

South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., September 12, 2022
Via WebEX

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. The meeting will be held virtually. Due to technical constraints, members of the public who wish to attend may do so by telephone. For meeting access information, please email boardinfo@llr.sc.gov.
- b. Rules of the Meeting

2. Introduction of Board Members

Vice Chairperson Laquita Clark-Horton called the meeting of the S.C. Board of Cosmetology to order at 9:03 a.m. Other board members participating in the meeting were:

- ❖ Laquita Clark Horton
- ❖ Ashley Tucker Johnson
- ❖ Patricia Walters

LLR staff present included: Mary League, Advice Counsel; Theresa Brown, Administrator; Robynn Devine, Patrice Deas; Jennifer Stillwell, OIE; Rodney Pigford, OIE; Sheila Hawkins, OIE; and Shelby Sutusky, ODC.

Others in attendance: Cindy Patterson, Court Reporter; Alexis Brannon, Amalia Brannon, Norman Douglas Brannon, Veronique Ragin, Legislative Task Force, AOPCES, Erica Horton, Lynn Martin, Melissa Jones-Horton, Nancy Poole, Stephanie Williams, and Loan Thi Le.

3. Approval of Excused Absences

Ms. Ashley Tucker Johnson made a motion to approve the absence of Melanie Thompson from the meeting. Ms. Patricia Walters seconded the motion and it carried.

4. Approval of Agenda

Ms. Patricia Walters made a motion to approve the agenda with any deviations necessary. Ms. Ashley Tucker Johnson seconded the motion and it carried.

5. Approval of Meeting Minutes

July 11, 2022

Ms. Ashley Tucker Johnson made a motion to approve the minutes for the July 11, 2022, Board meeting. Ms. Patricia Walters seconded the motion and it carried.

6. Vice Chair Remarks – Laquita Clark Horton

There were no remarks.

7. Administrator's Remarks – Theresa Brown

- a. **Budget/Drawdowns** – For Information
- b. **OIE Report** – For Information – Rodney Pigford- This report was for information purposes only and was given by Rodney Pigford. The OIE report shows since January 1, 2022 to September 6, 2022, there were 351 complaints; 14 active investigations and 64 closed cases.
- c. **IRC Report** – For Approval – Rodney Pigford- -This report was for approval and was given by Rodney Pigford. The IRC met on August 29, 2022 IRC meeting. 25 cases were presented at the IRC meeting, the

committee recommended 17 cases for dismissal, 5 letters of cautions, and 3 formal complaints. A total of 25 cases for approval.

Ms. Patricia Walters made a motion to approve the IRC report. Ms. Ashley Tucker Johnson seconded the motion and it carried.

- d. **ODC Report – For Information – Shelby Sutusky.** The report is for informational purposes only. There are currently 23 open cases. There are 14 cases pending hearing and agreements, 3 closed cases, and 22 cases since January 1, 2022.
- e. **Inspection Report/Citation Report – For Approval – Jennifer Stillwell-** For the month of July, 649 inspections were completed and 4 of those were schools. In August, a total of 800 inspections were completed and 5 of those were schools with a grand total of 6,138 inspections to date and 50 of those are schools.

Ms. Patricia Walters made a motion to approve the Inspection and Citations Report. Ms. Ashley Tucker Johnson seconded the motion and it carried.

8. New Business

a. Consideration of New School

i. Ragin Cooper School of Cosmetology LLC

Ms. Veronique Ragin appeared before the board representing Ragin Cooper School of Cosmetology LLC to request to open a new school. Ms. Ragin was sworn in by the court reporter. Ms. Ragin explained her reasoning for wanting to open a school then discussion ensued.

Ms. Ashley Tucker Johnson made a motion to approve the new school pending preliminary and final inspections. Ms. Patricia Walters seconded the motion and it carried.

ii. Bare Beauty Institution LLC

Ms. Amalia Barron and Ms. Alexis Brannon appeared before the board representing Barnes Cosmetology Institute LLC to request to open a new school. They were represented by Attorney Norman Douglas Brannon. Ms. Barron and Ms. Brannon were sworn in by the court reporter. Ms. Barron and Ms. Brannon explained their reasoning for wanting to open a school then discussion ensued.

Ms. Patricia Walters made a motion to approve the new school pending corrections and pending preliminary and final inspections. Ms. Ashley Tucker Johnson seconded the motion and it carried.

9. Ratification of Administrator Approvals

Ms. Theresa Brown stated that she was bringing information to the board for final approval.

a. Upstate College of Cosmetology

Ms. Theresa Brown stated that she approved Upstate College of Cosmetology's new operating hours. Ms. Brown stated that it was supposed to appear before the Board at last Board meeting but there would not have been a quorum. Ms. Brown stated that she is requesting for the Board to approve her approval.

Ms. Patricia Walters made a motion to approve Ms. Theresa Brown's approval of the change of hours. Ms. Laquita Clark Horton seconded the motion and it carried.

b. CE Provider Associations

Ms. Theresa Brown presented to the Board new CE Associations and previously approved providers to ratify her approval.

Ms. Brown stated that the new CE Associations are Advanced Aesthetics Academy, Alex Nguyen LLC, Association of Beauty Professionals United, Beautiful U Salon, Browning Studio LLC, BrownSuga Creations LLC, Emma's House of Creation LLC, Esthetics Education Association LLC, Gilt Edge Barber, Healing Hands Hair Restoration Center LLC, Majestic Molding LLC, Nail Tech Academy of Easley LLC, Sharp Artistry LLC, The Majors TDH LLC, and The Prevalent Institute.

Ms. Brown stated that the previously approved providers are A Unique Salon LLC, CE Vski / Lowcountry Stylists, INC., Joyful Expressions Cosmetology Association, Iconcepts Cosmetology Association, Pampered Beauty LC, P. Price Education LLC, Southern Cosmetology Association of Licensed Professionals LLC (SCALP), and Southeastern Esthetics Institute LLC.

Ms. Patricia Walters made a motion to ratify the approvals based upon the delegated authority. Ms. Ashley Tucker Johnson seconded the motion and it carried.

10. Final Order Hearings – Shelby Sutusky

i. 2021-292

This case was deferred to the next meeting due to technical difficulties.

Ms. Patricia Walters made a motion to defer case number 2021-292 to the next Board meeting. Ms. Ashley Tucker Johnson seconded the motion and it carried.

ii. 2021-459

This case is in the matter of Latonya Bluefort. Ms. Bluefort did not appear before the board. Ms. Shelby Sutusky stated that Ms. Bluefort notified her and stated that she will not be appearing. Ms. Sutusky stated that Ms. Bluefort already paid the citation in this matter. Ms. Bluefort asked Ms. Sutusky to go forward in her absence since she does not object. Ms. Laquita Clark Horton asked the Board if they wished to proceed and the Board agreed. Ms. Sutusky presented the findings of the case.

Ms. Patricia Walters made a motion to approve the hearing officer's recommendation for case 2021-459 based on the fact that Ms. Bluefort has accepted the hearing officer's decision and is not disputing the matter any further. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Mary League stated that the Final Order will be signed by Ms. Laquita Clark Horton and if Ms. Bluefort wishes to appeal, she would need to appeal to the Administrative Law Court within 30 days after receiving the order.

iii. 2021-453

This case is in the matter of Stephanie Williams. Ms. Williams appeared before the board representing herself. Ms. Shelby Sutusky presented the findings of the case.

Ms. Patricia Walters made a motion to go into Executive Session for legal advice. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Ashley Tucker Johnson made a motion to come out of Executive Session. Ms. Patricia Walters seconded the motion and it carried. No votes were made or taken in the Executive Session.

Ms. Patricia Walters made a motion to accept the findings of law but modify the sanction since this was their first offense with the extenuating circumstances, reduce the fine to 250 dollars and allow them 90 days to pay. Ms. Ashley Tucker Johnson seconded the motion and it carried.

11. Regulatory Review

Ms. Mary League stated that this is the 5 year cycle that it is mandated that all boards and commissions at LLR take a look at their regulations and determine whether there are regulations that need to be amended, need to be repealed, or if they are ok as they are currently written. Ms. League asked the Board to go into Executive Session so Ms. League can provide additional legal advice regarding the Regulatory Review.

Ms. Ashley Tucker Johnson made a motion to go into Executive Session with Ms. Theresa Brown. Ms. Patricia Walters seconded the motion and it carried.

Ms. Ashley Tucker Johnson made a motion to come out of Executive Session. Ms. Patricia Walters seconded the motion and it carried. No votes were made or taken in the Executive Session.

Ms. Mary League stated the Regulatory Review for this Board will be what the Board determines regarding the regulations it feels should be amended, repealed, or okay as is or if any need to be promulgated will be gathered together and put into a report that will be supplemented with all the reports from the remainder of the boards and commissions at LLR. Ms. League then asked are there any regulations that need to be amended or revised at this time then discussion ensued.

Ms. League then asked is there any regulation that needs to be repealed and the Board members stated none at this time.

Ms. League asked that the remaining regulations adequately serve the purpose for which they are intended at this time then discussion ensued.

Ms. Patricia Walters made a motion for 35-8, 35-9, 35-10 (E) 7, and 35-15 (A) E regulations to be indicated in the report as requiring amendment to clarify and update, no regulation needs to be repealed, and the remaining regulations at this time adequately serve the purpose intended. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Patricia Walters made a motion to delegate the authority to the Vice Chair, Laquita Clark Horton, to review the report once it is prepared, ensure that it accurately reflects what the Board motioned during this meeting, and sign the report on behalf of the Board to be included in the agency wide report. Ms. Ashley Tucker Johnson seconded the motion and it carried.

Ms. Mary League advised that the next steps are setting out a foundation for the Board moving forward. Ms. League stated that even though a Task Force has already been established, additional stake holders can be added. Some issues that have been identified and a notice of drafting will be published. Once the notice of drafting is published the Task Force can begin its job of reviewing the Regulations and determining how it should be revised. When the Task Force is finished with its work, then it will be presented to the Board and the Board can review the Regulations and determine if they will accept or revise them and then vote on them. Once the Board vote on the Regulations then it will go to the state register and begin the review and legislative process. Ms. League stated that based on the timeframe, it will not be possible to have everything ready for the 2023 legislative session and the Board will be looking at the 2024 legislative session, which gives the Board more time to review the Regulations. Ms. League stated that establishing a Task Force should be an agenda item for the next Board meeting then discussion ensued.

12. Consideration of Credential Evaluation Services

Ms. Theresa Brown requested that additional Credential Evaluation Services be added so that applicants can have options. Ms. Brown presented Credential Evaluation Services that were researched by staff then discussion ensued.

Ms. Patricia Walters made a motion to approve Credential Evaluation Services Josef Silny & Associates and International Consultants of Delaware in addition to AEQUO. Ms. Ashley Tucker Johnson seconded the motion and it carried.

13. Board Member Reports

No report given at this time.

Ms. Theresa Brown stated that the CE review is scheduled for October 17th and 18th. The meeting will start at 9am via WebEx. This meeting is for CE Providers who want to provide 4-hour classes in-person and/or online and for seasoned providers who want to change title and/or content for 4-hour classes as well.

Ms. Mary League stated that the board does not require additional review, at this time, of those who had content previously approved for the 4-hour courses that have not changed.

14. Adjournment

Ms. Ashley Tucker Johnson made a motion to adjourn the meeting at 10:57 a.m. Ms. Patricia Walters seconded the motion and it carried.

The next meeting of the S.C. Board of Cosmetology for CE Review is scheduled for October 17th and 18th, 2022.