

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., January 13, 2020
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 9:10 a.m. Other Board members participating in the meeting included:

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

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); Angie Baldwin, Office of Investigations (OIE)

All Other Persons Attending:

Tina Behles, Court Reporter; Angela Heaton; Tamara Palmer; Alicia Danzey; Mia Bingenheimer; Erica P. Horton; Steven Dawson; Nannette Sahebekhtiari; Chesley Paige Philips; Gloria Smith; Colleen Large; Frances Archer; Michelle Hampton Furtick; Nadine Bair; Brandon Sykes; Lillian Rustici; Lynn Martin; Adrienne MacLeod; Keyona Joseph; Lewis Gossett; Scott Bills; Ciara Gordon; Tequila Fuller; Henxins Nguyen; Jamie Moran

3) Approval of Excused Absences

Mr. Jones made a motion to excuse the absence of Melanie Thompson. Ms. Walters seconded the motion and it carried.

4) Approval of Agenda

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

5) Approval of Meeting Minutes

November 12, 2019

Ms. Delaney made a motion to approve the meeting minutes from the November 12, 2019 meeting. 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 – The report is dated January 13, 2020 and reflects cases from January 1, 2019 - December 31, 2019. There were a total of 448 cases. There are 37 active cases. There were 157 cases closed; 75 cases were referred to the inspections unit, and 126 were marked as Do Not Open.
- c) **IRC Report** – Rodney Pigford – The report is dated January 8, 2020. Based on this IRC meeting, the committee recommends 18 cases for dismissal, 2 cases for cease and desist, 9 cases for reconsideration of dismissal, and 1 case for reconsideration of letter of caution. One case was recommended for formal complaint.

The IRC inspection report reflects 3 cease and desists and 1 case for hearing.

A motion was made by Ms. Delaney to approve the IRC and IRC inspection reports, and it was seconded by Ms. Walters. The motion carried.

- d) **ODC Report** – For Information – Charles S. Gwynne. The ODC report is for informational purposes only. There were 51 open cases as of December 30, 2019. There have been 8 cases closed between October 30, 2019 and December 30, 2019.
- e) **Inspection Report/Citation Report – For Approval** – Eric Thompson – In November, there were 821 inspections, 3 of which were schools. In December, there were 630 inspections conducted, 4 of which were schools. There were 24 citations written in November and 27 citations written in December. Mr. Thompson stated that the salon type was included on the citation report.

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

- f) **Legislative Updates** – This item was deferred until January 14, 2020.

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

9) **New Business**

a) **Questions Regarding Esthetics in Schools**

i) **The Esthetic Learning Center**

Ms. Tamara Palmer, Ms. Angela Heaton Williams, and Ms. Colleen Large appeared before the board to ask clarifying questions about what they are allowed to teach in an esthetics program. Specific topics discussed included chemical peels, microneedling, dermaplaning, and lash lifts. The board stated that they are not allowed to give advisory opinions and that the school should refer to the regulations and statutes for clarification.

The Esthetic Learning Center stated that they do not believe the regulations thoroughly clarify their questions.

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

A motion was made by Mr. Jones to come out of executive session. Ms. Delaney and Ms. Nye seconded the motion and it carried. No motions were made or votes taken during the executive session.

Ms. Delaney stated that the school should follow the regulations as written and that they should follow the curriculum of the basic esthetics program. The school cannot teach any advanced techniques beyond that curriculum to basic esthetics students. However, if they want to teach advanced techniques, they can do so outside and beyond basic esthetics training. They also cannot refer to these advanced techniques as esthetics.

There was also discussion about whether schools are prohibited from recruiting students from other schools.

b) **Consideration of CE Provider Renewal**

i) **The Esthetic Learning Center**

The Esthetic Learning Center requested to renew their status as an approved Continuing Education (CE) provider. They did not submit their renewal form within the deadline. Ms. Tamara Palmer stated that if they are approved, they will submit their CE packet which is similar to the one submitted the previous year.

Ms. Delaney made a motion to approve The Esthetic Learning Center as an approved CE provider. Mr. Jones seconded the motion and it carried.

ii) Cosmetic Arts Institute II

Cosmetic Arts Institute II requested to renew their status as an approved CE provider. They were represented by Ms. Nannette Sahebekhtiari. Ms. Sahebekhtiari stated that she made a mistake by not submitting her renewal form on time.

Ms. Delaney made a motion to approve Cosmetic Arts II as an approved CE provider. Mr. Jones and Ms. Walters seconded the motion and it carried.

Ms. Saheb stated that she had classes scheduled for January and February; the board informed her that they will not be able to review her CE packet until the March meeting so she will need to reschedule her January and February classes and submit an updated class spreadsheet.

c) Consideration of CE Provider Packets

i) ExpertEase

ExpertEase was represented by Ms. Ciara Gordon and Ms. Tequila Fuller. They appeared before the board to request that their CE packet be approved for review. The deadline for CE packet submissions was prior to October 15th; ExpertEase's packet has yet to be submitted. Ms. Fuller stated that she was confused by the deadlines as outlined in emails from board staff.

Ms. Brown stated that ExpertEase was approved as a CE provider in July 2019; however, they did not submit a CE packet within the stated deadline.

Ms. Erica Horton from USC stated that online providers must provide at least one on-site course per renewal period, and she doesn't believe that ExpertEase has done that.

Ms. Walters made a motion to deny ExpertEase's request to review their CE packet because the materials were not submitted by the deadline stated in regulation. Ms. Delaney seconded the motion and it carried.

There was a 10 minute break after this item.

d) Consideration of Licensure

i) Ausha Allen

This application has already been resolved at the staff level.

ii) Henxins Nguyen

Mr. Nguyen appeared before the board regarding his endorsement application. Mr. Nguyen was denied licensure once before by the board because they were unable to verify his education.

Ms. Delaney made a motion to approve Henxins Nguyen's endorsement application. Ms. Walters seconded the motion and it carried.

iii) Thi Dua Nguyen

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

iv) Cam Tu Thi Ho

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

v) Carolyn Camacho Garcia

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

vi) Cuc Thi-Kim Tran

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

vii) Tung Thanh Nguyen

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

viii) Tu Thien Bao Huynh

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

ix) Tam Ha Chau

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

x) Sreynet Ol

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xi) Phaylath Phouthavong

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xii) Kim Hoan Nguyen

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xiii) Nguyen Bao Ngoc Hoang

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xiv) Danh Than Vo

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xv) Van Den Ha

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

xvi) Katherina Amnatkeo

The applicant did not appear and was properly noticed. This item will be deferred until a later meeting if applicant chooses to appear.

e) Consideration of School Changes

i) Paul Mitchell The School – All Locations

Mr. Scott Bills appeared before the board representing Paul Mitchell The School – All Locations. Paul Mitchell The School was requesting approval by the board to change their contracts.

Ms. Delaney made a motion to approve the changes to Paul Mitchell The School's contracts. Ms. Walters seconded the motion and it carried.

ii) Southeastern Esthetics

Mr. Brandon Sykes appeared before the board representing Southeastern Esthetics. They were requesting approval to change their contracts and to add an additional classroom.

Ms. Walters made a motion to approve the additional classroom contingent on inspection. Ms. Delaney and Mr. Jones seconded the motion and it carried.

Ms. Delaney made a motion to approve the changes to Southeastern Esthetics' contracts. Ms. Walters seconded the motion and it carried.

iii) Pampered Beauty School of Nails

Ms. Keyona Joseph appeared before the board representing Pampered Beauty School of Nails. They were requesting approval to change their contracts.

Ms. Delaney made a motion to approve the changes to Pampered Beauty School of Nails' contracts. Ms. Walters seconded the motion and it carried.

iv) Coastal Advance

No one was present to represent Coastal Advance. Coastal Advance was properly noticed. This item will be deferred until a later meeting.

10) Public Comments –

Mr. Brandon Sykes stated that the regulations prohibit schools from recruiting students from other schools. He also asked for confirmation that esthetics schools who offer advanced training must do so separately from basic esthetics programs and must be properly identified.

Ms. Jamie Moran had a question about nail salon sanitation, especially regarding the dip powder technique. The board stated that they had previously made a statement on this, which expressed, in essence, that the dip powder should be stored in a large container and transferred to small containers for dipping so as not to cross-contaminate. The excess dip powder should be thrown away and not placed back in the larger container. As for the dusting brushes, if they cannot be properly sanitized and disinfected, they must be disposed of.

Ms. Mia Bingenheimer asked a question about merging a hair or nail salon with a medical spa in the same facility.

Several members of the public shared problems they have encountered with the exam provider, including issues with the website, difficulty scheduling exams, and inability to get answers when contacting the provider. Ms. Brown instructed the public commenters to copy her on any emails they send to the exam provider so she is aware of the issues and can make sure they are addressed.

Ms. Clark-Horton thanked everyone for bringing this issue to the board's attention.

11) Adjournment

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

The meeting adjourned at 11:17 a.m.

The next meeting of the S.C. Board of Cosmetology is scheduled for January 14, 2020.