

Minnesota Board of Cosmetology
June 10, 2024, Board Meeting Minutes

10:06 AM to 10:56 AM

In-Person and WebEx Meeting

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

Board Members Present:

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

Board Members Not Present:

Mahogany Plautz, Vice Chair

Staff Present:

Jenna Bohl, Senior Manager of Policy & Regulation
Allen Barr, Asst. Attorney General
Tami Thein, Executive Assistant
Angie Valdez, Licensing Division Manager
Jodie Wehrspann, Board Relations and Research
Administrator

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.

II. Attendance

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

III. Approval of Proposed Agenda

- **Motion:** Catrina Mairose – Approve proposed agenda with flexibility.
- **Seconded** by Donna Dungy; 6 ayes, 0 nays; **Motion Carried.**
 - *Ayes:* Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - *Nays:* None

IV. Approval of Meeting Minutes

- **Motion:** Catrina Mairose – Approve minutes from the April 8, 2024, Board Meeting.
- **Seconded** by Donna Dungy; 6 ayes, 0 nays; **Motion Carried.**
 - *Ayes:* Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - *Nays:* None

V. New Business: Performance Review Results

- **Performance Review of Executive Director**
 - The Executive Director’s Performance Review was completed at the April 8, 2024, Board meeting in a closed session pursuant to Minnesota Statutes Chapter 13D.05 Sub 3.
 - At its next public meeting (which is today, June 10, 2024), the Board must summarize its conclusions regarding the performance evaluation of Executive Director Gina Fast.
 - **The Board** has determined that the performance of Executive Director Gina Fast is excellent and that she may be eligible for all pay increases and achievement awards for the next year.

VI. New Business: Rule Waiver Requests

- *Atelier Academy*

- **Request:** Michelle Poirier, on behalf of Atelier Academy, is requesting a waiver of MN Rule [2110.0320.13.A.](#), which requires instruction to occur within a licensed school building. The school seeks a waiver of this rule to permit the use of a second building located at 1814 Mainstreet, Hopkins, MN, approximately 0.2 miles from the current licensed school building at 1413 Mainstreet, for additional classroom space under its current license. The request is based on financial hardship. Atelier seeks this waiver indefinitely as long as it continues to license its school at 1413 Mainstreet, Hopkins, MN.
- **Motion:** Rhonda Besel - Approve Atelier Academy's request for a waiver of Minnesota Rule [2110.0320.13.A.](#), based on financial hardship, to permit the use of a second building, located at 1814 Mainstreet, Hopkins, MN, approximately 0.2 miles from the current licensed school building at 1413 Mainstreet, Hopkins, MN, for additional classroom space under its current license, with the following conditions:
 - The school must provide a current floor plan of the secondary building and a certificate of insurance showing that required coverage extends to the second building.
 - The waiver is valid for the life of the school at its current licensed location at 1413 Mainstreet, Hopkins, MN, and may not transfer to any other owner or location.
 - Services at the secondary building address must be limited to mannequins or student-to-student application. Outside models or clients may not receive services in the secondary building.
 - The school must maintain an adequate supply of tools and implements in the secondary location as well as provide the ability to properly disinfect in the secondary location.
 - Board staff will perform an inspection of the secondary building, located at 1814 Mainstreet, once opened by Atelier.
 - The school must observe instructor to student ratio requirements outlined in Minnesota Rule 2110.0630 in both the primary and secondary school buildings.
- **Seconded** by Catrina Mairose.
- **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was approved.
 - *Ayes:* Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - *Nays:* None
- *St. Cloud School District 742*
 - **Request:** Sarah Ware Wilkinson on behalf of St. Cloud Area School District 742 is requesting a waiver of [2110.0625 C](#), which states a designated school manager (DSM) must not be responsible for more than one school. The district is requesting that one DSM, Julie Swenson, be allowed to be the DSM for two schools--Tech and Apollo High Schools--while the district continues to grow its nail tech program. This request is based on financial hardship.
 - **Motion:** Rhonda Besel – Approve ISD 742's request to waive Rule 2110.0625 C, based on financial hardship, permitting one designated school manager (Julie Swenson) to be responsible for two licensed schools, Tech High School and Apollo High School, with two conditions: 1. That classes do not run concurrently, and 2. That a second school manager be designated once class sizes warrant a second instructor (one for each school). The timeline for this waiver is set to expire on June 10, 2025.
 - **Seconded** by Catrina Mairose.
 - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was approved.
 - *Ayes:* Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - *Nays:* None
- *Stephanie Rosett*

- **Request:** Stephanie Rosett is requesting to waive the 3-year timeframe within MN Rule [2105.0145 Subpart 4.C.](#), which requires applicants for an initial instructor license to document at least 2,700 hours of licensed practice in the same licensure field as the instructor license type sought within the three years prior to application. Stephanie is asking the Board to consider the work experience she obtained prior to the past three years. This request is based on hardship.
 - **Motion:** Rhonda Besel – Approve waiver of the three-year timeframe for which work experience can be considered toward the 2,700-hour requirement within Minnesota Rule 2105.0145 Subp. 4 C., permitting you to include licensed work experience you obtained since November 2019 within your application for an initial instructor license, with the timeframe of submitting an application by September 1, 2024.
 - **Seconded** by Catrina Mairose.
 - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was approved.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - Nays: None
- *Maxwell Stenstrom*
 - **Request:** Maxwell Stenstrom 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. Maxwell 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 caused by spina bifida.
 - **Motion:** Catrina Mairose – Approve Maxwell Stenstrom’s request to waive Rule [2110.0670 E\(5\)](#), permitting exemption from the eyelash extension clinical service exercises and the eyelash practical skills test section, which are to be documented on a Course Completion Certificate, based on medical hardship, with the condition he must not practice eyelash extension services or would be subject to Board action.
 - **Seconded** by Donna Dungy.
 - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was approved.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - Nays: None
 - *Ariel (Tiede) Lavonne*
 - **Request:** Ariel (Tiede) Lavonne 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. Ariel is asking to be exempt from the eyelash extension clinical service exercises and the eyelash practical skills test based on medical hardship caused by Temporomandibular Disorder (TMD).
 - **Motion:** Catrina Mairose – Approve Ariel Lavonne’s request to waive Rule [2110.0670 E\(5\)](#), permitting exemption from the eyelash extension clinical service exercises and the eyelash practical skills test, which are to be documented on a Course Completion Certificate, based on medical hardship, with the condition she must not practice eyelash extension services or would be subject to Board action. **Seconded** by Donna Dungy.
 - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was approved.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - Nays: None
 - *McKenzie Gunnerson*

- *Note: This request was tabled at the April 2024 Board Meeting pending the Board's request for additional information.*
- **Request:** McKenzie Gunnerson requests a waiver of Minnesota [Rule 2110.0525](#), which requires an advanced practice (AP) esthetician training program to consist of a board-approved curriculum of 500 hours. McKenzie is requesting a waiver of this rule to permit her to use AP esthetician experience and training obtained in Arizona to satisfy the 500-hour course requirement for AP esthetician licensure. This request is based on hardship due to logistical constraints and financial limitations for additional schooling. She requests this waiver indefinitely.
- **Motion:** Rhonda Besel – Deny McKenzie Gunnerson's request to waive [Rule 2110.0525](#), which requires an AP esthetician training program to consist of a board-approved curriculum of 500 hours. Mackenzie must follow the process defined under MN Rule 2105.0183 Subp. 4a (A), which states, "An applicant for an advanced practice esthetician operator license whose training or licensure is from another state must have your advanced practice (AP) esthetician training, school records and work experience evaluated at a Minnesota cosmetology school, rectify any deficiencies noted in the evaluation results, and provide the original AP esthetician course completion certificate."
- **Seconded** by Donna Dungy.
- **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was denied.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
 - Nays: None

VII. New Business: Division Reports

- Reports from the Compliance Division, Inspections Division, Licensing Division and Policy Division are included in the packet for Board review and comment. Following is a summary of the reports.
- **Compliance Division Report**
 - **Compliance Staff Update**
 - Natalie Schmitz began as the interim Compliance Division Manager on June 3, 2024.
 - **Complaint Committee Meetings**
 - The Complaint Committee met on May 20, 2024, and reviewed 97 complaints. The categories of complaints heard during the meeting were as follows:
 - Licensing – 11 complaints
 - Infection Control – 2 complaints
 - Infection Control and Technical/Other – 1 complaint
 - Licensing and Infection Control – 7 complaints
 - Technical/Other and Licensing – 0 complaints
 - CE Audits – 10 complaints
 - Declined Release, Non-jurisdictional, or Doesn't Warrant Resources, or other- 66 complaints
 - The Complaint Committee is scheduled to meet again on September 23, 2024.
 - **New Complaint Breakdown**
 - In the 1st quarter of 2024, a total of 117 new complaints were filed. Board staff currently have 247 open complaints and are tracking 64 closed complaints by waiting for either completion of infection control course or payment of civil penalties.
- **Inspections Division Report**
 - **Q1 2024 Inspection Summary**
 - 1480 Salons and 8 Schools – 1,488 Total Inspections
 - **News and Updates:**

- Staffing Updates: As of April 29, 2024, the board's inspections division employs six inspectors.
- **Statewide Completion Statistics as of 4/8/2024:**
 - 64% (3,426 salons) inspected within the past one year.
 - 36% (1,964 salons) inspected between one and two years ago.
 - 0% (0 salons) inspected over two years ago.
- **Licensing Division Report**
 - **Licensing Activity Q1**
 - In the first quarter of 2024, we maintained an average processing time of about 2 business days. There was an average of 60 licenses issued per day and 300 licenses issued per week.
- **Policy Division Report**
 - **Jenna Bohl, Senior Manager of Policy & Regulation, presented this report.**
 - The 2024 legislative session ended May 20. The bill we were tracking, which will require cosmetologist and hair technician license applicants to have training in all types of hair textures, did pass. Staff attempted a friendly amendment to place the requirement on schools (curriculum) instead of the applicants and to exclude instructors and salon managers, however no amendments were included. The language is not effective until mid-2025, so it may be possible to make changes next legislative session.

VIII: Adjournment

- **Board Chair** Chelsey Anderson adjourned the meeting at 10:56 AM.