

**UTAH
BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST AND
NAIL TECHNICIAN LICENSING BOARD MEETING
August 1, 2016**

**Room 210– Second Floor – 9:00 a.m.
Heber M. Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:09 a.m

ADJOURNED: 3:04 p.m.

Bureau Manager:	Allyson Pettley
Board Secretary:	Nicky Glover
Compliance Specialist:	Brandie Rigby
Investigator:	Elisa Campbell
Investigator:	Lynne Anthony

Board Members Present:	Chad W. Price, Chairperson Marti Frasier Christine Heathman Jackie Lynn McKay Carlotta Veasy Adriane Baxter
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Board Members Absent:	None
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Guests:	Brenda Scharman- Cameo, UBA Kathy Davis-Reese- NIMA Katrina Taylor –NIMA, Esthetics Tammy Vasquez- PSI Lynn Thomas- PSI Candace Daly- LBSA
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Rule Hearing:	Thomas Brady Deputy, Director, Department of Commerce, conducted a rule hearing pertaining to R156-11a.
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DECISIONS AND RECOMMENDATIONS

Minutes:	The minutes from the June 6, 2016 meeting were reviewed. Ms. Frasier made a motion to approve the minutes as written, seconded by Ms. McKay. The motion passed unanimously.
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Brandie Rigby	Ms. Rigby provided a report on the probationers being seen today. There was a letter sent from Whitney Copier, who stated
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that she was unhappy with Ms. Rigby and how she was handling her case. Mr. Price asked Ms. Rigby for clarification and how she felt about it. Ms. Pettley shared with the Board that it is a fine line between the Probationer and Compliance Specialist. Mr. Price addressed some of the inconsistencies he has seen over the past and it has been better in the past 1 ½ years.

**New Order:
Mycol Warnick**

Ms. Warnick failed to attend the meeting today. She was sent a letter on July 12, 2016. Ms. Rigby received an email during the meeting, in which Ms. Warnick said she forgot the meeting. She has already missed a test and an employer report. Ms. Warnick will attend the next meeting scheduled on October 3, 2016.

Holly Kuehn

This is Ms. Kuehn's first meeting with the Board. Ms. Veasy conducted the interview. Ms. Kuehn is currently working at Sugati Spa & Wellness in Park City. She attends a treatment class one hour a week, for a total of 35 weeks. Ms. Veasy suggested that she send in proof of her attending the class to Ms. Rigby even though it isn't in her Stipulation and Order. Ms. Kuehn will attend the next meeting scheduled on October 3, 2016.

Appointments:

Tori Draper

Excused

Whitney Terry

Ms. Baxter interviewed Ms. Terry. Ms. Terry said that she hasn't been doing well. She is doing nails, but it isn't paying the bills. She has a lot of stress and is unsure if she wants to continue doing nails. Ms. Terry is starting a second job today at Fusion. Ms. Baxter let her know that she commends her for recognizing that she made a mistake, and recommends that she work to build clientele and not give up on the license. Ms. Pettley told her she needs to work eight hours a week to meet the requirements and pay her citation. Ms. Pettley let her know

that Ms. Campbell will talk to her about making a payment plan. The Board would like to see her keep her license. Ms. Terry will attend the next meeting on October 3, 2016.

Non-Compliant

Gerald Kory Lloyd

Ms. McKay interviewed Mr. Lloyd. Ms. McKay let him know that she appreciates that he has everything in order. Mr. Lloyd has had zero violations in eighteen months and is currently working full time at Master Cuts. Mr. Price commented that he would be an excellent candidate for early release. Ms. McKay made a motion for early release, seconded by Ms. Heathman. The motion passed unanimously. Ms. Pettley explained the early release process.

Carmen Hansen

Ms. Baxter interviewed Ms. Hansen. She is a Coach and Manager at Master Cuts. She is working behind the chair and coaching others. She is grateful for her life and skills. She still goes to Odyssey House and is three years clean. Both she and her daughter share their story at recovery centers and she is very active in recovery. Ms. Baxter said that while reading her notes, it shows she is very accountable. Ms. Baxter recommends that she return to the December meeting. Mr. Price said that if she stays on track she will probably be a good candidate for early release. She will be having surgery soon and will get the information to Ms. Rigby.

Compliant

Nicole Shaliece Lindsay

Ms. Heathman interviewed Ms. Lindsay. Ms. Lindsay is working at home and at a furniture store. She is completing her ten hours, making sure she is keeping up with her requirements. Ms. Lindsay has completed eight months of her one year probation. Ms. Lindsay's probation ends on October 20, 2016. Ms. Heathman explained that she needs to continue her probation requirements until she receives her active license. Ms. Lindsay is not required to attend the October 3, 2016 meeting.

Compliant

Elizabeth Canzonetti

Ms. Baxter interviewed Ms. Canzonetti. She asked why she missed two check-ins. Ms. Canzonetti said time got away from her. Ms. Baxter said that they will not issue a citation for those check-ins. Ms. Canzonetti has paid half of her current citation and will pay the rest on the 20th. She is found non-compliant for the two missed check-ins. Ms. Canzonetti will attend the next meeting on October 3, 2016.

Non- Compliant

Andre Hill

Ms. Frasier interviewed Mr. Hill. Ms. Frasier asked him why he missed eight check-ins since June. He said that he forgets after he takes care of kids, and when he finally calls, he is told he is too late. Ms. Frasier asked how everything else was going, he said it was going fantastic. He will be paying his outstanding citation fine today. Ms. Frasier made a motion for a letter of concern to be issued, and he has to pay his citation. If he has any more violations, the Board will issue a Notice of Agency of Action. The motion was seconded by Ms. Veasy. The motion passed unanimously. Ms. Veasy recommends that he meet with Ms. Rigby to make sure he understands the MOU that he has signed. Mr. Hill will attend the next meeting on October 3, 2016.

Non-Compliant

Landry Renzaho

Ms. Heathman interviewed Mr. Renzaho. Mr. Renzaho is testing with his probation officer four times a month and has been with him for five months. Ms. Heathman asked about his missing employer report and he told her he did turn it in. He is leaving for Jamaica tonight. Ms. Heathman stressed that he needed to remember to do what he needs to while on vacation. He asked about forming a joint partnership with a friend and Ms. Heathman recommend that he take a business class. Ms. Pettley explained that he should be able to start his business even though he is on probation. Mr. Renzaho will attend the meeting on December 5, 2016.

Compliant

Casey Leavitt

Ms. Heathman interviewed Ms. Leavitt. Ms. Heathman asked about the diluted test. She said that the diluted test was not intentional, and that she does drink a lot of water during the day. She works at Salon Khroma. Ms. Veasy explained what a diluted test is and why it is hard to test. Ms. Leavitt understands how it looks when having a positive test and then a diluted test. She feels like she is being accused of something she didn't do. It is making her not want to be in the profession. Mr. Price explained that it speaks volumes that she is prepared and he does not want her to be discouraged. Mr. Price asked her to explain the positive the test result which resulted in a citation. She said that she was in Seattle and had a drink. Ms. Heathman made a motion for a letter of concern to be issued, seconded by Ms. Frasier. The motion passed unanimously. Ms. Leavitt will attend the meeting on October 3, 2016, telephonically.

Non-Compliant

Whitney Copier

Mr. Price interviewed Ms. Copier. He reviewed that she has missed one check-in on July 4, 2016. Mr. Price mentioned that she doing well and he asked her if she is still doing a 12 step program. She said she is still doing the program and it is going well. Ms. Copier was non-compliant in June and wrote a letter to the Board saying that she felt the citation fine was high. She was provided information regarding setting up a payment schedule and if followed will be found compliant. Ms. Pettley addressed the letter Ms. Copier wrote and explained the role of Ms. Rigby. Ms. Copier will attend the meeting on October 3, 2016.

Compliant

Josh Stoney

Ms. Frasier interviewed Mr. Stoney. Ms. Frasier made reference to his abnormal test in June. Ms. Rigby explained what an abnormal tests is. Ms. Frasier let him know he needs to have his supervisor reports in

by the first of October. Mr. Stoney's probation ends in October and Ms. Pettley cautioned him to make sure he has clean tests. Mr. Stoney will attend the meeting on October 3, 2016.

Compliant

Brandon Garcia

Mr. Price has suspended the interview, in order to provide Mr. Garcia time to review the Notice of Agency Action sent on July 22, 2016.

Cindy Satterfield

Ms. Veasy interviewed Ms. Satterfield. Ms. Veasy reviewed her positive test on June 13, 2016 and the missed test on July 1, 2016 due to a migraine. She has received two citations already and the Board does not issue a third. Ms. Veasy recommends that she go to urgent care if she doesn't feel well, that way she has documentation. Ms. Veasy made a motion for a letter of concern to be issued for the missed test, and notification that any further violations will result in a Notice of Agency Action. The motion was seconded by Ms. Frasier. The motion passed unanimously. Ms. Satterfield will attend the meeting on October 3, 2016.

Non-Compliant

REINSTATEMENT REVIEW:

Kristen Kulow

Ms. Pettley reviewed the license of Ms. Kulow. Ms. Pettley also reviewed the statute and Rule 58-1-308(5) and R156-308(g)(2) with the Board. The rule states that Ms. Kulow will need to retake the exams and apply for reinstatement. Ms. Kulow had a license that expired on September 30, 2013 and is asking the Board to allow her to reinstate her license without retaking the examinations. Mr. Price asked Ms. Kulow why she let her license expire. Ms. Kulow explained her experience and the phone calls she had with the staff and Ms. Pettley. After speaking with Ms. Pettley, she thought that everything was being taken care of. Mr. Price shared that it is the responsibility of the profession to understand the Statutes

and Rules, which state that she will need to retake the examinations. Mr. Price recommended that she go back to her school to see if she can get help on preparing for the examination. Ms. Pettley invited her to stay for the remainder of the meeting to hear the discussion about the legislative changes regarding reinstatement. Ms. Kulow did not stay for the discussion.

DISCUSSION ITEMS:

58-1-308(5), Tabled from June 6, 2016 Board Meeting:

Ms. Pettley read the statute 58-1-308(5) to the Board. The change in the statute would allow individual Boards to make the change from two years to five years before having to test for reinstatement of licensure. Ms. Heathman made a motion to reflect the changes provided in statute to extend it out to five years, seconded by Ms. Baxter. The motion passed unanimously. Ms. Pettley explained that the division will begin the rule making process.

Changes to NIC exams:

Lynn Thomas from PSI testing gave an update on the changes that will go live on November 1st. The NIC exam will be based more on school curriculum. She gave an explanation on the how the exam will be administered. Questions were asked and answered. The Board members gave approval to send a notification letter out.

Board Chair Review:

Mr. Price stated that the Board Chair position should be assessed yearly. Ms. Pettley read the statute 58-1-201(5) which says each Board shall annually designate one of its members to serve as chair for a one year period. Ms. Heathman made the motion to have Mr. Price remain as chair of the Board, seconded by Ms. Veasy. The motion passed unanimously.

Request from Education and Enforcement Fund for Utah Beauty Association:

Brenda Scharman explained that the Utah Beauty Association holds a Beauty symposium each year, and Ms. Scharman is

requesting a reimbursement of funds for the Symposium that is being held on September 19th. Questions were asked and answered. Ms. Scharman will submit the required documentation for reimbursement review.

NEXT SCHEDULED MEETING: October 3, 2016

ADJOURN: 3:04 p.m. No motion required

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

Oct. 3, 2016
Date Approved

Chad Ruise
Chairperson
Barbering, Cosmetology/Barbering, Esthetics,
Electrology and Nail Technology Licensing Board

10/3/16
Date Approved

Allyson Pettley
Bureau Manager
Division of Occupational & Professional Licensing