Minnesota Board of Cosmetology June 16, 2025, Board Meeting Minutes

10:09 AM to 1:02 PM 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 Mahogany Plautz, Vice Chair Marcie Smith-Fields, Member **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 & Research Administrator

I. Call to Order

- Meeting called to order at 10:09 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: Marcie Smith-Fields Approve proposed agenda with flexibility.
- Seconded by Donna Dungy; 7 ayes, 0 nays; Motion Carried.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

IV. Approval of Meeting Minutes

- Motion: Rhonda Besel Approve minutes from the March 31, 2025, Board Meeting.
- Seconded by Marcie Smith-Fields; 7 ayes, 0 nays; Motion Carried.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Navs: None

V: New Business: Performance Review Results

- Performance Review of Executive Director
 - The Executive Director's Performance Review was completed at the March 31, 2025, Board meeting in a closed session pursuant to Minnesota Statutes Chapter 13D.05 Sub 3.
 - At its next public meeting (which is today, June 16, 2025), 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

• Crystal Williams

- Request: Waiver of Minnesota 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. Crystal requests exemption from the eyelash extension clinical service exercises and the eyelash extension practical skills test. This request is based on medical hardship due bilateral carpal tunnel.
- **Motion:** Rhonda Besel Approve waiver of Rule <u>2110.0670 E(5)</u>, 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 she 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 motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

Kristina Hahn

- Request: Waiver of Minnesota Rule <u>2110.0670 E (5)</u>, which requires documentation of a student's successful completion of clinical service exercises, curriculum, and practical skills test on a course completion certificate. Kristina requests exemption from the eyelash extension clinical service exercises and the eyelash practical skills test. This request is based on medical hardship due to hand tremors.
- **Motion:** Rhonda Besel Approve waiver of Rule <u>2110.0670 E (5)</u>, 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 she must not practice eyelash extension services or would be subject to Board action.
- **Seconded** by Marcie Smith-Fields.
- **Decision:** On a vote of 7 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

Abbey Desens

- Request: Waiver of Minnesota Rule 2105.0145 Subpart 1 C (1), which requires license applicants for an initial license to submit a Course Completion Certificate with their application. Abbey would like to submit her transcript and records from Regency Beauty Institute in place of the course completion certificate as proof of completing the 1,550-hour cosmetology program. She claims hardship as she would not be able to afford to retake this program, which she already completed in July 2012.
- **Motion:** Rhonda Besel Approve the request to waive Rule 2105.0145 Subpart 1 C (1), allowing her to submit her cosmetology transcript in lieu of the Course Completion Certificate as proof of completion of training, based on financial hardship, with the condition that she complete all other licensing requirements and become licensed within 1 year, by 6/16/2026.
- Seconded by Marcie Smith-Fields.
- **Decision:** On a vote of 7 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None
- Teri Cipowski, on behalf of Aveda Arts & Sciences Institute
 - Request: Waiver of the portion of Minnesota Rule <u>2110.0525 A</u> which states that completion of
 esthetician or cosmetologist training is a prerequisite for beginning advanced practice (AP)
 esthetician training. Aveda offers an 1100-hour combined esthetician and advanced practice
 esthetician program in accordance with Minnesota Rule <u>2110.0525 C</u>. They request this waiver to

allow all students to progress through the program together, even if some have not yet completed 600 hours at the time the AP portion begins.

- **Motion:** Rhonda Besel Table the waiver request until the 9/8/2025 Board Meeting to give Board members and Board staff the opportunity to do more research on the topic.
- **Seconded** by Donna Dungy.
- **Decision:** On a vote of 7 ayes, 0 nays, the motion to table the waiver request passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Navs: None.

Amber Moore

• Request: Waiver of Minnesota Rule 2110.0670 E (5), which requires documentation of a student's successful completion of practical exercises, curriculum, and the skills certification review on a form acceptable to the Board. Amber requests exemption from the eyelash extension service quotas and the eyelash extension practical skills test. This request is based on medical hardship due to an essential tremor.

Motion: Rhonda Besel - Approve waiver request of Rule <u>2110.0670 E (5)</u>, 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 Mahogany Plautz.
- **Decision:** On a vote of 7 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None
- Teri Cipowski, designated school manager at Aveda Arts and Sciences, on behalf of student Maren Espe
 - Request: Waiver of Minnesota Rule <u>2110.0670 E (5)</u>, which requires documentation of a student's successful completion of practical exercises, curriculum, and the skills certification review on a form acceptable to the Board. Maren asks to be exempt from 8 full sets of acrylic nail quotas and the Artificial Nail portion of the Practical Skills Test. She claims hardship due to an allergy to acrylic nail products.
 - Motion: Rhonda Besel Approve waiver of Rule 2110.0670 E(5), permitting exemption from 8 full sets of acrylic nail quotas and the Artificial Nail portion of the Practical Skills Test, based on medical hardship, with two conditions: 1) In place of the 8 remaining artificial nail quotas, Maren must complete 8 nail quotas without the use of acrylics for a total of 50 manicure quotas during her cosmetology training, and 2) She must not practice nail care services with acrylic products or would be subject to Board action.
 - **Seconded** by Joi Bohn.
 - **Decision:** On a vote of 7 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

Rachel Xiong

- Request: Waiver of two rules:
 - Minnesota Rule <u>2105.0145 Subpart 1 C (1)</u>, which requires applicants for an initial license to submit a Course Completion Certificate with their application, and that the Skills Course Certificate be less than one year old. Rachel requests to submit her esthetician certificate and transcript as proof of completing her original training, and to extend the expiration date of her Skills Course, completed in June 2024 and set to expire in June 2025.

Minnesota Rule <u>2105.0145 Subpart 1 B (3)</u>, which specifies that passing Minnesota laws and rules
test results submitted for an individual license be not more than one year old. She would like to
extend the expiration date of her passing State Exam, which expired on 3/21/2020, so that she
does not have to retake this exam.

Rachel claims financial hardship as she cannot afford to retake the 600-hour esthetician program that she completed in 2016 and the Skills Course she completed last year.

- Motion: Rhonda Besel Approve the request to waive Rule 2105.0145 Subpart 1 C (1), allowing Rachel to submit her esthetician certificate and transcript as proof of program completion, and to extend the expiration date of the Skills Course, which will expire in June 2025, based on financial hardship, with the condition that she complete all other licensing requirements and become licensed within 1 year, by 06/16/2026; but deny the request to waive Rule 2105.0145 Subpart 1.B.3., which specifies that passing Minnesota laws and rules test results submitted for an individual license be not more than one year old.
- Seconded by Donna Dungy.
- **Abstained:** Marcie Smith-Fields
- **Decision:** On a vote of 6 ayes, 0 nays, and 1 abstaining, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz.
 - Nays: None
 - Abstained: Marcie Smith-Fields

Reca Reeves

- Request: Waiver of two rules:
 - Minnesota Rule <u>2105.0145 Subpart 1 C (1)</u>, which requires license applicants for an initial license to submit a Course Completion Certificate with their application as proof of completion of training. Reca would like to submit her cosmetology diploma in lieu of the course completion certificate.
 - 2. Minnesota Rule 2015.1045 Subpart 1 B, which requires applicants to submit passing exam scores from the General Theory Exam, Written Practical Exam, and State Laws and Rules Exam that are no more than one year old. Reca requests the following exceptions:
 - a. Extend the one-year expiration date of her State Laws and Rules Exam passing score, which expired on 8/14/2016.
 - b. Accept a score of 63% on the General Theory Exam earned on 8/10/2016, in place of the required 75% passing score and waive the one-year expiration.
 - c. Accept a score of 60% on the Written Practical Exam earned on 8/17/2016, in place of the required 75% passing score and waive the one-year expiration.

Reca claims financial hardship as she cannot afford to retake the 1550-hour cosmetology program, which she completed in August 2015.

- Motion: Rhonda Besel Deny request to waive Rule <u>2105.0145 Subpart 1 C (1)</u>, which requires license applicants for an initial license to submit a Course Completion Certificate with their application; and deny request to waive Rule <u>2105.1045 Subp. 1.B.</u>, which requires applicants for an initial license to submit passing test results no more than a year old of the general theory test, written practical test and the test on Minnesota laws and rules.
- Seconded by Mahogany Plautz.
- **Decision:** On a vote of 7 ayes and 0 nays, the motion to deny the request passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Catrina Mairose, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

- St. Cloud Area School District 742
 - Request: Waiver of Minnesota Rule <u>2110.0625 C</u>, which states a designated school manager (DSM) must not be responsible for more than one school. The district is requesting that one licensed school manager, Julie Swenson, continue to be allowed to be the DSM for two schools--Tech and Apollo High Schools. This request is based on financial hardship.
 - Motion: Rhonda Besel The Board ruled in two parts:
 - Approved request to waive Rule <u>2110.0625 C</u>, 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, [AMENDED] with the condition that a second school manager be designated once class sizes warrant a second instructor (one for each school). The timeline for this waiver is valid through June 16, 2026.
 - 2. Tabled a second condition of this waiver--that classes at the two schools are not scheduled concurrently--until the next Board meeting on September 8, 2025, and requested that Julie Swenson be present (online or in person) at the meeting to better explain how the school's nail program runs.
 - Seconded by Donna Dungy.
 - **Decision:** On a vote of 6 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None
 - Absent: Catrina Mairose

Madison Day

- Request: Waiver of Minnesota Rule <u>2105.0145 Subpart 1.B.</u> to extend the one-year expiration date of her passing scores from the nail technician written exams: general theory, written practical, and state laws and rules. She claims financial hardship.
- Motion: Rhonda Besel Approve Madison Day's request to waive Rule <u>2105.0145 Subpart 1.B</u> to
 extend the one-year expiration date of her passing nail technician written exams: general theory
 passed on 5/24/2023, written practical passed on 5/24/2023, and state laws and rules passed on
 5/24/2023, with the condition that she becomes licensed within six months, by December 16, 2025.
- Seconded by Mahogany Plautz.
- **Decision:** On a vote of 5 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Mahogany Plautz.
 - Nays: None
 - Abstained: Marcie Smith-Fields
 - Absent: Catrina Mairose

Kristin Shively

- **Request:** Waiver of Minnesota Rule <u>2105.0145 Subpart 4.C.</u>, 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. Kristin is requesting this waiver to be eligible to substitute teach at a cosmetology school during evenings, weekends, and summers. This request is based on financial hardship.
- Motion: Rhonda Besel Deny request to waive Rule <u>2105.0145 Subpart 4.C.</u>, 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.
 Seconded by Mahogany Plautz.
- **Decision:** On a vote of 6 ayes and 0 nays, the motion passed.
 - Ayes: Chelsey Anderson, Rhonda Besel, Joi Bohn, Donna Dungy, Mahogany Plautz, Marcie Smith-Fields.
 - Nays: None

• Absent: Catrina Mairose

The Board took a five-minute break at 11:44 AM and reconvened at 11:54 AM. Board member Catrina Mairose returned to the meeting at 11:54 PM.

- Teri Cipowski, on behalf of Aveda Arts & Sciences Institute
 - The Board continued its discussion of the waiver request submitted by Teri Cipowski, on behalf of Aveda Arts & Sciences Institute, which was tabled earlier in the meeting. It was decided that one or two Board members and staff, in consult with attorney Allen Barr, would research the issue and provide a report on findings at the next Board meeting.

VII. New Business: Topics for Discussion

- At the request of the Board Chair, the following topics were added to the agenda for discussion:
 - 1. Chemical Peels. Whether specific ingredients or concentrations in chemical peel products determine whether the service falls under the basic esthetician or advanced practice esthetician scope.
 - 2. Head Spa Services. Which license types may perform head spa services or whether head spa services are considered hairstyling that is exempt from regulation.
 - 3. Homebound Service Permit Oversight. The Board's regulatory authority to inspect and monitor Homebound Service Permit holders.
 - 4. Use of Derma Blades. Whether cosmetologists and estheticians may use derma blades for hair removal and whether this differs from the AP esthetician service of dermaplaning.
 - 5. Inspection Penalties. Whether inspection penalties will be revaluated through rulemaking and/or changing the order-to-comply process.
 - 6. Disinfection Violations. How specific licensees must be when asked about disinfecting procedures during inspections.
- The Board decided to bring the topics to the Rules Committee for further discussion.

VIII. New Business: Division Reports

- Reports from the Administrative Division, Compliance Division, Inspections Division, Licensing Division and Policy 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 Update: The bill containing the Board of Cosmetology's appropriations has been signed into law. The Board is fully funded and will remain operational on July 1 and beyond. Any reports of a potential government shutdown apply only to agencies without enacted funding legislation.
 - The Legislature also enacted a statutory update related to textured hair education. Last year's law, which was to become effective August 1, 2025, required cosmetologists and hair technicians to be trained in working with all hair textures but did not require schools to provide such education. This session, the statute was revised to require cosmetology schools to include textured hair education in their curriculum. This change aligns with Board curriculum standards and supports consistent, inclusive training for students. Outreach to schools regarding implementation is underway.
 - Relevant pages of the enacted bill, including the Board's budget for FY2026 and FY2027, are included in the Board Packet. Note that the bottom of the last page does not pertain to this Board.

• Compliance Division Report

- Compliance Staff Update
 - We are actively in the process of filling the open Investigator position following Ann Marie's departure.

Complaint Committee Meetings

- The Committee met on April 28, 2025, and reviewed 181 complaints.
- The categories of complaints heard during the meeting were as follows:
 - Licensing 54
 - Infection Control 50
 - Technical/Other 18
 - CE Audits 3
 - Declined Release, Non-Jurisdictional, Doesn't Warrant Resources, or Other 56

New Complaint Breakdown

• In the first quarter of 2025, a total of 108 new complaints were filed with the Board. Board staff currently have 210 open complaints and are tracking 25 closed complaints pending either completion of the infection control course or payment of civil penalties.

Reminders

- Complaints can only be closed after review by the Board's Complaint Committee, or after a final
 order issued by the full Board following findings issued by an Administrative Law Judge from an
 Administrative Hearing.
- Executed disciplinary actions are public and can be found on the Board website using the online license lookup.

• Inspections Division Report

- Q1 2025 Inspection Summary
 - 1,764 Salons and 26 Schools 1,790 Total Inspections
- News and Updates:
 - Staffing Updates: As of April 2, 2025, the board's inspections division employs six inspectors.
- Statewide Completion Statistics as of 4/2/2025:
 - 60% (3,341 salons) inspected within the past one year
 - 40% (2,194 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 2025, we maintained an average processing time of about 3 to 4 business days. There was an average of 65 licenses issued per day and 327 licenses issued per week.

IX: Adjournment

• Board Chair Chelsey Anderson adjourned the meeting at 1:02 PM on June 16, 2025.