

Minnesota Board of Cosmetology
October 4, 2021 Board Meeting Minutes

10:04 AM to 11:46 AM

WebEx Meeting

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

Present at Meeting:

Rhonda Besel, Chair	Gina Fast, Executive Director
Chelsey Anderson, Vice Chair	Jill Freudenwald, Chief of Staff
Jodi Friendshuh, Member	Diane DelaBarre, Senior Manager of Operations
Mahogany Plautz, Member	Jenna Bohl, Licensing Division Manager
Donna Dungy, Member	Lene Kiser, Compliance Division Manager
Marcie Smith-Fields, Member	Jackie VanOverbeke, Inspections Division Manager
Carol Logan, Member	Missy Richert, Licensing Team Lead
	Tami Thein, Executive Assistant
	Allen Barr, Asst. Attorney General

I. Call to Order

- Meeting called to order at 10:04 AM by Rhonda Besel

II. Reading of 13D.021- COVID-19

- Read by Rhonda Besel
- Meeting to be held by telephone or electronic means due to COVID-19
- Role call of Board members

III. Approval of Proposed Agenda

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

III. Approval of Meeting Minutes

- **Motion:** Marcie Smith-Fields – Approve meeting minutes from June 26, 2021 Emergency meeting.
- **Seconded** by Jodie Friendshuh; 7 ayes, 0 nays; **Motion Carried.**
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Mahogany Plautz, Marcie Smith-Fields, Donna Dungy,
 - *Nays:* None
- **Motion:** Chelsey Anderson – Approve meeting minutes from July, 12, 2021 meeting.
- **Seconded** by Donna Dungy; 7 ayes, 0 nays; **Motion Carried.**
 - *Ayes:* Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Mahogany Plautz, Marcie Smith-Fields, Donna Dungy,
 - *Nays:* None

IV. New Business: Rule Waiver Requests

- *Hannah Mara*
 - **Request:** Hannah Mara is requesting a waiver of the requirement within MN 2110.0525 A of an advanced practice esthetician training program to consist of at least 500 hours of course work. Hannah also gave the Board permission to consider waiving other rules with the same effect. The Board could also consider a waiver of the repeal of MN Rule 2105.0155 Subp. 1 and a waiver of the deadline within the rule, which stated a cosmetologist or esthetician operator may apply for a grandfathered advanced practice (AP) esthetician operator license by meeting the requirements of the subpart and that a completed application must be received no later than 7/31/2019. The request is based on hardship.
 - **Motion:** Donna Dungy – Motion to grant the waiver of the repeal of MN Rule 2105.0155 Subpt. 1 and the waiver of the deadline within the rule with the condition that passed exams and a completed grandfathering AP esthetician application be submitted within 45 days of this meeting (by 11/18/2021). **Seconded** by Carol Logan
 - **Decision:** On a vote of 7 ayes, the waiver request was granted.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Mahogany Plautz, Donna Dungy, Marcie Smith-Fields, Carol Logan
 - **Nays:** None

- *Cara Plaszcz*
 - **Request:** Cara Plaszcz is requesting a waiver of MN Rule 2110.0550 D which requires any licensure training hours that are transferred into another training program to be no more than five years old. Cara wishes to apply 100 hours from her initial esthetician training toward nail technician program. Her request is based on hardship.
 - **Motion:** Chelsey Anderson – Motion to grant the waiver of MN Rule 2110.0550 D. This is based on hardship. **Seconded** by Mahogany Plautz
 - **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was granted.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Marcie Smith-Fields, Donna Dungy, Mahogany Plautz, Carol Logan
 - **Nays:** None

- *Jill Rochford*
 - **Request:** Jill Rochford is requesting a waiver of the requirement within MN 2110.0525 A of an advanced practice esthetician training program to consist of at least 500 hours of course work. Hannah also gave the Board permission to consider waiving other rules with the same effect. The Board could also consider a waiver of the repeal of MN Rule 2105.0155 Subp. 1 and a waiver of the deadline within the rule, which stated a cosmetologist or esthetician operator may apply for a grandfathered advanced practice (AP) esthetician operator license by meeting the requirements of the subpart and that a completed application must be received no later than 7/31/2019. The request is based on hardship.
 - **Motion:** Donna Dungy – Motion to deny the requests to waive MN 2110.0525 A, the the repeal of MN Rule 2105.0155 Subp. 1, and the deadline within the rule, which stated a cosmetologist or esthetician operator may apply for a grandfathered advanced practice esthetician operator license by meeting the requirements of the subpart and that a completed application be received no later than 7/31/2019. **Seconded** by Carol Logan

- **Decision:** On a vote of 7 ayes and 0 nays, the waiver request was denied.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Marcie Smith-Fields, Donna Dungy, Mahogany Plautz, Carol Logan
 - **Nays:** None

(Marcie Smith-Fields left the meeting at 10:54AM)

- *Jamie Keister*

- **Request:** Jamie Keister's request involves two rules: First MN Rule 2110.0510 D (8), which require cosmetology students to complete 10 artificial nail services as part of their initial training. The second is MN Rule 2105.0145 Subp. 1 C (1), which requires cosmetology license applicants to submit completion of training via a Course Completion Certificate. A portion of this certificate relays student quotas and the scores from a student's Practical Skills Test, which requires the student to perform an artificial nail application using acrylic or gel product an artificial nail removal. This request is based on medical hardship
- **Motion:** Chelsey Anderson – Motion to grant the waiver of MN Rule 2110.0510 D (8) and MN Rule 2105.0145 Subp. 1 C (1) with the condition that Jamie complete an extra 10 sets of natural nail manicures. **Seconded** by Donna Dungy
- **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was granted.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Donna Dungy, Mahogany Plautz, Carol Logan
 - **Nays:** None

- *Shauna Vaske*

- **Request:** is requesting a waiver of the repeal of MN Rule 2105.0155 Subp. 1 and a waiver of the deadline within the rule, which stated a cosmetologist or esthetician operator may apply for a grandfathered advanced practice (AP) esthetician operator license by meeting the requirements of the subpart and that a completed application must be received no later than 7/31/2019. The request is based on hardship.
- **Motion:** Donna Dungy – Motion to deny the request to waive the appeal of MN Rule 2105.0155 Subp. 1 and waive the deadline within the rule, which stated a cosmetologist or esthetician operator may apply for a grandfathered advanced practice (AP) esthetician operator license by meeting the requirements of the subpart and that a completed application must be received no later than 7/31/2019. **Seconded** by Carol Logan
- **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was denied.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Donna Dungy, Mahogany Plautz, Carol Logan
 - **Nays:** None

- *Julie Roemer*

- **Request:** Julie Roemer is requesting a waiver of MN Rule 2105.0145 Subp. 4. E, which requires an applicant to submit original passing instructor results not more than one year old for the instructor general theory, practical and state tests. This request is based on hardship.
- **Motion:** Request was tabled due to lack of hardship documentation.

- *The Salon Professional Academy - Maplewood*
 - **Request:** Cortney Gorres, Designated School Manager at The Salon Professional Academy – Maplewood, is requesting a waiver of the MN Rule 2110.0630 A which requires a minimum of two licenses instructors to be on the school premises when students are present. This request is based on hardship.
 - **Motion:** Chelsey Anderson – Motion to deny the waiver of MN Rule 2110.0630 A.
Seconded by Mahogany Plautz
 - **Decision:** On a vote of 6 ayes and 0 nays, the waiver request was granted.
 - **Ayes:** Rhonda Besel, Chelsey Anderson, Jodi Friendshuh, Donna Dungy, Mahogany Plautz, Carol Logan
 - **Nays:** None

VIII. New Business: Division Reports –

Administrative Division Report

- ***New Employment Opportunities***
 - Board Administrative Coordinator
 - Inspections Division Manager
- ***New Business and Communications Analyst***
 - Jackie VanOverbeke has accepted and will be acting as the Interim Inspection Division Manager until a new IDM is hired.
- ***Open Appointments in January of 2022***
 - Notifications for applications for the (3) open appointments will be posted to the Secretary of State website usually in November.
 - Chelsey Anderson
 - Marcie Smith-Fields
 - Donna Dungy
- ***Cosmetology and Barbering Compact Technical Assistance Group***
 - Gina Fast will be attending a meeting in Washington D.C. on October 6- October 7, 2021 to participate and contribute to the Cosmetology and Barbering Company Technical Assistance Group and their initiative.

Compliance Division

- ***Staff Update***
 - We hired an individual, however after a few weeks of training with us, he notified us that he had received a position with a different state agency. The investigator position is currently vacant.
- ***Complaint Committee Meetings***
 - The Complaint Committee met on May 24, 2021 and reviewed 44 complaints. The categories of complaints heard during the meeting were as follows:
 - Licensing – 20 complaints
 - Infection Control – 4 complaints
 - Licensing and Infection Control – 4 complaints
 - Non-jurisdictional – 1 complaint
 - Declined Release, Doesn't Warrant Resources, and/or other – 15 complaints

- The Complaint Committee met on August 9, 2021 which will be reported at the next Board meeting. The next Complaint Committee meeting is scheduled for November 8, 2021
- **New Complaint Breakdown**
 - In the first quarter of 2021, a total of 19 new complaints were filed with the Board. Board staff currently have 70 open complaints and are tracking 203 closed complaints by waiting for either completion of infection control course or payment of civil penalties.

Inspections Division

- **Q2 2021 Inspection Summary**
 - 1,511 Salons and 45 School – 1,556 Total Inspections
- **News and Updates:**
 - Staffing Updates: As of September 23, 2021, the Board's inspection division employs seven inspectors. A posting for the Inspection Division Manager was opened on 9/16/2021.
- **Statewide Completion Statistics as of 04/08/2021:**
 - 70% (3,822 salons) inspected within the past one year
 - 30% (1,638 salons) inspected between one and two years ago
 - 0% (0 salons) inspected over two years ago

Licensing Division

- **Licensing Activity Q2**
 - In the second quarter of 2021, we maintained an average processing time of about 3 business days. There was an average of 60 licenses issued per day and 302 licenses issued per week.
- **Continuing Education Auditing**
 - The Licensing Division has begun conducting its continuing education course attendance auditing on the same online platform we have been using this year for providers to apply for course approval. This platform has greatly automated this process as well.

Policy and Rulemaking Division

- **Legislative Update**
 - Staff met with Senator Mary Kiffmeyer and Representative Michael Nelson to discuss the Office of the Legislative Auditor's report regarding the Board of Cosmetology. Staff offered to assist with answering questions about the current processed and procedures or to provide any research as needed.
- **Schools**
 - Current Board motions regarding online theory instruction and the use of mannequins will expired on 12/31/2021. As a reminder, discussions of the motions will be on the agenda for the December Board Meeting.
 - Valerie Beighley started as a School Liaison on September 13th.

IX: Adjournment

- Meeting was adjourned at 11:46 AM by Rhonda Besel.