

MINUTES

COSMETOLOGY AND ASSOCIATED PROFESSIONS LICENSING BOARD

Monday, October 5, 2020

9:04 A.M.

ELECTRONIC MEETING

CONVENED: 09:04 a.m.

ADJOURNED: 11:25 a.m.

DOPL STAFF PRESENT:

Larry Marx, Bureau Manager
Ernie Gamonal, Board Secretary
Sicily Hill, Compliance Specialist
Lynne Anthony, Investigator

Elisa Campbell, Investigator
Jenna Mayne, Testing Program Manager
Carolyn Dennis, Management Analyst

BOARD MEMBERS PRESENT:

Julianne R. Young, Board Chair
Meagan DeLange
Darlene Durrant
Jackie Lynn McKay

Christine Heathman (joined at 00:40:43)
Shanna Gilchrist
Fred Martinez
Sherri L. Steele

BOARD MEMBERS ABSENT:

Meredith Taylor

GUESTS:

Amy Fife, Prov Inc.

Suzanne Warfield, NCEA

ADMINISTRATIVE BUSINESS: (00:02:25)

Oath of Office (00:02:30)

Mr. Marx administered the Oath of Office to Darlene Durrant and welcomed her to the Board.

Read and Approve Minutes (00:03:45)

Ms. DeLange made a motion to accept the minutes from August 3, 2020; seconded by Mr. Martinez. The motion passed unanimously.

COMPLIANCE UPDATE: (00:04:30)

Ms. Hill presented the compliance report for today's appointments. Questions were asked and answered.

APPOINTMENTS:

Fletcher Jacobs: (00:09:36)

Ms. Young interviewed Mr. Jacobs. Mr. Jacobs is still working in the same shop and is doing well. His supervisor reports continue to be positive. Mr. Jacobs has taken responsibility for, understands his vulnerability, and has taken measures to abstain from alcohol. Ms. Young recommended Mr. Jacobs meet for his final interview on February 1, 2020.

COMPLIANT

Heather Dore (00:17:27)

Ms. Young interviewed Ms. Dore. Ms. Dore has had some changes to her personal life, but is maintaining her compliance with her Order with the exception of not working in the industry. Ms. Young encouraged Ms. Dore to continue to make progress and recommended Ms. Dore to meet with the Board at the December 7, 2020 unless she is still not working. If she is not working, the Board will meet with her at the February 1, 2021 meeting. Ms. Dore and Ms. Hill expressed their appreciation for each other and for a wonderful working relationship.

COMPLIANT

Alfredo Mendoza (00:41:40)

Ms. Young reviewed with Mr. Mendoza his desire to surrender his Utah license. Mr. Mendoza asked questions regarding the language contained in the Surrender stipulation. Ms. Young clarified that Mr. Mendoza must pay any outstanding fine prior to any subsequent Utah application being approved. Mr. Mendoza intends to sign the Surrender stipulation in order to move to another state. Ms. Anthony provided further clarification that Mr. Mendoza's citation fine has been paid in full. She also provided information to Mr. Mendoza regarding his need to inquire about his Arkansas license application with that state's licensing agency. Ms. Hill provide further information to Mr. Mendoza regarding submitting the signed document.

NON-COMPLIANT

Jody Robb

Ms. Robb was not contacted today, as she had been excused from attending.

DISCUSSION ITEMS:

Board Training Resources (00:26:56)

Mr. Gamonal provided information for Board training and showed the link to the DOPL website for all Board member training, including one for the Utah Open and Public Meeting Act which is required to be reviewed annually. Mr. Gamonal will send the link via email to the Board members following today's meeting.

Testing Update (00:31:15)

Jenna Mayne introduced Amy Fife from Prov, Inc. Ms. Fife showed the Board the Prov website where schools can review their respective students' exam results. It appears as though some schools have not received the information about this access. Ms. Fife provided her email address so schools can request access. Mr. Gamonal will ensure DOPL contact information for schools is accurate.

National Coalition of Esthetics Association (00:50:25)

Kristi Napoli requested a meeting with the Board to discuss the National Coalition of Esthetics Association (NCEA) to be recognized as a pathway to licensure for master esthetics. Ms. Napoli stated that she has been practicing esthetics for three years in the State of New York with advanced training using lasers, etc.; however, New York does not have a master esthetics license, and she has 600 hours of esthetics education, not 1,200 hours required for Utah licensure. Ms. Napoli introduced Suzanne Warfield, Executive Director of NCEA. Ms. Warfield provided information regarding the NCEA credential. NCEA created their own exam after initially using the National Interstates Council (NIC) master esthetics exam. The biggest differences in these two exams are in the categories of Ethics, Risk Management and Business. The certification started in 2007 after Utah and Virginia established master esthetics licensing. Washington, DC later adopted the master esthetics license and uses the NCEA certification and the State of Washington also recently began recognizing the NCEA certification. The certification is based on a 1,200 hour job task analysis. NCEA provides the candidate a document that the candidate can then submit to the state where they desire to become licensed as a master esthetician to potentially allow the candidate to take the master esthetics licensing exam for that state.

Ms. Napoli's experience is mainly in laser tattoo removal and has been performing this service for the past two and a half years in New York. She believes her experience should count toward obtaining a master esthetician license in Utah.

Ms. DeLange reviewed information provided about NCEA and asked clarifying questions. Ms. Warfield stated that the NCEA training manual and application requires the candidate to perform a self-assessment and knowledge review, etc. to demonstrate 1,200 hours' competency. There is no practical exam for the NCEA certification. Ms. DeLange expressed concern regarding the lack of some types of master esthetics scope of practice content. Ms. Warfield recommended Utah contact Cynthia Briggs from Washington DC or Susan Colard from the State of Washington to inquire about their experience with NCEA.

Ms. Heathman reviewed the NCEA information and expressed her concern about the NCEA certification and her experience with people who have received the certification who then believe they are licensed master estheticians. She expressed her concern that there is no practical assessment of the candidate in order to obtain the certification. Ms. Warfield responded by stating that she recognizes that there is no national master esthetics license, but this certification based on the candidate's assessment should allow candidates to take the master esthetics exams.

Ms. Napoli is asking to take the master esthetics exams to demonstrate her competence based on her experience and is interested in opening a laser tattoo removal business.

Ms. Young spoke about licensure by endorsement and how it relates to this discussion topic. Mr. Marx stated that it would be best to refer the discussion to Carolyn Dennis as it relates to her upcoming discussion content on this agenda. Ms. Dennis clarified that the endorsement provision allows similar scopes of practice between states to be considered for licensure by endorsement. Since the State of New York does not have a master esthetics license, it would be impossible to license an individual by endorsement from that state. New York's license would be more equivalent to Utah's basic esthetics license. Additional education would be considered toward the education requirement for Utah as an initial application, not as an application by endorsement.

Ms. DeLange stated that even a basic esthetician in Utah could not go through the NCEA certification and become licensed as a master esthetician in Utah. Ms. Warfield stated that NCEA also considers cosmetologists to become certified by NCEA if the cosmetologist also has esthetics education as allowed by their state.

Ms. Dennis reiterated the language as defined in statute regarding the endorsement provision. If Ms. Napoli were to become licensed in a state that has a master esthetician license, she would need to hold that license for one year and be in good standing in order to qualify for endorsement if that state has a similar scope of practice.

Ms. Napoli stated that some individuals perform master esthetics services in states that do not have that license available. She believes the exams will demonstrate her competence. At this point, Ms. Napoli has not yet applied for any Utah license.

Ms. Durrant asked questions regarding scope of practice for potential applicants coming from another state. Ms. Napoli said that safety standards are fairly uniform across the nation. Ms. Anthony clarified that laser hair removal is allowed for both levels of esthetics licenses, but the level of supervision is different. Laser hair removal performed by a basic esthetician must be performed under indirect supervision, which Ms. Napoli is not interested in.

Ms. Napoli mentioned that she also has documentation regarding apprenticeship hours she has obtained.

Ms. Young recommended Ms. Napoli submit additional documentation and meet with the Board in December. Ms. Young relayed questions and responses submitted related to laser hair removal. Ms. Anthony clarified that tattoo removal must be performed under direct medical supervision for a basic esthetician. A master esthetician can perform the tattoo removal following the supervisor's evaluation and following their treatment plan. Ms. Napoli desires to open her own business without needing the required supervision.

Ms. Napoli would be applying as an initial applicant as a master esthetician and not by endorsement. Her application will be reviewed at the December 6, 2020 meeting. Mr. Gamonal stated that she would be notified about her appointment time.

The NCEA certification was not approved at this time to show master esthetician competency.

Licensure by Endorsement: (02:01:20)

Ms. Dennis stated that the endorsement pathway is merely an additional pathway to licensure and does not change or remove any other pathways. Ms. Dennis clarified the difference between the endorsement provision from the past to the 2020 language is changes to substantial equivalency to similar scope of practice.

Ms. Dennis' state research was briefly reviewed. Ms. Young recommended the Board review the information and have the members provide their findings to her or to Mr. Gamonal by October 30, 2020 and review it again at the December 7, 2020 meeting. The NIC exam will also be considered as a measurement tool.

TENTATIVELY SCHEDULED MEETINGS:

October 5, 2020

April 5, 2021

October 4, 2021

December 7, 2020

June 7, 2021

December 6, 2021

February 1, 2021

August 2, 2021

ADJOURN: 11:25 a.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 necessary shown in the chronological order they occurred.

12-7-2020

Date Approved

Julianne Renner-Young
Chairperson — Cosmetology and Associated Professions

December 7, 2020

Date Approved

Allyson Pittler
Bureau Manager—Division of Occupational & Professional Licensing