

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., September 14, 2020
Via Teleconference

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

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 9:06 a.m. Other board members participating in the meeting were:

- ❖ Patricia Walters
- ❖ Marcia Delaney

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

All Other Persons Attending

Tina Behles, Court Reporter; Cassandra Gause; Kimberly Gibson; Gail Wright; Michelle Hampton Furtick; Saranda Prince; Tenisha Gantt; Tiev Mok; Pamela Overton; Krystle Buckner; Toni Williams; Beatrice Fernandez; Miranda Brown; Brandon Sykes; Justine Bellamy; Terry Frick; Destinee Bellinger; Steven Dawson; Dana Williams; Erica Horton; Anna Slimm; Dee Alice Moton; AOPCES; Lisa White; Melissa Jones Horton; Catherine Stabler; Raven Evans; Tykesha Jenkins; Porsha Davis

3. Approval of Excused Absences

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

4. Approval of Agenda

Ms. Walters made a motion to approve the agenda with any deviations necessary. Ms. Delaney seconded the motion and it carried.

**5. Approval of Meeting Minutes
July 13, 2020**

Ms. Walters made a motion to approve the minutes for the July 13, 2020 meeting. Ms. Delaney seconded the motion and it carried.

6. Chair Remarks – Vice Chairperson Laquita Clark-Horton stated that Mr. Eddie Jones has stepped down from the board.

She reminded everyone that September 30th is the deadline for the 4-hour course submission. She stated if anyone has questions to direct them to staff.

7. Administrator's Remarks – Theresa Brown

- a. **Budget/Drawdowns** – For Information – The budget was presented to the board for review.
- b. **OIE Report** – For Information - Rodney Pigford – The report is dated September 14, 2020. It shows the total yearly OIE investigations from the past few years; in 2017, there were 330; in 2018, there were 346; and in 2019, there were 473, 1 of which is still active. So far in 2020, there have been 245 investigations, 50 of which are still active. There are a total of 51 active investigations.
- c. **IRC Report** – For Approval - Rodney Pigford – The IRC report is from the September 3, 2020 IRC meeting. Based on this IRC meeting, the committee recommends 12 cases for dismissal, 3 cases for formal complaint, and 1 case for reconsideration of dismissal.

Ms. Walters made a motion to approve the IRC report dated September 3, 2020. Ms. Delaney seconded the motion and it carried.

- d. **ODC Report** – For Information – Charles S. Gwynne, Jr. – The report is dated as of September 2, 2020. There are currently 37 open cases. There are 3 cases pending attorney review, 1 case pending Consent Agreement/Memorandum of Agreement, 15 cases pending Panel Hearing, and 3 cases pending Board Action. Since the last ODC report, there have been 2 cases closed.
- e. **Inspection Report/Citation Report – For Approval** –Eric Thompson – In July, there were 559 inspections, none of which were schools. In August, there were 687 inspections, none of which were schools. There were 5 citations issued in July and 14 citations issued in August. Mr. Thompson also shared what type of salons the citations were issued for.

Ms. Delaney made a motion to approve the Inspection Report and Citation Report. Ms. Walters seconded the motion and it carried.

f. Status of Examinations

Ms. Theresa Brown provided an update on how exams have been going. There was a backlog of 798 individuals who needed to take the practical. As of last week, there are 233 people who still need to examine.

She stated that board staff have been getting reports pretty regularly of those who need to be licensed. In the month of July and early August, PSI and NIC had an overview with instructors. Additionally, PSI stated during that meeting that the new exam (for nail technicians and estheticians) will start in January. Ms. Brown gave that approval because it was too soon to implement a new examination in time for schools to teach students the new content.

8. Old Business –

a. Ratification of Examination Implementation Date

Ms. Brown requested that the board ratify the decision to move the new examination implementation date to January.

Ms. Walters made a motion to ratify the decision to move the new examination implementation date to January 2021. Ms. Delaney seconded the motion and it carried.

9. New Business

a. Consideration of Temporary Work Permit Regulation

Ms. League stated that there is a provision to allow a temporary work permit in the statute but it needs to be promulgated in regulation. She cited the recent experience where the public health emergency prevented candidates from being able to examine and stated that the board can set up a committee to draft a temporary work permit regulation. If passed, the regulation would hopefully prevent a similar situation happening in the future.

Ms. League stated that the potential temporary permit would be for candidates who are waiting to examine; once a candidate fails, the permit may not continue. She indicated that they would need to get a regulation drafted in time to be reviewed by the full board in November.

All board members present were in agreement with the need to promulgate the regulations regarding temporary work permits. Ms. Clark-Horton and Ms. Delaney volunteered to serve on the committee.

Ms. Clark-Horton and Ms. League stated that if any members of the public have thoughts about the regulation and what it should look like, to send those suggestions to the board staff.

Ms. Delaney made a motion to establish a committee of Ms. Clark-Horton and Ms. Delaney to draft regulations regarding temporary work permits. Ms. Walters seconded the motion and it carried.

b. Consideration of Code of Ethics

Ms. League stated that all of the boards that do not have a code of ethics have been asked to consider whether they need to include one. She stated that the cosmetology board has very specific sanitation regulations that address public safety concerns and requires professional competency.

Ms. Walters made a motion that there is no need to establish a code of ethics, as public safety is already addressed in the regulations. Ms. Delaney seconded the motion and it carried.

c. Consideration of Licensure

i. Destinee M. Bellinger

Ms. Destinee M. Bellinger was representing herself and requested to appear before the board regarding her reinstatement application. Ms. Bellinger's license lapsed on March 10, 2017; the deadline to have her application received or postmarked was March 10, 2020.

Ms. Bellinger did not submit a complete reinstatement application and did not complete her continuing education by the deadline. She indicated that she had signed up for classes that were cancelled; however, the cancelled classes were scheduled for after the reinstatement deadline.

Ms. Bellinger explained that she had difficulty with scheduling and with finances but would stay on top of classes in the future if allowed to reinstate.

Ms. Walters 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 come out of executive session. Ms. Walters seconded the motion and it carried. No motions were made or votes taken during executive session.

Ms. Walters made a motion to deny Ms. Bellinger's request for reinstatement; the board is bound to the regulations, which require the reinstatement process to be completed within the three-year window. Ms. Delaney seconded the motion and it carried.

d. Consideration of School Changes

i. Southeastern Esthetics Institute

Mr. Brandon Sykes appeared before the board representing Southeastern Esthetics Institute in regards to their request to relocate. Mr. Sykes described the new location and the reason for moving and answered the board's questions.

Ms. Walters made a motion to approve the change of location for Southeastern Esthetics Institute pending inspection from LLR and from the board. Ms. Delaney seconded the motion and it carried.

ii. The Academy of Beauty

Ms. Saranda Prince appeared before the board representing The Academy of Beauty in regards to their request to add a new program. She stated they were seeking to add a nail technician program to accommodate 10 students.

Ms. Prince requested information on what would be inspected; the board stated that Jennifer Stilwell, Office of Investigations and Enforcement, can assist her.

Ms. Walters made a motion to approve the nail technician course pending inspections. Ms. Delaney seconded the motion and it carried.

iii. LeGrand Institute of Cosmetology

Ms. Kimberly Gibson appeared before the board representing LeGrand Institute of Cosmetology in regards to the request to change ownership. Ms. Gibson is taking over ownership of the school but will not be changing the name.

Ms. Delaney made a motion to approve the ownership change for LeGrand Institute of Cosmetology. Ms. Walters seconded the motion and it carried.

iv. Fred P. Hamilton Career Center

Fred P. Hamilton Career Center was seeking permission to change locations and change their name to Hamilton Career and Technology Center. A representative could not appear but requested that the board proceed in their absence.

Ms. Delaney made a motion to approve the location change and name change to Hamilton Career and Technology Center pending inspections. Ms. Walters seconded the motion and it carried.

e. Consideration of Live 4-hour Virtual CE Courses

i. Steven Dawson (ACE)

Mr. Steven Dawson appeared before the board representing ACE. They were seeking approval to offer 4-hour synchronous virtual classes.

Mr. Dawson stated they are not fond of online asynchronous learning. They are requesting to do online synchronous classes, similar to how the schools have been doing during the pandemic.

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

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

Ms. Delaney asked Mr. Dawson whether the class would be a regularly scheduled live class that would also be live streamed. He indicated that yes, the class would be live but also streamed.

Ms. Delaney made a motion to accept live 4-hour synchronous classes for 2021 for all CE providers for the time being; this would be reconsidered at a later time. Ms. Walters seconded the motion and it carried.

f. Consideration of New CE Providers

i. Pam Overton Aesthetics LLC

Ms. Pam Overton appeared before the board representing Pam Overton Aesthetics LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Pam Overton Aesthetics LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

ii. Style Me Up! Salon Suites LLC

Ms. Lisa White appeared before the board representing Style Me Up! Salon Suites LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Style Me Up! Salon Suites LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

iii. Bella Miranda CE Association LLC

Ms. Miranda Brown appeared before the board representing Bella Miranda CE Association LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Bella Miranda CE Association LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

iv. Diverse Beauty LLC

Ms. Tenisha Gantt appeared before the board representing Diverse Beauty LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Diverse Beauty LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

v. Williams-Cooper & Associates LLC

Ms. Toni Williams appeared before the board representing Williams-Cooper & Associates LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Williams-Cooper & Associates LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

vi. Iconcepts Cosmo Association

Ms. Gail Wright appeared before the board representing Iconcepts Cosmo Association in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Iconcepts Cosmo Association as a CE provider. Ms. Delaney seconded the motion and it carried.

vii. See your Beauty LLC

Ms. Cassandra Gause appeared before the board representing See your Beauty LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve See your Beauty LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

viii. Beyond the Chair Beauty Institute

Ms. Tykesha Jenkins appeared before the board representing Beyond the Chair Beauty Institute in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Beyond the Chair Beauty Institute as a CE provider. Ms. Delaney seconded the motion and it carried.

ix. Euphoria Naturals Learning Center

Ms. Dee Alice Moton appeared before the board representing Euphoria Naturals Learning Center in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Euphoria Naturals Learning Center as a CE provider. Ms. Delaney seconded the motion and it carried.

x. Nail Life

Ms. Raven Evans appeared before the board representing Nail Life in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Nail Life as a CE provider. Ms. Delaney seconded the motion and it carried.

xi. Alpha Cosmetology Associates LLC

Ms. Dana Williams appeared before the board representing Alpha Cosmetology Associates LLC in regards to their request to become an approved CE provider. Their application was presented to the board for approval.

Ms. Walters made a motion to approve Alpha Cosmetology Associates LLC as a CE provider. Ms. Delaney seconded the motion and it carried.

Ms. Walters made a motion to take a short break. Ms. Delaney seconded the motion and it carried.

Ms. Delaney made a motion to come back from the break. Ms. Walters seconded the motion and it carried.

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

- 2018-45

This case was in the matter of Krystle Buckner. Mr. Gwynne presented the findings of the case. Ms. Buckner appeared before the board but waived her right to an attorney.

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

Ms. Delaney made a motion to come out of 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. Ms. Delaney seconded the motion and it carried.

- 2018-250

This case was in the matter of Tiev Mok. Mr. Gwynne presented the findings of the case. Ms. Mok appeared before the board but waived her right to an attorney.

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

Ms. Walters made a motion to come out of 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 recommendations with the following revision: The board has jurisdiction over the respondent as she is a licensee. However, there is no legal basis to find that the respondent has committed misconduct because there is no regulation that finds the salon owner responsible for the salon, only the salon manager. Ms. Walters seconded the motion and it carried.

- 2018-301

This case was in the matter of Nail Design. The respondent did not appear but was properly noticed. Ms. Gwynne and the board stated that they were comfortable moving forward in the respondent's absence.

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

11. NIC Annual Meeting

Ms. Brown stated that the NIC meeting will be held virtually on October 3rd and 4th and she is requesting permission for Ms. Clark-Horton to be a voting member.

Ms. Delaney made a motion to approve Laquita Clark-Horton as a voting member for the NIC meeting. Ms. Walters seconded the motion and it carried.

12. Adjournment

Ms. League reminded everyone that the deadline to submit 4-hour CE courses for review is September 30th.

Ms. Delaney made a motion to adjourn the meeting at 12:08 p.m. Ms. Walters seconded the motion. The motion carried.

The next meeting of the S.C. Board of Cosmetology is scheduled for October 19-20, 2020.