

**UTAH  
BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST AND  
NAIL TECHNICIAN LICENSING BOARD MEETING  
June 2nd, 2014**

**Room 474 – Fourth Floor – 8:15 a.m.  
Heber M. Wells Building  
Salt Lake City, UT 84111**

**CONVENED : 9:03 a.m.**

**ADJOURNED: 4:25 p.m.**

**Bureau Manager:**

Sally A. Stewart

**Board Secretary:**

Sally Canavan

**Board Members Present:**

Chad W. Price, Chairperson  
Dianne Niebuhr  
Elaine Reintjes  
Carlotta Veasy  
Jamie Comstock  
Adriane Lindsay Baxter

**Board Members Absent/Excused:**

Annette Bergstrom excused

**Guests:**

Shannon Mechling, NCA TATC  
Denice Floyd, Brittany Floyd  
Angela Johnson, Ashleigh Johnson  
Rebecca Erickson,  
Lauryn Haberkorn, Samatha Haberkorn  
Brenda Sharman, Cameo College  
Natalie Parkin, Skinworks  
Diane Bitaraf, Mandalyn Academy  
Matt Brinton, NIMA  
Kathy Davis- Rees, NIMA  
Debbie Joy, NIMA  
Richard Hite, The Barber School  
David Stewart, NIMA

**DOPL Staff Present:**

Dave Taylor, Operations Manager  
Ray Walker, Regulatory/Compliance Officer  
Debra Troxel, Compliance Specialist

**MINUTES:**

**DECISIONS AND RECOMMENDATIONS**

The minutes from the March 3<sup>rd</sup>, 2014, meetings were reviewed by the Board. Ms. Niebuhr made a motion, seconded by Ms. Reintjes, to approve the minutes as written. The voting was unanimous.

**Compliance Unit Report:**

**Lynne Anthony - Investigator**

Ms. Troxel reviewed the probationers being seen today.

Ms. Anthony stated when investigator enters an establishment the investigator request a copy of the license and their identification. They will then call DOPL to see if the information and birth date are correct. Ms. Anthony stated the investigators appreciated the interpreters being approved by the Board at their telephonic Board meeting. She lets the owner know the interpreters will tell her everything they say; they quit talking in their own language. She noted for the Board with the non or limited English speakers the interpreters have been very helpful. If they need to get licensed she tells them the steps. The Board discussed if you ignore a citation it automatically jumps to the full amount. It can go to debt collection and they can and will take a tax return. Ms. Anthony informs the people receiving a citations with a fine amount being issued there are payment options. A cited individual may call the Division and talk to the Administrative Secretary who handles payment arrangements.

**Lisa Rae Dow**

Ms. Dow did not come in for her appointment with The Board. She has been cited previously. The Board discussed what amount the citation should be. Ms. Baxter made a motion seconded by Ms. Comstock to cite Ms. Dow for non compliance in the amount of \$300.00. The voting was unanimous.

**Amberlee Michele Evans**

The Board noted for Ms. Evans this could be her final interview. She has learned to hold herself accountable and that the public needs to be protected. She says it is really hard to get a way from her previous life situation. She comes downtown and sees the homeless and remembers when she was in that situation, The only thing she owned was a pair of hospital shoes. She is not even the same person anymore. She is working in the field. Ms. Comstock made a motion seconded by Ms. Veasy to amend the

order to fully activate her license. The voting was unanimous.

**Brittany Floyd**

Ms. Comstock stated Ms. Floyd had missed twenty nine check in calls. Her MOU stated she is supposed to call in for testing. The Board stated they have not received any employer reports, and she is not attending any kind of a 12 steps program. She read her mou when she first got it. The Board asked her how serious she was about keeping her license. She stated she was pretty serious about keeping her license. The Board stated she has got to do what was in her order. The Board suggested she revisit her MOU with Ms. Troxel. The Board told her she is the one who determines if she keeps her license The Board discussed the minimum fine amount is \$251.00. She stated to the Board she needs to call in and attend 12 steps program and see to it that employer reports are being received. Ms. Comstock made a motion seconded by Ms. Reintjes to issue a fine of \$251.00. The voting was unanimous. Ms. Anthony went with Ms. Floyd to issue her the citation. The Board requested to see her at the September 8<sup>th</sup>, 2014 Board meeting.

Non compliant.

**Dana Lynn Giles**

The Board noted Ms. Giles had recently had a baby. She is starting back to work full time. She has a good support system to help her. The Board stated she had eighteen missed calls. She stated she just forgot. She just has a hard time to remember. She has put her card in her car to remind her to call and also set an alarm on her phone. The call in that she missed was a test The Board noted she started he job in March and had only one employer report because she was off work to have the baby and has now has sent in one more. The Board discussed the fine amount. Ms. Niebuhr made a motion seconded by Ms. Comstock to give Ms. Giles a \$250.00 fine because of so many missed calls and being non compliant The voting was unanimous. The Board stated if she had any questions to call Ms. Troxel. Ms. Anthony went with Ms. Giles to issue her the citation The Board requested to see her at the September 8<sup>th</sup>, 2014 Board meeting.

Non Compliant

**Sara Jane Graham**

Ms. Graham did not come in for her appointment with

the Board. This would have been her first meeting since she signed her new order. Ms. Troxel stated there has been no contact at all with her. The Board discussed hopefully a citation and fine would get her attention. The Board discussed the fine amount. Ms. Niebuhr made a motion seconded by Ms. Comstock. for \$250.00 citation and fine for the severity of the infraction. The voting was unanimous.

### **Ashleigh Johnson**

The Board stated Ms. Johnson had missed nine calls. Everything else was compliant. . She said her only excuse was that her head was just no screwed on right. She stated sometimes it is too late when she remembers. She has set an alarm on her phone and it is working better now and she is checking in online. The Board noted they may give her a citation with no fine amount. Ms. Troxel stated Ms. Johnson had been working in the field, gone to another shop and then came back to first shop because they offered her the assistant manager position. The Board noted if you whack them hard they are not as likely to re offend. Her boyfriend and family is a good support for her. . She noticed the difference is night and day from where she was in life to where she is now. . She is taking care of herself, has returning clientele and bought her own car. You have a life as compared to when you don't. The Board noted they may give her a citation with no fine amount. Ms. Niebuhr made a motion seconded by Ms. Reintjes for the fine amount of 50.00. The voting was unanimous. Ms. Anthony went with Ms. Johnson to issue her the citation

Non compliant

### **Ashlee Nicole Jones**

The Board noted this was to be considered as her first meeting. There had been some confusion about her order. She apologized to the Board for her previous attitude. She is working from home and brought her logs of who she worked on and her therapist report. . She feels like she understands her MOU. She says being on probation makes it hard to fine a job. The Board stated we have lots of people who are on probation and working. The Board requested to see her at the December 1<sup>st</sup>, 2014 Board meeting

Compliant

### **Sean Joel Giles**

Mr. Giles came to his appointment with the Board. The Board reminded him he needs to work at least 8

hours per week. He paid a \$250.00 fine and followed all requirements. He brought in an employer report for May but it is in the car. County probation officer sent him to a program where they did an assessment. He needed a program for impulse control. He is not testing with Affinity. He knows what is required of him. He is working in the field and enjoying it. The Board stated he needs to be compliant at his next meeting. The Board requested to see him at the September 8<sup>th</sup>, 2014 Board meeting.

Non compliant

**Marcy M. Pruitt**

She stated she has been doing good. The Board noted this could be her final interview. At the December Board meeting she had wanted to be done with probation but was not compliant. The Board commended her on being compliant. She stated she has learned a lot it has changed every aspect of her life. By being sober and taking responsibility. She has become a better wife and has a better life. The Board stated the process is to help the licensee get over the problems they may be having. She knows she was fighting against the probation and making it hard on herself. Once she started doing what she had to do, it was not so hard. Mr. Price made a motion seconded by Ms. Niebuhr to amend her order and released her from probation. The voting was unanimous. Rebecca Erickson is Ms. Pruitt's employer. She stated two different people warned Ms. Erickson not to hire Ms. Pruitt. She wanted to give her a chance and is so glad she did. At first she watched her really close. But the clients think she is great the other stylist love her, she is so helpful. She can trust her with the business. She stated it was not a burden to send in the employers reports.

Compliant

**Amanda Reutlinger**

Ms. Reutlinger stated she is not doing very good. She had a dirty UA. She called Ms. Troxel telling her she had relapsed. Ms. Troxel spent sometime talking with her telling her she was stronger than this. She was with friends, not very good ones. She did not call on or use her support. She knew she would be dirty and tried to fix it. It did not work. She knew she was strong enough not to do that. The Board stated she can do that or keep your license. Ms. Veasy and the Board discussed the citation amount. This would be her second citation.

She feels the 12 steps program is very helpful when she goes. Has been going the last two days. She is not in the habit of going. The Board stated make an appointment and go. This is something for her. Ms. Veasy made a motion seconded by Ms. Comstock for a \$300.00 citation and fine. The voting was unanimous. Ms. Reutlinger feels like she is catching a break. She thought the fine would be \$500. The Board stated her probation may be continued for one year longer, rather than revoking her license. Ms. Anthony went with Ms. Johnson to issue her the citation.

Non compliant

## **BREAK**

### **APPOINTMENTS:**

#### **Ashton Ann Marie Tuffin**

Ms. Tuffin stated she had one little slip up. She got comfortable and got lax. She has to be strong. It has made her refocus herself. This is her passion and she is not letting anything get in her way. Through her probation she has changed her life. She sees old friends and it is depressing they are going no where. She has talked to her sponsor and support systems. She has one year of holding herself to these requirements, slipping has made herself look at her life and be more responsible. She see life differently now. She is lucky to have a family that has helped her get into school and get through it. The Board discussed a citation and fine. Ms. Reintjes made a motion seconded by Ms. Comstock for a \$250.00 citation and fine for being non compliant. The voting was unanimous. Ms. Anthony went with Ms. Tuffin and will issue her a citation. The Board stated hopefully she will be compliant and the Board will not have to see her at the next meeting on September 8th, 2014.

Non compliant

#### **Shanna Lynn Gilchrist**

This is Ms. Gilchrist initial interview with the Board. She says her MOU stated she must to Drug Testing, go to AA meetings and meet with the Board She says she goes two – three times a week to AA it really helps. Her family is good support. The Board explained when someone is non compliant, we issue citations and fines. She is currently not working in the field. Is trying to get booth rent going. When that

is set up she will be working eight hours per week. She is working with Vocational Rehabilitation they are helping her get a booth rental going. The Board noted she will need a supervisor. The Board told her she is non compliant she is not working in the field. The Board told her the time cannot count towards the 18 month time frame. The Board stated as far as a citation goes, she is trying to find work. The Board will not cite today, she is looking for work. The Board requested to see her at the September 8<sup>th</sup>, 2014 Board meeting.

Non compliant.

## **LUNCH**

### **NEW STIPULATION:**

#### **Samantha Jill Haberkorn**

This is Ms. Haberkorn initial interview with the Board. Her family is her support and she is going to a support program and working in the field. The Board stated they are here to help her. The Board can issue citations if she is non compliant. The drug result indicates alcohol. She stated she had a beer with her dad. The Board stated they have a zero tolerance policy. She has had her instructor license for about one month. She understands her Mou. She has signed up with Affinity, calling daily random UA's and once a month employer reports are due. She has a long drive to get here. The Board explained if she is compliant she will not be requested to come so often. The Board has full confidence she will be compliant. Ms. Baxter made a motion seconded by Ms. Veasy for a \$50.00 citation and fine. The voting was unanimous. Her employer report was great. Ms. Anthony went with Ms. Haberkorn and will issue her a citation. The Board requested to see her at the September 8<sup>th</sup>, Board meeting but only if she is not compliant.

Non compliant.

#### **Kelsey Rachel Kingsford**

Ms. Kingsford goes by her middle name of Rachel. This is her initial interview with the Board. She had a nice drive to our meeting. Her sister lives about one mile away. She and her sister hang out a lot. She is very busy at work. She says right now her family is working on accepting each other for who they are. She was depressed never felt the need to go back to drinking. She works at a bar. She stated she wants

to be included but she doesn't drink. Her friends bring her a coke of something non alcoholic. She was always paranoid every where she went. Life is much better now. She is going to AA and working at the spa. The Board stated she needed a, supervisors report. She has a good understanding of her MOU. If she has any questions she should call Ms. Troxel she is wonderful resource. The Board requested to see her at the September 8<sup>th</sup> 2014 Board meeting. The Board noted they were impressed with her support system.

Compliant.

**Rachel Marie Horsley**

This is Ms. Horsley initial interview with the Board. She is living at home. She knows she needs to let us know if she moves, employer reports every month and call every day. She has been going everywhere for a job. Ms. Troxel gave her a new testing packet so she can get registered with Affinity to test. Ms. Troxel checked her address The Board talked bout being compliant and citations and fines. She has a support system her fathers second wife is a great support to her. The Board reminded her to set her alarm, to make sure she calls. The Board requested to see her at the September 8th, 2014 Board meeting.

Compliant

**Alyssa Brienne Dixon**

This is Ms. Dixons initial interview with Board. She had life changing event when she was charged. She understands her Mou that she must call for testing every day and employer reports are due every month. She is working in the field. Her employer is completely please with her work. Her father is a great support. He got her into rehabilitation program. If she stays compliant we will not have to see her at the September 8th, 2014 Board meeting.

Compliant.

**DISCUSSION ITEMS:**

**Funds for Educational Purposes**

Ms. Stewart handed out a newsletter about the Division to the Board members. She stated we could afford a one time mailing of this news letter to 37,000 plus cosmetologist and related professions. When

the fund is used it is necessary to adhere to the specific rules. The Board discussed mailing out the newsletter. Ms. Reintjes made a motion seconded by Ms. Veasy to approve the funds to mail this out one time. The Voting was unanimous.

## **Testing**

There is a concern there are two different scores on the one exam. It was something the Division and the Board had requested. The problem is the way the exam is scored, it makes it look like two different exams. We can request to have one score for the practical exam. The Board and the Division stated DOPL is moving towards being a simpler application and processing electronic applications. This may help lessen any confusion to have just the one score. We could talk with PSI about changing that. They are our exam provider. The exams still must be passed within one year. In 2008 the Division adopted the NIC exam. The Board recommended we get a cost assessment before making any changes. The law was changed so the rule needs to be changed. The Board can have a Board meeting called at any time or do an electronic meeting. The Board talked about the size of the exam. Right now it is twenty questions. The Board noted one individual had severe test anxiety she took and passed one exam had to take it again by the time second exam was passed. It had been more than 1 year. Now would be an opportune time to change that if you are going to change it. We know how many exams were given but not how many were repeats. The Board discussed putting it in rule for those who have a disability to get an exemption. Ms. Reintjes made a motion seconded by Ms. Veasy to implement a rule change that when there are unique and extenuating circumstances the time be lengthen and situation be brought before the Board. The voting was unanimous.

## **Body Wraps**

There is an overlap in training for Massage Therapy and Master Esthetics professions. Both professions teach the procedures for Body Wraps. The purpose is the defining characteristics. The Massage Therapy purpose is therapeutic to de toxify the body. Currently in Utah the Massage Therapist can not do

body wraps.

The Master Esthetics purpose is cosmetic by hydration of the skin. It is listed specifically in their rule.

The purpose needs to be clarified in the Massage Therapy act and/or rules. The Massage Therapy Board would have to define it in their rule. The Board discussed there is a high number of cross overs for the whole body.

**Legislative Actions/Potential Rule Changes**

The laws passed relating to forced ventilation for acrylic nail dust. The Board discussed the definitions of acrylic, The most probable definition will be a polymer powder and liquid monomer. The inspector will need to be able to see the forced ventilation system to inspect it. The Board determined they need more time to work on this. They plan to discuss this further at the September 8<sup>th</sup>, 2014 Board meeting

**Legislative Actions/Potential Rule Changes**

The Board discussed Distance Learning and how to make that a possibility while proving hours and training. The Board needs to define Distance learning and if it will include traditional class work. Ms. Sharman stated the school owners association recommends only the theory be taught in distance education program. The Board discussed every profession has people that want to do online education. This possible option needs to be all about the student.

The Board discussed a definition for manicures and pedicures. The natural nail dries naturally, not using light to harden or cure.

The Board also discussed a definition for micro needling. The licensee's are currently not allowed to pierce the stratus corneum. All peoples stratus corneum are different depths. Micro needling is not defined yet.

Ms. Stewart and the Board Chair person Thanked everyone for coming and for their input. She stated this is what needs to happen to get the Board more information to share it with the Board. If you have additional information or comments please get it to us

Page 11 of 11  
Minutes for Barber, Cosmetologist/Barber, Esthetician, Electrologist and  
Nail Technician Licensing Board  
June 2<sup>nd</sup>, 2014

**ADJOURN: 5:00: 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.*

Sept 8, 2014  
Date Approved

9-8-2014  
Date Approved

(ss) Chad Price  
Chairperson  
Barbering, Cosmetology/Barbering, Esthetics,  
Electrology and Nail Technology Licensing Board

(ss) D. Sh  
Bureau Manager  
Division of Occupational & Professional Licensing