

**South Carolina Board of Cosmetology  
Board Meeting  
9:00 a.m., November 12, 2019  
Synergy Business Park  
Kingstree Building  
110 Centerview Drive, Conference Room 108  
Columbia, South Carolina 29210**

**1. Meeting Called to Order**

- a. Public notice of this meeting was properly posted at the S.C. Board of Cosmetology office, Synergy Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.
- b. Rules of the Meeting
- c. Pledge of Allegiance

**2. Introduction of Board Members and All Other Persons Attending**

Vice Chairperson LaQuita Clark-Horton called the meeting of the S.C. Board of Cosmetology to order at 9:04 a.m. Other Board members participating in the meeting included:

- ❖ Patricia Walters
- ❖ Stephanie Nye
- ❖ Marcia Delaney

Staff members present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Shannon Beaudry, Staff; Patrice Deas, Staff; Charles Gwynne, Office of Disciplinary Counsel (ODC); Rodney Pigford, Office of Investigations and Enforcement (OIE); Eric Thompson, Office of Investigations (OIE); Jennifer Stillwell, Office of Investigations (OIE)

**All Other Persons Attending:**

Tina Behles, Court Reporter; Robert Behr; Pauline Mixon; Johnnie Colter; Adrienne Macleod; Chesley Phillips; Shaneka Brown; Greg Brown; Kayela Williams; Gloria Smith; Lanette Battle; Charlie Williams; Kim Tran; Vinh Tran; Huy Le; Micah Leddy; Tam Bui; Rebekah Durr; Queshanda Mauney; Sherri Dunlap; Lanique Myers; Lynn Martin; TaQueisha Johnson; John Ray; Alan Ray; Allene Chamblin; Jayme Morant

**3. Approval of Excused Absences**

Ms. Walters made a motion to excuse the absences of Melanie Thompson and Eddie Jones. Ms. Nye seconded the motion and it carried.

**4. Approval of Agenda**

Ms. Delaney made a motion to approve the meeting's agenda with any deviations deemed necessary. The motion was seconded by Ms. Delaney and the motion carried.

**5. Approval of Meeting Minutes**

July 8, 2019  
July 9, 2019  
September 10, 2019  
September 23, 2019  
October 3, 2019

Ms. Delaney made a motion to approve the meeting minutes from the July 8, 2019; July 9, 2019; September 10, 2019; September 23, 2019; and October 3, 2019 meetings. The motion was seconded by Ms. Walters. The motion carried.

6. **Chair Remarks** – There were no remarks for this meeting.

7. **Administrator's Remarks – Theresa Brown**

- a. **Budget/Drawdowns** – For Information – Ms. Brown presented the budget for informational purposes.
- b. **OIE Report** – For Information - Rodney Pigford – Mr. Pigford stated that the report date should reflect November 12<sup>th</sup> instead of September 9<sup>th</sup>. The report reflects cases from January 1, 2019-August 28, 2019. There were a total of 305 cases. There are 41 active cases. Forty-seven cases have been closed, 70 cases were referred to the inspections unit, 72 were marked as Do Not Open cases, 18 cases were pending Board action, 18 cases were pending Complaint Analyst review, and 8 cases were pending further information.
- c. **IRC Report** – Rodney Pigford – The first report is dated August 27, 2019. Based on this IRC meeting, the committee recommends 13 cases for dismissal, 3 cases for reconsideration of dismissal, and 7 cases for cease and desist.

The IRC inspection report reflects 5 formal complaints.

A motion was made by Ms. Delaney to approve the IRC report for August 27, 2019 and it was seconded by Ms. Nye. The motion carried.

The second report is dated November 5, 2019. Based on this IRC meeting, the committee recommends 21 cases for dismissal, 5 cases for dismissal with cease and desist, and 2 formal complaints.

A motion was made by Ms. Delaney to approve the IRC report for November 5, 2019, and it was seconded by Ms. Nye and Ms. Walters. The motion carried.

- d. **ODC Report** – For Information – Charles S. Gwynne. The ODC report is for informational purposes only. There were 45 open cases as of August 28, 2019 and 46 open cases as of October 29, 2019.
- e. **Inspection Report/Citation Report – For Approval** – Eric Thompson – In September, there were 701 salon inspections and 2 school inspections. In October, there were 811 salon inspections and 3 school inspections. There were 38 citations written for the month of September and 31 written for the month of October.

The Board stated that they would like to see the type of salons where the violations are being found. Mr. Thompson stated that he will look into how to include that in the report going forward.

A motion was made by Ms. Delaney to approve the inspection and citation reports and it was seconded by Ms. Nye. The motion carried.

- f. **Legislative Updates** – Mary League – Ms. League stated that there has been some informal opposition to the proposed changes to the continuing education regulations.

Ms. Delaney made a motion to go into executive session to garner legal advice. Ms. Walters and Ms. Nye seconded the motion and it carried.

Ms. Delaney made a motion to leave executive session. Ms. Nye seconded the motion and it carried. No motions were made or votes taken during executive session.

The Board stated that they will move forward with the proposed changes to the regulations to decrease the number of continuing education hours and limiting the topics to safety, sanitation, infection control, and laws. They feel that this will protect the public and be less burdensome on the licensees.

Ms. Brown will work with the LLR governmental liaison to reach out to licensees via social media to seek their input on the proposed changes.

8. **Old Business** - There was no old business to attend to at this meeting.

9. **New Business**

**a. Consideration of School Change**

- Dorchester County Career and Technology Center

Dorchester County Career and Technology Center was represented by Assistant Director Robert Behr. Mr. Behr was requesting permission to add a new classroom and nail technician stations in order to accommodate additional students. The additional classroom will be able to hold up to 20 additional students.

Ms. Delaney made a motion to approve the changes requested by Dorchester County Career and Technology Center pending inspection by LLR and a Board member. Ms. Walters seconded the motion and it carried.

- SHB International Hair Academy

SHB International Hair Academy was represented by Shaneka Brown. Ms. Brown was requesting permission to add an instructor training program.

Ms. Delaney made a motion to approve the addition of an instructor training program at SHB International Hair Academy. The motion was seconded by Ms. Walters and it carried.

**b. Consideration of CE Packets Received After October 14<sup>th</sup>**

Ms. Clark-Horton stated that the process for CE packet reviews was different this year. First, the Board will hear from those who submitted late packets. Then, they will go through the list of those who had minimal or no changes to their packets; these were approved by staff and will be ratified by the Board. Finally, the packets that need more substantial changes will be reviewed between the November and January meetings and will be ratified at the January meeting.

Mr. Alan Ray from AOPCES requested to speak to the Board. He stated that he feels it is unacceptable for the CE packets to not be approved until January because CE providers must notify USC of the intent to offer classes three weeks prior to classes beginning. He believes the Board is inadvertently asking the CE providers to violate the Board's regulations if they are not to approve CE packets until January. The Board took Mr. Ray's comments into consideration.

Ms. Walters made a motion to go into executive session to garner legal advice. Ms. Nye seconded the motion and it carried.

Ms. Delaney made a motion to leave executive session. Ms. Walters seconded the motion and it carried. No motions were made or votes taken during executive session.

The Board stated that they understand the position the new review process would put CE providers in.

Ms. Nye made a motion to delegate to staff the authority to review the CE packets and accept corrections made by the CE providers. Staff should send an email to the providers notifying them of the corrected process. Ms. Walters seconded the motion and it carried.

Ms. Walters made a motion to approve the submissions of the providers with substantial corrections pending submission of corrections as requested by the Board. Ms. Delaney seconded the motion and it carried.

As soon as CE packet corrections are submitted to staff, staff will review them. If they meet what is requested by the Board, then they are approved and will not have to come back to the January board meeting.

- Affirm Wellness

Affirm Wellness was represented by Lanique Myers. Ms. Myers's CE packet was received after October 14<sup>th</sup>. Ms. Brown stated that Ms. Myers attempted to drop off her packet at the LLR office on

the 14<sup>th</sup> after the office had already closed. She was told that she could submit the packet on the 15<sup>th</sup> but it would be considered late.

Ms. Myers explained to the Board the personal issues she had going on which prevented her from getting to the LLR office on time on the 14<sup>th</sup>. Her packet has not yet be reviewed.

Ms. Nye made a motion to accept Affirm Wellness's packet to be reviewed. Ms. Walters seconded the motion and it carried.

- Joyful Expressions

Joyful Expressions was represented by Jayme Morant. Ms. Morant's CE packet was received after October 14<sup>th</sup>. It was received on October 16<sup>th</sup> and did not include flash drives. The packet came via mail and was postmarked for the 15<sup>th</sup>. Ms. Brown received the box and noted that the date stamp said October 15<sup>th</sup>. During the Board meeting, Ms. Deas located the delivery receipt in the box which stated that Ms. Morant paid for the shipping on October 14<sup>th</sup> at 6:45 p.m.

Ms. Nye made a motion to accept Joyful Expressions' packet to be reviewed. Ms. Walters seconded the motion and it carried.

- Lennie B. & Co. LLC

Lennie B. & Co. was represented by Lanette Battle. Ms. Battle's CE packet was received after October 14<sup>th</sup>. Ms. Battle stated that she paid someone to hand-deliver the packet on October 14<sup>th</sup>. She stated that the person claimed that on that day at 4:45 p.m. the LLR office was closed. Ms. Brown stated that LLR was not closed and staff was still accepting packets at that time. Ms. Battle stated that the 14<sup>th</sup> was a federal holiday which is why she could not mail the packet on that day.

Ms. Walters made a motion to go into executive session to garner legal advice. Ms Nye seconded the motion and it carried.

Ms. Walters made a motion to leave executive session. Ms. Delaney seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Nye made a motion to accept Lennie B. & Co.'s CE packet to be reviewed. Ms. Walters seconded the motion and it carried.

- Miracle Cosmetology Association

Miracle Cosmetology Association was represented by TeQuiesha Johnson. Ms. Johnson's packet was received after October 14<sup>th</sup>. The packet was received at the LLR office on October 16<sup>th</sup>. Ms. Johnson has a receipt from FedEx which states that she paid for shipping on October 14<sup>th</sup> at 9:03 p.m. Ms. Johnson provided background on her personal issues as to why she was unable to get the packet in sooner.

Ms. Delaney made a motion to accept Miracle Cosmetology Association's packet for review. Ms. Walters seconded the motion and it carried.

Board members will review these four packets after the Board meeting.

**c. Ratification of Approved CE Packets (Minimal or No Corrections Required)**

Ms. Brown read out a list of CE providers whose packets had minimal or no corrections that were approved by staff:

- A Beautiful Creation
- A Unique Salon
- Achievement Through Artistry
- Allegiance Cosmetology Association
- Association of Cosmetology Teachers In Vocational Education (ACTIVE)
- B&T Hair Group
- Beauty Industry Group (BIG)
- Beyond Education Standards Team

- BLB Extended Beauty Training
- CE Training
- CE Vski
- Chesley Paige Phillips Productions
- Hair Heirs
- ING Accounting LLC
- It's Just Hair
- Natural Beauty Association
- Q&A Cosmetology Assoc
- South Carolina State Cosmetology Association of the National Beauty Culturist League (SCSCA)
- Southern Cosmetology Association of Licensed Professionals (SCALP)
- Southeastern Esthetics
- Vontae's Advance Training
- Williams Group

Ms. Delaney made a motion to ratify the approval of the CE provider packets with little or no corrections. Ms. Walters seconded the motion and it carried.

#### **10. Final Order Hearings – Charles S. Gwynne, Jr.**

- 2017-28 and 2017-60

This case was in the matter of Si Thi Tran (aka Betty Tran). Mr. Gwynne presented the findings of the case. Ms. Tran appeared before the Board and was represented by Attorney Charlie Williams.

Ms. Delaney made a motion to go into executive session to garner legal advice. Ms. Walters seconded the motion and it carried.

Ms. Nye made a motion to leave executive session. Ms. Walters seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Delaney made a motion to accept the Hearing Officer's recommendations with the modification to suspend all of Ms. Tran's licenses for one year. The motion was seconded by Ms. Walters and it carried.

- 2018-125

This case was in the matter of Hai Thi Pham. Mr. Gwynne stated that Ms. Pham is represented by Attorney Catherine Cunningham, but neither Ms. Pham nor her attorney appeared. Mr. Gwynne asked for a continuance, as his office spoke to Attorney Cunningham who acknowledged receipt of the hearing notice but had not put the hearing on her calendar.

Ms. Delaney made a motion to defer 2018-125 until the next board meeting. Ms. Walters and Ms. Nye seconded the motion and it carried.

- 2018-124

This case was in the matter of Tam Thanh Bui. Mr. Gwynne presented the findings of the case. Mr. Bui appeared before the Board and was represented by Attorney Micah Leddy.

Ms. Nye made a motion to go into executive session to garner legal advice. Ms. Delaney seconded the motion and it carried.

Ms. Delaney made a motion to leave executive session. Ms. Walters seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Nye made a motion that based on the findings, the state has not met its burden of proof; the case should be dismissed with a reminder to Mr. Bui to safeguard his license to prevent it from falling into the wrong hands. Ms. Delaney seconded the motion and it carried.

- 2018-297

This case was in the matter of Vinh Q. Tran. Mr. Gwynne presented the findings of the case. Mr. Tran appeared before the Board along with Huy Le, who was there to translate for him.

Ms. Walters made a motion to accept the Hearing Officer's recommendations. Ms. Delaney seconded the motion and it carried.

- 2017-146 and 2018-169

This case was in the matter of TL Nail and Spa. Mr. Gwynne presented the findings of the case. TL Nail and Spa was represented by the salon's owner, Kim Nguyen.

Ms. Walters made a motion to go into executive session to garner legal advice. Ms. Delaney seconded the motion and it carried.

Ms. Walters made a motion to leave executive session. Ms. Delaney seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Delaney made a motion to accept the Hearing Officer's recommendations with a few modifications. Sanctions were: a public reprimand, a civil penalty of \$500 for each violation (\$3,000 total to be paid within 90 days of the final order). The salon license will be on probation for 5 years; if there are any violations during that 5 years, then they would need to come back to the Board and the Board would consider revoking the salon license. Ms. Walters seconded the motion and it carried.

- 2018-59

This case was in the matter of Lanedra Michelle Sullivan. Mr. Gwynne presented the findings of the case. Respondent did not appear for the hearing and was not represented by counsel. The Board decided to proceed after being satisfied that Ms. Sullivan was properly noticed.

Ms. Delaney made a motion to accept the Hearing Officer's recommendations. Ms. Nye seconded the motion and it carried.

**11. Military Spouses** – Ms. Brown stated that 40-1-630 of the SC Code of Laws permits boards to issue one-year temporary licenses to spouses of military personnel who are on active duty and are stationed in South Carolina. This temporary license would be nonrenewable but would give the applicant one year to gain all licensure requirements in order to be permanently licensed.

Ms. Delaney made a motion to grant a one-year temporary license for spouses of active duty military who are stationed in South Carolina as outlined in 40-1-630. Ms. Nye and Ms. Walters seconded the motion and it carried.

**12. Board Officer Elections** – Melanie Thompson is currently the Chair, and LaQuita Clark-Horton is currently the Vice Chair.

Ms. Walters made a motion to keep the officers the same as they currently are – Ms. Thompson as Chair and Ms. Clark-Horton as Vice Chair. Ms. Nye seconded the motion and it carried.

**13. Public Comments** – There were no public comments.

**14. Adjournment**

Ms. Delaney made a motion to adjourn the meeting and it was seconded by Ms. Nye. The motion carried.

The meeting adjourned at 1:40 p.m.

**The next meeting of the S.C. Board of Cosmetology is scheduled for January 13, 2020.**