

**Minnesota Board of Cosmetology**  
**November 13, 2023, Board Meeting Minutes**

10:13 AM to 11:23 AM

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 10:13 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 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

**IV. Approval of Meeting Minutes**

- **Motion:** Rhonda Besel – Approve minutes from the September 11, 2023, Board Meeting.
- **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

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

- *Carol Bengtson on behalf of Northeast Metro 916 Intermediate School District (ISD) Career & Technical Center*
  - **Request:** 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—Approve a waiver of the portion of Rule 2110.0630 A (1) that requires that an unlicensed instructor hold an active practitioner license, so that Northeast Metro 916 is allowed to use an MDE-licensed teacher as a substitute for up to 15 full or partial calendar days in a consecutive 12-month period. The waiver is granted through 10/31/2026. **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
- *Taylor Bohlin*
    - **Request:** Waiver of 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. Taylor is asking to be exempt from the eyelash Practical Skills Test required for initial 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 submitted without test scores from the Eyelash Practical Skills Test.
    - **Motion:** Rhonda Besel - Approve the waiver of Rule [2110.0670 E\(5\)](#), permitting exemption from the eyelash extension portion of the Practical Skills Test, with the condition that Taylor must not practice eyelash extension services or would be subject to Board 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
  - *Rebecca Hagen*
    - **Request:** Waiver of MN Rule 2105.0145 Subpart 1 C (1), which requires initial license applicants to submit proof of completion of training via a Course Completion Certificate. She asks that the Board accept her diploma and transcript as proof of program completion in place of the Course Completion Certificate. This request is based on financial hardship.
    - **Motion:** Rhonda Besel - Approve the request to waive Rule 2105.0145 Subpart 1 C (1), allowing Rebecca to submit her cosmetology diploma and transcript as proof of program completion in place of the Course Completion Certificate, with the condition that she complete all other licensing requirements, including a Skills Course, required for individuals who completed initial training more than five years prior to application for licensure. **Seconded** by Mahogany Plautz.
    - **Amended Motion:** Rhonda Besel – Rebecca must complete the skills course and testing and become licensed within 1 year, by 11/13/2024.
    - **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
  - *Tara Hagen-Witt*
    - **Request:** 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. Tara is asking to be exempt from the eyelash Practical Skills Test required for initial 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 submitted without test scores from the Eyelash Practical Skills Test.

- **Motion:** Mahogany Plautz – Approve the waiver of Rule [2110.0670 E\(5\)](#), permitting exemption from the eyelash extension portion of the Practical Skills Test, with the condition that Tara must not practice eyelash extension services or would be subject to Board action. **Seconded** by Donna Dungy.
  - **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
- *Sophia Seyoum*
    - **Request:** Waive the repeal of Rule 2105.0155 Subp. 2 and waive the deadline within the rule, which stated a cosmetologist or esthetician salon manager may apply for a grandfathered advanced practice (AP) esthetician salon manager license by meeting the requirements of this subpart and that a completed application must be received no later than 7/31/2019. This request is based on financial hardship.
    - **Motion:** Rhonda Besel – Deny the request to waive the repeal of Rule 2105.0155 Subp. 2 and to waive the deadline within the rule, based on that the grandfathering deadline has passed. **Seconded** by Donna Dungy
    - **Decision:** On a vote of 6 ayes, 0 nays, and one abstain, the waiver request was denied.
      - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose.
      - Nays: None
      - Abstain: Marcie Smith-Fields
  - *Miranda Lueck*
    - **Request:** Waiver of 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. Miranda is asking to be exempt from 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 test scores for the eyelash Practical Skills Test.
    - **Motion:** Mahogany Plautz – Approve the waiver request of Rule 2110.0670 E(5), permitting exemption from the eyelash extension portion of the Practical Skills Test, with the condition that Miranda must not practice eyelash extension services or would become subject to Board discipline. **Seconded** by Rhonda Besel.
    - **Amended Motion:** Subject to Board action instead of Board discipline.
    - **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
  - *Mylana Nederloe*
    - **Request:** Waiver of Rule 2105.0145 Subp. 1 C (1), which requires initial license applicants to submit proof of completion of training via a Course Completion Certificate. A course completion certificate shows that all hours of training, clinical services exercises, and practical skills test requirements have been met. Mylana is asking to be exempt from the eyelash extension clinical service exercises and the eyelash extension segment of the practical skills test based on medical hardship. A waiver of this rule would allow the Course Completion Certificate to be submitted without service quotas for eyelash extensions and without test scores from the Eyelash Practical Skills Test.

- **Motion:** Approve the waiver request of 2105.0145 Subp. 1 C (1), permitting exemption from the eyelash extension clinical service exercises and the eyelash extension segment of the practical skills test, with the condition that Mylana must not practice eyelash extension services or would become subject to Board action. **Seconded** by Donna Dungy. Marcie Smith-Fields abstained.
  - **Decision:** On a vote of 6 ayes, 0 nays, and 1 abstained, the waiver request was granted.
    - Ayes: Chelsey Anderson, Mahogany Plautz, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose.
    - Nays: None
    - Abstained: Marcie Smith-Fields
- *Jamica Roberson*
    - **Request:** Waiver of the one-year expiration requirement within Minnesota Rule 2105.0145 Subp. 1B (3), which requires applicants for their initial operator license to submit original passing test results no more than one year old of the Minnesota laws and rules exam. This request is based on medical hardship. Jamica passed the Cosmetology State Exam on 9/1/2020, but results were valid for only 1 year. A waiver of this rule would allow the exam results to still be valid.
    - **Motion:** Donna Dungy - Approve the waiver of the one-year expiration requirement within Minnesota Rule 2105.0145 Subp. 1B (3), permitting Jamica to submit passing results from the State Exam that are more than one year old with her application, with the condition that she become licensed within one year, by 11/13/2024. **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: *Hair Technician Practical Skills Test, presented by Jenna Bohl, Senior Manager of Policy & Regulation.***

- **Summary:** The Practical Skills Test Guide is a Board-approved document. With the advent of hair technician licensing, Board staff have updated the Practical Skills Test Guide for the Board to approve under the assumption that the Board would like hair technicians to take the same hair care segment of the PST which cosmetologists take. The amended Practical Skills Test Guide can be found in the Board packet for review and approval; or for review, modification and approval.
- **Motion:** Rhonda Besel - Approve the Practical Skills Test Guide as a Board-approved document that includes the hair technician licensing, and it falls within the same framework of testing as the other hair services in the testing guide.
- **Amended Motion:** Amend motion to include the language that it is the “amended” test guide to include the hair technician licensing. **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

**VII. New Business: *Chapter 2105 – Eyelash Course Hours, presented by Jenna Bohl, Senior Manager of Policy & Regulation.***

- **Summary:** Within the Chapter 2110 School Rule Changes, which became effective 9/12/2023, the eyelash technician course length was reduced from 38 hours to 14 hours. It has since come to the Board staff’s attention that there are six places in Chapter 2105 which reference the 38-hour eyelash technician course, that we must modify to 14 hours as well. The reason the Board had reduced the hours from 38 to 14 within the School Rule Changes was that a comment received during the comment period had pointed out a 2017 session law which limited the course to 14 hours. Because this law limits the hours, Board staff was able to open a new rulemaking under a Good Cause Exemption (per MN statute 14.388), which allows adoption after notice, Office of Administrative Hearings review, and posting in the State Register. The

draft for the rule change can be found on the following pages but the only changes are changing 38 to 14 hours in six places. We are seeking the Board's approval to move forward with this rulemaking.

- **Motion:** Chelsey Anderson - Motion that the Executive Director of the Board of Cosmetologist Examiners is authorized and directed to sign and to give the Notice of the Board's Submission of Rules Adopted Without a Public Hearing to the Office of Administrative Hearings in the Revisor of Statutes draft, file number RD4849, dated 10/31/2023, identified as Minnesota rules, parts 2105.0145 to 2105.0183, with any modifications approved by the Board. The Executive Director must give this notice to all persons who have registered their names with the Board for that purpose. Furthermore, the Executive Director is authorized and directed to do anything else needed to complete this Notice, including authority to sign the Order Adopting Rules if there are no modifications to the rules other than modifications approved by the Board and authority to publish the adopted rules in the State Register. **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: Division Reports

- Reports from the Administrative Division, 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.
- **Administrative Division Report, presented by Gina Fast, Executive Director.**
  - **2024 Board Member term expiring: Mahogany Plautz – Cosmetologist Member**
    - Member position vacancies are posted in November of each year and are open until filled. To apply for or learn more about board member vacancies visit the Minnesota Secretary of State. Board members are appointed by the Governor or by an appointed authority.
  - **Board Member Service Award Certificates for 2023**
  - **Reaffirming Delegation of Authority**
    - This is a biennial review of the ED's delegation of authority. Initial delegations are filed with the Secretary of State. Normally members see this when Onboarding, biennially or at the request of the Board.
    - **Motion:** Rhonda Besel - Approve the continuation of delegations as presented. **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
  - **2024 Board Mtg Dates:**
    - *Jan 8*
    - *Apr 8*
    - *Jun 10*
    - *Sep 9*
    - *Nov 18*
  - **2024 Complaint Committee Mtg Dates**
    - *Feb 12*
    - *May 20*
    - *Sep 23*
    - *Dec 9*
  - **2024 Committee Elections**
    - Current Committees:

- » Complaint Committee Members: Chelsey Anderson, Rhonda Besel, Catrina Mairose
  - » Rule Committee Members: Marcie Smith-Fields, Rhonda Besel, Mahogany Plautz
  - » Licensing Committee Members: Marcie Smith-Fields, Mahogany Plautz, Joi Bohn
  - » Legislative Committee Members: Chelsey Anderson, Donna Dungy, Catrina Mairose
- **Chair and Vice Chair Elections**
  - Current:
    - Chelsey Anderson – Chair
    - Mahogany Plautz – Vice Chair
- **Compliance Division Report**
  - **Compliance Staff Update:** Rachael Bertram’s last day as a Compliance Investigator with the Board was on August 15, 2023. We are currently in the hiring process for two Compliance Investigator positions which were posted on the State of MN Careers website on September 27, 2023, and closed October 17, 2023.
  - **Complaint Committee Meetings**
    - The Complaint Committee met on September 18, 2023, and reviewed 68 complaints. The categories of complaints heard during the meeting were as follows:
      - Licensing – 13 complaints
      - Infection Control – 7 complaints
      - Licensing and Infection Control – 15 complaints
      - Declined Release, Non-jurisdictional, or Doesn’t Warrant Resources- 33 complaints.
    - The Committee is scheduled to meet again on December 18, 2023.
  - **New Complaint Breakdown**
    - In the third quarter of 2023, a total of 92 new complaints were filed. Board staff currently have 244 open complaints and are tracking 108 closed complaints by waiting for either completion of infection control course or payment of civil penalties.
- **Inspections Division Report**

Q3 2023 Inspection Summary

  - 2075 Salons and 20 Schools – 2,095 Total Inspections
  - **News and Updates:**
    - Staffing Updates: As of October 2, 2023, the board’s inspections division employs six inspectors.
  - **Statewide Completion Statistics as of 10/02/2023:**
    - 62% (3,368 salons) inspected within the past one year
    - 38% (2,065 salons) inspected between one and two years ago.
    - 0% (0 salons) inspected over two years ago.
- **Licensing Division Report**
  - **Licensing Activity Q4**
    - In the third quarter of 2023, we maintained an average processing time of about 2 business days. There was an average of 6 licenses issued per day and 279 licenses issued per week.
  - **2024 Continuing Education**
    - All continuing education providers have been notified that they can now apply for 2024 provider and course approval. Staff will begin approving continuing education providers and courses for the 2024 calendar year.
- **Policy and Rulemaking Division Report**
  - **Good Cause Exemption Rulemaking:** Pursuing a rulemaking for only updating the 38 hours to 14 hours (related to eyelash technician licensing) in Chapter 2105.
  - **Hair Technician Licensing:** Schools have been notified of this upcoming license and of its curriculum requirements. Staff have begun reviewing curriculum submissions.

**IX: Adjournment**

- **Board Chair** Chelsey Anderson adjourned the meeting at 11:23 AM on November 13, 2023.