

**UTAH
BARBER, COSMETOLOGIST/BARBER, ESTHETICIAN, ELECTROLOGIST AND
NAIL TECHNICIAN LICENSING BOARD MEETING
December 01, 2014**

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

CONVENED 8 35: a.m.

ADJOURNED: p.m.

Bureau Manager:

Dane Ishihara- Acting Bureau Manager

Board Secretary:

Sally Canavan

Board Members Present:

Adriane Baxter
Annette Bergstrom
Jamie Comstock
Marti Frasier
Christine Heathman
Jackie Lynn McKay
Chad W. Price, Chairperson
Carlotta Veasy

Board Members Absent/Excused:

Elaine Reintjes, excused

Introduction of Maria Skedros

Mr. Steinagel introduced Maria Skedros to the Board. She currently works for the Securities Department. She has experience there and knows how Boards work. Ms. Skedros will start with DOPL on December 8th, 2014. One week from today. Mr. Ishihara will help her transition. He is familiar with Ms. Skedros he stated she will bring a lot of enthusiasm to the Division and Boards. The Board wanted to go on record thanking Mr. Ishihara for his interim help, insight and being so accommodating.

Introduction of Elisa Campbell

Mr. Steinagel introduced Elisa Campbell. He reminded the Board at the last meeting they had voted to use the Education and Enforcement Fund to hire an individual who would devote 100% of their time to check on people, licenses and spas to see they are current and complying with the law in the Cosmetology and Related Professions field Ms. Campbell was offered the employment. The investigations department stated they will miss her. The Division noted Ms. Campbell and Ms. Anthony are doing a great job. Ms. Campbell started on

September 25 of 2014 she is full time and Ms. Anthony will be helping Ms. Campbell for awhile. Together they have issued many citations.

Guests:

Brenda Scharman, Cosmetology Cameo College
Fran Brown, Paul Mitchell Schools
Lynn Thomas, PSI
Tammy Vasquez, PSI
Angela Turner, DATC
Kera Lund,
Joleen, Mom
Rieley Hales, Grandmother
Alicen Kettering, Phoenix Recover center
Huong Vu, Top Nail & Hair Beauty School

DOPL Staff Present:

Mark Steinagel, Division Director
Debra Troxel, Compliance Specialist
Ray Walker, Regulatory/Compliance Officer
Dave Taylor, Operations Manager
David Furlong, Chief Investigator

MINUTES:

DECISIONS AND RECOMMENDATIONS

The minutes from the September 8, 2014, meeting were reviewed by the Board. Ms. Frasier made a motion, seconded by Ms. Heathman to approve the minutes with a correction. The voting was unanimous.

Manicure Definition

The Board noted at the last meeting this discussion was tabled. It was determined more information was needed. At this time the definition it is still an open discussion. Mr. Steinagel suggested once the manicure definition is developed, the Board could send a letter out to the public to clarify the definition. We could use the Education and Enforcement Fund Budget. Ms. Comstock offered to check on the law make sure there is no opposing language. The Board stated if someone expands beyond their scope of practice they need to have the license in that profession. The Board noted some Esthetician find the lines blurred between Nail Technology and Esthetics.

Lynn Thomas NIC updated

Ms. Lynn Thomas for PSI came to the Board meeting. She handed out a book with all the changes to the exam and talked about it briefly. Ms. Thomas stated it is not a skill set change is a configuration change and an administrative change. The Board asked about the pass fail rates at different testing locations. She mentioned the number of candidates is key to what the examiners are able to observe. 2/1/15 is set as the projected effective for the exam. The blood spill has been changed they will have to go through the steps to deal with blood spill. April of 2015 they will be doing school open house. Notifications will go out to the schools During the year the examiners take note of the most common mistakes and they are addressed at the school open house. The testing agency wants to make sure the candidates realize that it is a testing environment, only certain things can be discussed. There are always two raters in case of an emergency. If they examiner knows candidate being tested they have the other examiner rate the exam, but that only happens rarely.

The Board discussed it has caused some confusion to have the practical exam be in two parts. Ms. Thomas said she thinks PSI has no objection to making in just one score report for the practical exam. She went to use the phone and check with PSI. She said she would let us know. Ms. Frasier made a motion seconded by Ms. Veasy. That rather than having two separate scores for the practical for cosmetology/barber to pass their state licensing exam that we consolidate the barbering portion and the cosmetology portion into one score at the conclusion of their exam as a completed score for them pass or fail on their licensing exam.

Compliance Unit Report:

Ms. Troxel reviewed the probationers being seen today.

RULES HEARING:

10:00 a.m. Jennie Jonnson

APPOINTMENTS:

Hokulanilea Temauri Tenneke

This is her initial interview with the Board. She moved to Utah to change her life. She is sober now. She can plan her life. She is planning to go to school. She likes doing hair. She has missed over eight check in calls. She knew she was supposed to

check in. She did an out patient program. She has a good support system. She stated no thoughts of relapse now. She stated she had changed her environment. She said her trigger were the friends. She does not have those friends any more. The Board questioned if she knows her MOU well enough. Ms. Comstock made a motion seconded by Ms. Veasy to offer a citation of zero dollars and that she not miss any more calls for the next three months. The Board stated not just for three months but the whole time. The voting was unanimous. The Board requested to see her at the March 2, 2015 Board meeting.

Non compliant

Samantha Haberkorn

Ms. Haberkorn did not come in for her appointment with the Board. The Board noted she had eight missed check ins. They also noted she is an instructor so she has an extra level of responsibility. This would be 2nd citations. Ms. Troxel talked with her about not calling in. She said she just didn't get to it with the holidays. The Board discussed revoking or suspending her license. Ms. Troxel will call and tell her what is going on. The Board questioned how important is her license. She has had two opportunities to understand her MOU. She had an operators license that was on probation also. Ms. Baxter made a motion seconded by Ms. Frasier to issue a citation with \$500.00 fine for eight missed calls and not coming to her appointment with the Board. The voting was unanimous. Ms. Troxel will send her a letter letting her know the next violation could be revocation.

Non compliant

Shanna Gilchrist

Ms. Gilchrist had been working with vocational rehabilitation. It takes so long to get anything through that organization. Ms. Frasier made a motion seconded by Ms. Baxter to amend Shanna MOU to accept her schooling in lieu of the required work hours. The voting was unanimous. She is attending Cameo to get her instructors license. She is going to school instead of working in the field. She had a dilute result on her test. She had coffee and water before her test. She was trying to make it easier by really needing to go to the restroom. This is the 1st time there was a dilute result for her. She has not missed any calls or check ins. Based on the facts of doing so well this far.

Ms. Frasier made a motion seconded by Ms. Bergstrom for a citation with zero dollar fine amount. The voting was unanimous. The Board stated if it happens again it automatically goes to the next level. She has been sober for five years, six years in March. She attends AA meeting two times per month. She has a great support group. The Board stated as a reminder the Board may revoke her license instead of issuing a second citation.

Non compliant

Anthony Washburn

He requested early release. He is working in the field and has no missed calls. He stated one time he tested positive for alcohol. The Board discussed releasing him early. He stated he would like to get away from the calling in. The last two and a half years he has been compliant. He was not prepared for his cousin to have a couple glasses of wine. He had been very careful of who he hung out with. He has decided to be honest with every one as to where he is in his life. He has learned to have a good time without alcohol. The Board noted he had shown good behavior for so long. The Board discussed an early release stating if he behaved it could happen. Ms. Comstock made a motion 2nd by Ms. Veasy for early release. The voting was unanimous. He must continue to comply with his MOU stipulations until he get a signed letter from the Division Director.

Alyssa Brienne Dixon

Ms. Dixon came in to the Board. She stated she had relapsed. She had been mis diagnosed as a child. She is seeing a specialist now and has been properly diagnosed. She has PTSD and is working really hard between groups and individual therapy. She has horrible dreams. When the specialist change her medication. She has been sober since September 14 2014. She said that relationships can be addictive also. She has wanted to be a hairdresser since she was eight years old. It is her passion. She did an impatient and graduated four years ago. And She is doing intensive out patient. She will not give up. Ms. Frasier made a motion seconded by Ms. Comstock to issue a citation with zero dollars for the missed calls. And give her a public reprimand for the relapse. The voting was unanimous. The Board stated to her If this happens again the next level will be citation with a fine amount. The Board requested to see her again at the

March 2nd, 2014 Board meeting.

Non compliant

Kelsey Rachel Kingsford

Ms. Kingsford goes by Rachel. She has been doing well she is working in the field. She has finished all four phases which are required for graduation from the program she is attending. She is learning that she is an alcoholic. She has missed eight calls. The days get away from her. She is doing better by putting notes around in various places, her mirror etc. She loves Esthetics. The Board does not want her to fail. You got to love esthetics more than drinking. She has got to make those calls. The second time around can be revocation. Ms. Heathman made a motion seconded by Ms. Veasy to provide a citation for a fifty dollar fine for failing to call in. The voting was unanimous.

Non compliant.

Joseph Lucero

Mr. Lucero said he was good. Ms. Bergstrom address the missed /late tests. He says the days go by so fast he missed it. Life is good but really busy. He has hired some help. He offered to pay a sanction when he misses. He says he doesn't want to make excuses. He has been sober for 4 yrs. Before starting probation at DOPL he gave the Division two years worth of drug screens. The Board told him there are ramifications for not complying. He does not want to make an unrealistic promise that he can't keep. The Board stated his license could be revoked over a phone call. The Board told him to make notes everywhere to get you to make the call. He feels the pop up part of it. A routine would better fit his schedule. He does not know what his memorandum says. The Board suggested he call on his way to work. When you run a business it can get chaotic as soon as you walk in the do. He can do a better job. Ms. Bergstrom made a motion seconded by Ms. Heathman to issue a first citation of \$250.00. The voting was unanimous. The next time you could have license revoked. He is afraid he cannot comply. The Board thinks he can do it. The Board requested to see him at the March 2, 2014 Board meeting.

Non Compliant

J. Ryan Anderson

Mr. Anderson came into meet with the Board. The Board noted his test result showed he had been

using. He said he is not sure what happened. He had been doing a lot of research to see what happened and talked to his sponsor trying to figure it out. The shop said his work is good. He has been 15 months sober. He doesn't take methadone it makes him sick. He wonders if he picked up someone else drink that may have had he drug in it. The Board has to issue. His probation agreement with the Division was set to over as of October 30, 2014. Ms. Frasier made a motion seconded by Ms. Comstock to issue a citation with a fine amount of \$300.00. Once the fine is paid to amend his order for a full license and provided there are no more incidences. The voting was unanimous. Probation compliance is required until the fine is paid and he gets a letter from the Division. He stated this probation program has helped without it he would have lost his license and continued drinking.

Non Compliant

APPOINTMENTS:

Matthew Stanley Varoz

Mr. Varoz stated he made some bad choices when he was nineteen years old. He has a wife and a family now, he feels like he is starting from the bottom. He is trying to move forward. He is working in the field. The Board stated he had missed seven calls. He apologized for missing them. He does not have the money for the test. The Board noted the test are seventy dollars per test. The Board stated he must make those calls. Missing a call is a citable offense. He has been licensed for one month finances are a problem right now. The Board told him to make sure he understands his MOU. Ms. McKay made a motion seconded by Ms. Frasier to give him a reprimand for the missed calls and a citations with a fine amount of zero dollars. The voting was unanimous. The Board requested to see him at the March 2, Board meeting.

Non compliant

Ashley Brianne Greer

She and her mother drove up from St George last night and stayed in a hotel to be here this morning for her appointment with the Board. This is her in initial meeting with the Board. She stated she had made some not very good choices in her past. She is doing better now. She stated she is ready to resume a career she likes. She is working in the

field. Just barely received her license. She is making her calls. She needs an employer report, but has not been working long enough yet. She is attending a no excuse for abuse (NEFA) program and attending the Dora program. There is a local meeting in the town where she lives and she attends that. She has friends from NEFA and lived in a sober house. She is now living with her mom and dad. They are a good support for her. She has been sober since September 23, 2011. Her mom said she did it herself. Her favorite part of her employment is t when clients they leave and they look good, they are happy. She likes to make other people happy. Going to the salon is not work to her. The Board wants her to succeed. She put the test phone number on her favorites on her phone. She is making her calls. The Board requested to see her at the March 2, Board meeting.

Compliant

Angela Nicole Boshard

This is Ms. Boshards initial interview with the Board. She stated she is here because of her past. She went to Cosmetology school and applied for license and was denied. Her MOU requires calling in to Affinity. She attends counseling and has been working in the field. She brought her supervisor report with her. She is making all her calls. When she goes to see a doctor (she is on medication) tells them she does not want any kind of controlled substances. Her grand mother came with her. The Board stated they are here to help her. The Board requested to see her at the March 2, Board meeting.

Compliant

LUNCH

NEW STIPULATION:

Nikki McLaws

Ms. McLaws came up from St George for her appointment with the Board. This is her initial interview with the Board. They reminded her to be sure and follow her MOU. She has been having problems signing to her account at Affinity. She keeps signing up and when she goes in it does not recognize her. Ms. Troxel stated she could help Ms. McLaws with getting signed up. She has been sober for three years now. She is working in the field. She likes doing hair and work with the other girls. She

would like to do hair, have a family be of service to the community. The Board wants to see her be successful. The Board stated Ms. Troxel is a big help, a great resource. Ms. Mclaws attends narcotics anonymous (NA) it works as a 12 steps program. Her support is a sponsor and her family. The Board noted her employer reports are good. She brought her supervisor reports with her. Because she lives in St George the Board may do a phone interview as long as she stays compliant. The Board stated it is always important to communicate. The Board requested to see/talk with her at the March 2, Board meeting.

Compliant

Aubree Jeanetta Thompson ASL

Ms. Thompson is hearing impaired. Ms. Troxel arranged for an interpreter for to come to the Board. She is now working at Rays, it is a hair care establishment. She has the employer report with her. She has a degree in martial arts. The Board stated she is doing everything as expected. She is checking in on Affinity every day. The Board requested to see her at the March 2, 2015 meeting.
Compliant

Jordan Shimmin

Ms. Shimmin is working in the field. She stated her family is her support group. She got clean on her own without any programs. She has no questions of the Board. The Board said she needs to stay out of trouble and behave herself. She loves being a cosmetologist. She has completed anger management courses. She has wanted to do hair since she was little. She needs employer reports, but does not need to call affinity. The employer appears to love her. The Board talked about the citations and fee schedules. If you negatively react upon a bad situation It only gets worse. The Board requested to see her at the March 2nd, Board meeting.

Tiffany Whiting

Ms. Whiting came in for her appointment with the Board. This is her initial interview with the Board. She is doing testing with drug court where she is tested 3-4 times a week. The Board let her know she still needs to sign up with Affinity and if she is called to test with Affinity let Ms. Troxel know, she can work with that. She is currently, living in patient in the

Phoenix program and attends AA meetings. It is a recovery center and she has a therapist. Her family is amazing and her in laws support her also. She stated her little boy is going great. As an assistant manager and she found herself slipping. She reached out to the Phoenix program. Currently things are really good. She really loves doing hair. The Company has been really good to her. She feels safe at work. The Board stated they can and will cite you. The Board gave her a packet to sign up for Affinity. The Board stated she will meet with the Board for the first six months. Then if you are compliant maybe able to do a phone interview. The Board wished her good luck. The Board requested to see her the March 2nd, 2015 Board meeting.
Compliant

Review of Agency actions:

Sean Joel McGee

Mr. McGee did not come in for his appointment at the September 8, 2014 or this Board meeting either. The Division noted Mr. McGee had surrendered his license at this point.

Camille Edwards

The Division has not been able to located Ms. Edwards. The Division is requesting revocation of her license. The Board discussed her history. Ms. Heathman made a motion seconded by Ms. Veasy to revoke her license due to the fact she has not responded. The voting was unanimous.

Applications for Review

Mr. Ishihara reviewed procedures for closing a meeting. Ms. Heathman made a motion seconded by Ms. Veasy to close the meeting. The voting was unanimous. The closed meeting has no recording and no notes in the minutes.

CLOSED MEETING

Tam T. Nguyen
Heather Young
Amelia Marie Harrison
Joshua James Robert Lucero
Brandi Lee Smith-Shafer
Bianca V. Gonzales

OPEN MEETING

Ms. Frasier made a motion seconded by Ms. Veasy to re open the Board meeting.

NEXT SCHEDULED MEETING:

Monday, March 2, 2015

December 1, 2015

ADJOURN 4 :58 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.

March 3rd 2015

Date Approved

(ss) Chad Price



Chairperson

Barbering, Cosmetology/Barbering, Esthetics,
Electrology and Nail Technology Licensing Board

March 3rd, 2015

Date Approved

(ss) ~~Dane Ishihara~~



Bureau Manager

Division of Occupational & Professional Licensing