

**Minnesota Board of Cosmetology**  
**April 8, 2024, Board Meeting Minutes**  
10:03 AM to 1:22 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  
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:**

Gina Fast, Executive Director  
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

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**I. Call to Order**

- Meeting called to order at 10:03 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:** Rhonda Besel – 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:** Rhonda Besel – Approve minutes from the January 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

**Division Reports were moved up on the agenda and discussed next.**

**V. 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.
- **Policy Division Report, presented by Jenna Bohl, Senior Manager of Policy & Regulation.**
  - **Legislative Session:** The 2024 legislative session began on February 12 and will end on May 20. We have been tracking one bill (with companions in both the Senate and the House) which affects the Board. [SF 3512](#) and [HF 3964](#) would require both cosmetologist and hair technician applicants to have training on textured hair.
  - **Foreign Credentialing Providers:** Aequo International is the only Board-approved vendor providing foreign credentialing services and has been in use since May of 2016. Because foreign credentialing

vendors must contact foreign offices for verification, wait times can be very long. Board staff would like to give applicants the option to use other vendors for foreign credentialing which may shorten wait times. The Minnesota Board of Barbers has been using two additional vendors that we request the Board to approve for use:

- Josef Silny & Associates, Inc.: International Education Consultants, [www.jsilny.org](http://www.jsilny.org), [info@jsilny.org](mailto:info@jsilny.org), 305-273-1619
- Span Tran: The Evaluation Company, [www.spantran.com](http://www.spantran.com), [intake@spantran.com](mailto:intake@spantran.com), 646-475-2570
- **Motion:** Rhonda Besel - Approve the use of two additional vendors, Josef Silny & Associates, Inc. and Span Tran, for foreign credentialing services. **Seconded** by Donna Dungy.
- **Decision:** On a vote of 6 ayes and 0 nays, the motion was passed.
  - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
  - Nays: None
- **Methyl Methacrylate Liquid Monomers (MMA) Update:** Inspectors have now found MMA in 40 salons since July of 2023. Staff have created a notice which will get sent as an attachment with inspection reports to salons that provide nail services. This notice can be found in the Board packet. Additionally, the Board has sent a similar notice to two suppliers which were identified as selling products containing MMA.
- **Compliance Division Report, presented by Jenna Bohl, Senior Manager of Policy & Regulation.**
  - **Compliance Staff Update**
    - The Compliance Division has two new investigators who started on January 3, 2024: Ann Marie Craig and Natalie Schmitz.
  - **Complaint Committee Meetings**
    - The Complaint Committee met on December 8, 2023, and reviewed 110 complaints. The categories of complaints heard during the meeting were as follows:
      - Licensing – 9 complaints
      - Infection Control – 2 complaints
      - Infection Control and Technical/Other – 1 complaint
      - Licensing and Infection Control – 10 complaints
      - CE Audits – 1 complaint
      - Declined Release, Non-jurisdictional, or Doesn't Warrant Resources – 86 complaints.
    - The Complaint Committee also met on March 27, 2024, and reviewed 1 complaint.
    - The Committee is scheduled to meet again on May 20, 2024.
  - **New Complaint Breakdown**
    - In the 4th quarter of 2023, a total of 75 new complaints were filed. Board staff currently have 221 open complaints and are tracking 70 closed complaints by waiting for either completion of infection control course or payment of civil penalties.
  - **Infection Control Course Update**
    - The Complaint Committee assigns an infection control course to licensees who are in violation of infection control regulations. The contract we have with a vendor to provide this course is ending. Staff are pursuing other options to administer the course via electronic means which will provide a greater ease of access to the course, multiple language offerings, and an elimination of the course cost to the licensee. Staff would like to know if the Board would like to appoint a member to serve as subject matter expert on this topic.
    - **Discussion:** Member Rhonda Besel stated she would be interested in serving in this role due to her expertise in online learning.
    - **Action:** Chair Chelsey Anderson appointed board member Rhonda Besel to serve as subject matter expert.

- **Inspections Division Report**
  - **Q4 2023 Inspection Summary**
    - 1,876 Salons and 16 Schools – 1,892 Total Inspections
  - **News and Updates:**
    - Staffing Updates: As of March 8, 2023, the board’s inspections division employs six inspectors.
  - **Statewide Completion Statistics as of 1/10/2024:**
    - 66% (3,587 salons) inspected within the past one year
    - 34% (1,833 salons) inspected between one and two years ago.
    - 0% (0 salons) inspected over two years ago.
- **Licensing Division Report**
  - **Licensing Activity Q4**
    - In the fourth quarter of 2023, we maintained an average processing time of about 2 business days. There was an average of 53 licenses issued per day and 276 licenses issued per week.
  - **Hiring**
    - The Board has hired a new Administrative Assistant, Jessi Lowe.

## VI. New Business: Rule Waiver Requests

- *Michelle Poirier, on behalf of Atelier Academy*
  - **Request:** 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, approximately 0.2 miles from the current licensed school building, 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 waiver of Minnesota Rule 2110.0320.13.A., based on financial hardship, to permit the use of a second building, located at 1812 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.
    - Must maintain adequate supply of tools in the second location as well as disinfecting services or the ability to disinfect in the second location.
  - **Seconded** by Donna Dungy.
  - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was granted.
    - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
    - Nays: None

## Keyari Ward’s request was moved up on the agenda and heard next due to connection difficulties.

- *Keyari Ward*
  - **Request:** Waiver of the one-year expiration of tests within Minnesota Rules 2105.0145.1.B.2 and 2105.0145.1.B.3., which require applicants for an initial operator license to submit passing results from the written practical and state laws and rules tests that are not more than one year old with their application. Keyari requests a waiver of this rule to permit her to submit test results more than

one year old from the written practical test (passed on 10/26/2022) and state laws and rules test (passed on 5/10/2022) to allow additional time to pass the general theory test. This request is based on medical hardship.

- **Motion:** Rhonda Besel - Approve Keyari's request to waive the one-year expiration of tests within 2105.0145.1.B.2 and 2105.0145.1.B.3. to permit her to submit test results more than one year old from the written practical test (passed on 10/26/2022) and state laws and rules test (passed on 5/10/2022) to allow additional time to pass the general theory test, with the condition she become licensed within 1 year, by 4/8/2025. This request is based on medical hardship. **Seconded** by Donna Dungy.
- **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was granted.
  - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
  - Nays: None
  
- *McKenzie Gunnerson*
  - **Request:** 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 - Table McKenzie Gunnerson's request to waive Rule 2110.0525 based on that the Board would like McKenzie to submit the following additional information to support the request:
    - Quota sheet from Avalon School of Cosmetology that shows the service quotas you completed in training.
    - List of services you are licensed in Arizona to perform, created by Avalon School of Cosmetology.
    - Letter from the Arizona Board of Cosmetology outlining the esthetician scope of practice (i.e., the services that licensed estheticians are allowed to perform) and training requirements as required under Arizona laws and rules.
  - **Seconded** by Donna Dungy.
  - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was tabled.
    - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Marcie Smith-Fields.
    - Nays: None

#### **VII: New Business: Performance Review (Closed Session)**

- **Performance Review of Executive Director**
  - Meeting was closed by Chair Chelsey Anderson at 11:19 AM on April 8, 2024, pursuant to Minnesota Statutes Chapter 13D.05 Subd 3. for the purpose of an employee performance evaluation of the Executive Director, Gina Fast.
  - Meeting was reopened by Chair Chelsey Anderson at 11:51 AM. The Board determined that the performance of the Executive Director is excellent and may be eligible for all pay increases and achievement awards for the next year.

Board member Catrina Mairose left the meeting at 11:52 AM.

#### **VIII: New Business: Disciplinary Proceedings - Closed Session**

- Meeting was closed by Chair Chelsey Anderson at 11:52 AM on April 8, 2024, pursuant to Minnesota Statute 13D.01, Subd. 2 (2) for a disciplinary hearing. A short recess was taken, and the hearing began at 12:02 PM.
- The chair reopened the April 2024 Board Meeting at 1:22 PM on April 8, 2024, following the closed session.

**IX: Adjournment**

- **Board Chair** Chelsey Anderson adjourned the meeting at 1:22 PM on April 8, 2024.