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MINUTES
South Carolina Board of Cosmetology
Board Meeting
10:00 a.m. & 1:00 p.m., August 22, 2011
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 105
Columbia, South Carolina

13 **Meeting Called to Order**

14 Rosanne Kinley, Chairman of Anderson, called the special meeting of the Board of Cosmetology to order at 10:07 a.m.

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16 **Public Notice:**

17 Chairman Kinley announced that public notice of this meeting was properly posted at the SC Board of Cosmetology office,
18 Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations and news media in
19 compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.

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21 **Introduction of Board Members and All Other Persons Attending**

22 Board members present for the meeting present: Rosanne Kinley of Anderson, Selena Brown of Columbia and
23 Cynthia Rodgers of Lancaster. On conference call: Melanie Thompson, Vice Chairman, of Myrtle Beach and
24 Delores Gilmer of Charleston

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26 Staff members participating in the meeting included: Ron Cook, OIE, Charlie Ido, Assistant Deputy Director, Dean Gregg,
27 Advice Counsel, DeLeon Andrews, OIE, Lisa Hawsey, Assistant Administrator, Roz Bailey-Glover and Jessica DeBenedetto,
28 Administrative Assistants and Shirley Wider, Program Assistant. Court Reporter: Cecelia P. Englert

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30 Other Persons Attending: Victor and Diane Rodriguez

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32 **Approval of Excused Absences**

33 Kathy Webb of Easley and Mrs. Cynthia Rodgers of Lancaster were excused.

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35 **Approval of Agenda**

36 **MOTION:**

37 Mrs. Gilmer made a motion to approve the agenda with deviations as necessary. Mrs. Brown seconded the motion, which
38 was carried unanimously.

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40 **Chairman's Remarks – Rosanne Kinley**

41 Chairman Kinley welcomed everyone to the Board of Cosmetology meeting.

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43 **Old Business**

44 None

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46 **New Business**

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48 **IRC Report:** Board members expressed their concerns about the large number of unfounded, unlicensed practice cases
49 reviewed by the IRC. Mr. DeLeon Andrews from OIE explained that many of the cases stemmed from individuals calling in
50 and leaving messages to report unlicensed salons. After an investigation, many of the calls are unfounded. He further
51 explained that in 2011 there were 190 unlicensed persons found practicing. Mr. Andrews also stated that the legal department
52 is working on the cease and desist process and what to do with the unlicensed practice issues so that nothing falls through the
53 cracks.

57 **MOTION:**

58 Mrs. Brown made a motion to approve the IRC report as submitted. Mrs. Thompson seconded the motion, which was
59 carried unanimously.

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61 **Request for Reinstatement of Salon License**

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63 Chairman Rosanne Kinley called upon Mr. Victor Rodriguez and Mrs. Diane Rodriguez from the Visage Salon to provide
64 testimony regarding the expiration of their salon license. Chairman Kinley stated that the license had not been renewed since
65 2008. Mr. Rodriguez explained that the lapsed license was an oversight and that he and his wife never had any other
66 problems over the past twenty years. Chairman Kinley explained to Mr. Rodriguez that this special session was being held
67 today so that the other six (6) people working in the Visage Salon could continue working, however it's the responsibility of
68 the salon owners, Mr. & Mrs. Rodriguez to ensure that all licenses are current. Chairman Kinley recognized investigator
69 DeLeon Andrews who explained that Mr. and Mrs. Rodriguez have been licensed for a long time but they have always
70 renewed their licenses late. State records indicated that in 2010 Board staff explained to Mr. and Mrs. Rodriguez that the
71 licenses were lapsed and had to be renewed. Mr. Rodriguez explained that he was too busy and needed a personal assistant to
72 help keep things in order.

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74 **MOTION:**

75 Mrs. Thompson made a motion to go into executive session. Mrs. Gilmer seconded the motion, which was carried
76 unanimously.

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78 **MOTION:**

79 Mrs. Brown made a motion to bring the meeting back to order. No motions were made during executive session. Mrs.
80 Thompson seconded the motion, which was carried unanimously.

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82 **MOTION:**

83 Mrs. Brown made a motion to grant the reinstatement of the salon license. Mrs. Gilmer seconded the motion, which was
84 carried unanimously.

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86 Chairman Kinley stated to Mr. & Mrs. Rodriguez that their decision to operate without a license shows a complete disregard
87 for the Board of Cosmetology laws. The salon license was granted and the cease and desist order has been lifted. Ms. Kinley
88 also stated that LLR's General Council will revisit this situation and the license would be mailed.

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90 **Discussion:**

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92 **Finger Printing of Licensees**

93 Chairman Kinley introduced Mr. John Riser, Senior Accountant Representative from RR Donnelley. Mr. Riser briefly
94 explained that the new license cards for the Board of Cosmetology incorporates ink based security features in yellow ink the
95 same technology used for currency. The high resolution borders and yellow ink dots cause color copiers to "black-out" and
96 the text VOID appears on the copy. He also explained that as we get closer to capturing fingerprints, they can block-out
97 areas on the new card for fingerprints later.

98

99 **Letter of Intent From Interested Providers**

100 Chairman Kinley stated that a fingerprint application can be created that can be submitted to the Board of Cosmetology for
101 the private schools and CEU providers with a clean and undisciplined license. The public schools would not be included.
102 Mrs. Thompson stated that any school or CEU provider agreeing to take the time to do the fingerprint process and become a
103 facility for the fingerprints as well as invest in the equipment needed to fingerprint should speak to their qualifications. It
104 was agreed that the 30,000 people already licensed must be notified of the fingerprinting requirement. Existing licensees will
105 be able to go to the private schools only to have the fingerprints done. The Board does not want existing licensees showing
106 up at public schools to have their fingerprints processed. Public, technical schools will fingerprint their own students as all
107 schools must participate in the fingerprint enrollment process. The Board will differentiate to the public and private schools
108 what the requirements will be for the fingerprint enrollment process. Chairman Kinley suggested that the fee would be \$20
109 because SMT needs \$12 to maintain the databank. SMT will set up the website and the processing for credit cards but no
110 cash transactions. SMT can pay the schools or CEU providers for rendering the fingerprint service. An additional \$1.00 to
111 SMT to maintain the website and another \$1.00 fee to SMT to offset the credit card fees and then the school site and CEU
112 providers will obtain \$6.00 from SMT on a monthly basis for the services. No late fees will be assessed.

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The Board plans to launch the program on January 1, 2012 with e-blasts, notices on the SC Board of Cosmetology website, SMT's website and later a letter can be sent to everyone that they have from January 1, 2012 – January 1, 2013. If they are not in the system, they cannot renew.

Chairman Kinley stated that this meeting has been posted as a discussion only so any votes will be made during the September 12, 2011 Board meeting. No actions can be taken at this time. Sean Colton from SMT feels that the timeframe should be fine. The software is already in place. The biggest hurdle is the schools signed up and obtaining the equipment / fingerprint readers and cameras needed. Sean Colton will iron out the details with Chairman Kinley and agreed that the fee breakdown was fine.

Chairman Kinley also added that an on-line registration may not be the best solution and that LLR's website should mention the fingerprint contact locations and costs in large letters stating "*Failure to get fingerprinted and photographed will prohibit licensees from obtaining a license.*" LLR should also do an e-blast on a monthly basis. Sean Colton will need to get together with LLR's Information Technology department to devise a way for the fingerprints and photos taken to be transferred into LLR's RELAES system via an upload. Sean Colton will contact Dottie Buchanan, LLR Administrative Manager, who will connect him to Matt Faile and Robbie Boland for the creation of a web page for candidates to pay. SMT can set up a website at LLR for endorsement applicants. Debit cards, credit cards, e-checks and bank checks should be accepted by LLR. Money orders can be mailed to SMT. If a credit card is a hardship for some licensees, the suggestion of having a pre-paid debit card may be in order.

There was some discussion about what to do with lapsed licensees and endorsement applicants from outside of the state. SMT stated that they could set up sites anywhere and at LLR just for endorsement applicants. The Board will look into how other professions handle fingerprints. Licensees in the military will have an exemption so as long as they are on a military base or until their tour of duty is concluded. Candidates for fingerprinting will show up with their identification, social security cards and professional license, no copies. At the registration site all credentials should be copied and an affidavit should be completed showing their name, address matching their identification, employers name and address. Sean suggested that on the registration web site, candidates for fingerprinting should be told exactly what to bring with them. We have to figure out what the processing sites are going to do with all the photocopied documents collected. Sean suggested that a template be placed into the fingerprint program instead of a paper affidavit. The template can be printed out, signed and the schools can submit the documents to LLR within 10, 20 or 30 days. Or a pop-up electronic agreement can be added to the program as well. There won't be a paper affidavit required if there's an electronic pop-up agreement in place instead. If sites discover that duplicate information is being submitted by a candidate or they've submitted someone else's identity at the site, LLR will decide on a case by case basis on what to do about the candidate. At the last meeting, the schools do not want to track paper collected. The providers will simply take the information in electronically and send it to LLR as an online affidavit, photo and fingerprints. Yes, proper identification will be brought to the sight for fingerprinting but no physical paper should be collected. If it is determined that fingerprints are invalid, those can be "red-flagged" with an automatic email to LLR and OIE. No triggers to the schools and nothing will appear on the school fingerprinting screen. Only LLR will be notified of the red flags.

Chairman Kinley clarified the fees, timeline for launch, the red flags in the system and the terms surrounding how the fees will be sent to the schools within 30 days, preferably by the end of the month.

Public Comments: None

Executive Session: None

Return to Public Session: N/A

Adjournment:

MOTION:

Mrs. Brown made a motion to adjourn the meeting. Mrs. Thompson seconded the motion, which was carried unanimously.

The next meeting of the S.C. Board of Cosmetology is scheduled for September 12, 2011.