 12, 2023) of Rule 2110.0630 A (1), which permits schools to use an unlicensed instructor who holds an active practitioner license as a substitute for a licensed instructor for no more than 15 full or partial calendar days in a consecutive 12-month period. The school would like to use a *Minnesota Department of Education (MDE) licensed teacher* as a substitute for a licensed instructor for *up to 30 days* (instead of 15) in a consecutive 12-month period. The school requests this waiver **indefinitely**. This waiver request is based on hardship.
    - **Motion:** Rhonda Besel – Table the request for Northeast Metro 916 Intermediate School District (ISD) Career & Technical Center until the November 13, 2023, Board Meeting, based on questions the Board would like to have answered before making its decision. **Seconded** by Mahogany Plautz.
    - **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was granted.
      - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
      - Nays: None

#### **VI. New Business: *Hairstyling and Makeup FAQ Update, presented by Jenna Bohl, Senior Manager of Policy & Regulation.***

- Board staff has been asked if there are requirements to teach hairstyling and makeup, which is performed exempt from licensure.
- The Board tabled this discussion and vote until after the break.

**VII. New Business: Testing Vendor Practical Exam Raters, presented by Jenna Bohl, Senior Manager of Policy & Regulation.**

- Board staff asked the Board if it would like to pursue a contract amendment with PSI to allow any licensed instructor in the country to be a rater of the Minnesota Board of Cosmetology's Instructor Practical Exam.
  - **Background:** PSI, the Board's testing vendor, offers one hands-on practical exam on behalf of the Board – the Instructor Practical Exam. Over the years, there have been times where the Board has had too few raters available to offer the exam as frequently as test takers would like, which is the issue faced currently. In discussing this issue with PSI, they have proposed that we allow any licensed instructor throughout the country to serve as a rater of our Instructor Practical Exam. To clarify, the Instructor Practical Exam, like all our written exams, can now be taken online via remote proctoring. PSI states they have many on hand and see this is a solution to create more online availability of this exam. However, the Board's contract with PSI requires that the rater be a Board-licensed instructor.
  - **Motion:** Rhonda Besel – To pursue a contract amendment with PSI to allow any licensed instructor in the country to be a rater of the Minnesota Board of Cosmetology's Instructor Practical Exam as long as their credentials meet or exceed what a Minnesota instructor would need to meet.
  - **Seconded** by Mahogany Plautz.
  - **Decision:** On a vote of 7 ayes and 0 nays, the motion was passed.
    - *Ayes:* Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
    - *Nays:* None

**VIII. New Business: Eyelash Technician Clinical Service Exercises, presented by Jenna Bohl, Senior Manager of Policy & Regulation.**

- In the recent Chapter 2110 rule changes, the length of the eyelash technician training program dropped from 38 hours to 14 hours. Within the Board-approved Practical Skills Test Guide, the required number of clinical service exercises in this program are listed as:
  - 2 eyelash extension applications with at least 45 extensions per eye, per clinical service exercise
  - Chemical removal of eyelash extensions
  - 1 eyelash extension service patch test
- Because the length of the training program has been reduced, staff would like to know if the Board would like to reduce the number of required clinical service exercises required for an eyelash technician in the Practical Skills Test Guide.
  - **Motion:** Rhonda Besel – To reduce the number of clinical service exercises required for an eyelash technician in the Practical Skills Test Guide to 1 eyelash extension application with at least 45 extensions per eye; a chemical removal of eyelash extensions; and 1 eyelash extension service patch test. **Seconded** by Mahogany Plautz.
  - **Decision:** On a vote of 7 ayes and 0 nays, the motion was passed.
    - *Ayes:* Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
    - *Nays:* None

**IX. New Business: Committee Appointments for New Board Members, presented by Gina Fast, Executive Director**

- The Board must appoint new Board members Joi Bohn and Catrina Mairose to serve on one or more of the following committees where there is an opening:

**Complaint Committee (Approx 4 meetings/year)**

Chelsey Anderson

Rhonda Besel

**OPEN POSITION**

**Rules Committee (Approx 5-6 meetings/year during rulemaking efforts)**

Rhonda Besel  
Mahogany Plautz  
Marcie Smith-Fields

**Licensing Committee (Ad Hoc)**

Mahogany Plautz  
Marcie Smith-Fields

**OPEN POSTION**

**Legislative Committee (Ad Hoc)**

Chelsey Anderson  
Donna Dungy

**OPEN POSITION**

- Board Chair Chelsey Anderson appointed Joi Bohn to serve on the Licensing Committee and Catrina Mairose to serve on the Legislative Committee and Complaint Committee.

**X. New Business: Division Reports**

- Reports from the Compliance Division, Inspections Division, Licensing Division and Policy & Rulemaking Division were included in the packet for Board review and comment. Following is a summary of the reports.
- **Compliance Division Report**
  - **Complaint Committee Meetings**
    - The Complaint Committee met on May 15, 2023, and reviewed 22 complaints. The categories of complaints heard during the meeting were as follows:
      - Licensing – 8 complaints
      - Infection Control – 5 complaints
      - Licensing and Infection Control – 7 complaints
      - Declined Release, Non-jurisdictional, or Doesn't Warrant Resources- 2 complaints.
    - The Committee is scheduled to meet again on September 18, 2023. Those statistics will be reported on the Compliance Division Report for the third quarter of 2023.
  - **New Complaint Breakdown**
    - In the second quarter of 2023, a total of 87 new complaints were filed. Board staff currently have 210 open complaints and are tracking 115 closed complaints by waiting for either completion of infection control course or payment of civil penalties.
- **Inspections Division Report**
  - **Q1 2023 Inspection Summary**
    - 1456 Salons and 16 Schools – 1,472 Total Inspections
  - **News and Updates:**
    - Staffing Updates: As of July 10, 2023, the board's inspections division employs six inspectors.
  - **Statewide Completion Statistics as of 7/10/2023:**
    - 56% (3,030 salons) inspected within the past one year
    - 44% (2,403 salons) inspected between one and two years ago.
    - 0% (0 salons) inspected over two years ago.
- **Licensing Division Report**
  - **Licensing Activity Q4**

- In the second quarter of 2023, we maintained an average processing time of about 1 business day. There was an average of 57 licenses issued per day and 287 licenses issued per week.
- **Hiring**
  - The Board has hired a new Licensing Division Manager, Angie Valdez.
- **Policy and Rulemaking Division Report**
  - **School Rules:** The school rule changes have received all the necessary approvals and will be effective September 12, 2023. The final adopted rules can be found in the Board packet. All schools have been informed that these rules are changing. Staff have worked with course providers to approve updated eyelash technician curriculums and instructor training course curriculums, as the requirements of these two courses have changed.
  - **Hair Technician Licensing:** Staff will begin preparing for and informing schools of the Hair Technician License that was created through legislation this year and which can be issued beginning July 1, 2024.

#### **XI: New Business: Public Comments**

- Michelle Forstner, instructor, Nova Academy, made a public comment regarding the Board's vote to reduce the number of required clinical service exercises required for an eyelash technician in the Practical Skills Test Guide.
- Lara Kelley, School Manager, Minnesota School of Beauty, made a public comment regarding the public member appointment and the hourly requirements for the new Hair Technician License.
- Nino Altobelli, Rocco Altobelli Inc., and instructor at Minnesota School of Beauty, made a public comment about the hourly requirements for the new Hair Technician License.

#### **XII: New Business: Alinna Eagle/Dreamcatcha – Closed Session**

- Meeting was closed by Chair Chelsey Anderson at 11:19 PM on September 11, 2023, pursuant to Minnesota Statutes Chapter 13D.05 Sub 3. and Minnesota Statute 13D.01, Subd. 2 (2).
- **Motion:** Catrina Mairose – Approve the order as drafted by Mr. Barr. **Seconded** by Mahogany Plautz; 5 ayes, 0 nays; Motion carried.
  - Ayes: Catrina Mairose, Marcie Smith-Fields, Mahogany Plautz, Donna Dungy, Joi Bohn
  - Nays: None
- The chair reopened the September 2023 Board Meeting at 12:10 PM on September 11, 2023, following the closed session.

#### **XIII. New Business: *Hairstyling and Makeup FAQ Update (continued)***

- The Board continued its discussion of the Hairstyling and Makeup FAQ Update, and Allen Barr gave recommendations and revised as follows:
  - **Question.** Are there requirements to offer training on hairstyling and makeup services (and where it takes place) to individuals who intend to offer the services exempt from licensure?
  - **Answer.** The only training required for performing hairstyling or makeup exempt from licensure is the four-hour "core" course in health, safety, and infection-control matters and state law. Individuals may choose to provide additional instruction beyond those topics, including substantive instruction on hairstyling or makeup, but such training does not count towards any board licensure.
- **Motion:** Catrina Mairose – To approve the Question and Answer regarding hairstyling and makeup. **Seconded** by Mahogany Plautz.
- **Decision:** On a vote of 7 ayes and 0 nays, the motion was passed.
  - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
  - Nays: None

**XV: Adjournment**

- **Board Chair** Chelsey Anderson adjourned the meeting at 12:17 PM on September 11, 2023.