

**South Carolina Board of Cosmetology
Board Meeting
AGENDA
9:00 a.m., January 8, 2024
Synergy Business Park
Kingstree Building
110 Centerview Drive, Lowcountry Conference Room
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. Members of the public who wish to attend may do so by livestream <https://llr.sc.gov/cosmo/videos.aspx>.
- b. Rules of the Meeting

2. Introduction of Board Members

Chairperson Laquita Clark Horton called the meeting of the S.C. Board of Cosmetology to order at 9:11 a.m. Other board members participating in the meeting were:

- ❖ Patricia Walters
- ❖ Ashley Tucker Johnson

LLR staff present included: Mary League, Advice Counsel; Tracy Adams, Board Executive; Meredith Buttler, Program Director; Robynn Devine, Staff; Jennifer Stillwell, OIE; Sheila Hawkins, OIE; Robert Dean OIE; LeAnna McMenamain, ODC; and Allen Gay DOTS

Others in attendance: Tina Behles, Court Reporter; Savannah Behles, Court Reporter trainee; Erica P. Horton, Matika Maple, Terry Frick, Louise Frick, Kimbela Norman, Beatriz Hernandez, Laura Dowey, Steven Dawson, Gloria Smith, Lynn Ellenburg, Kayela S. Williams, Nicholas Blackmon, Gyeonghui Heo, Yoon Hee Suh, Trina Smith, Kortney Garrett, Porsche Jackson, Erin Pierce, Karen Stacks and Chesley Paige Phillips.

3. Approval of Excused Absences

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

4. Approval of Agenda

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

5. Approval of Meeting Minutes

a. Cosmetology Board Meeting – November 13, 2023

Ms. Tucker-Johnson made a motion to approve the minutes for the November 13, 2023 Board meeting. Ms. Patricia Walters seconded the motion and it carried.

6. Chair Remarks – Laquita Clark Horton

Ms. Clark-Horton stated Happy New Year and it was great to be back in person.

7. Administrative Reports – Tracy Adams

- a. **Budget/Drawdowns** – For Information
- b. **OIE Report** – For Information – Robert Dean – This report was for information purposes only and was given by Mr. Dean. For last year, 2023, they received a total of 389 complaints; 38 active investigations and 126 that have been closed.
- c. **IRC Report** – For Approval – Robert Dean – There are two categories, 1 formal complaint and 4 cases for dismissal.

Ms. Tucker-Johnson made a motion to approve the IRC report. Ms. Walter seconded the motion and it carried.

- d. **Inspection Report/Citation Report** – For Approval – Jennifer Stillwell- For the month of November, there were a total of 746 inspections and 11 of those being a school. For the month of December, there were a total of 674 inspections and 8 of those were schools for a total of inspections for the year 11,066 and 107 schools.

Ms. Stillwell provided the Board in their materials, the citation report for their approval.

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

- e. **ODC Report** – For Information – LeAnna McMenamin – This report was for information purposes only and was given by Ms. McMenamin. There are 24 open cases as of December 20, 2023, 16 are pending hearings and agreements, 6 cases closed since the last report, and 32 total were closed in 2023.
- f. **SC State Ethics Commission – Statements of Economic Interest** – Ms. Adams reminded the Board members that they would be receiving their Statement of Economic Interest and it was important that they completed it and return to the Governor's office by its due date.
- g. **PSI New Practical Exam Site** – Ms. Adams informed the Board that as of December 31, 2023, PSI closed the testing site at the Delta Hotel. As of January 8, 2024, the new testing site was at 111 Executive Drive Suite 202 Columbia, SC 29210.

8. New Business

a. Consideration for New Schools

i. Cielo Beauty Academy

Nicholas Blackmon, Gyeonghui Heo, and Yoon Suh appeared before the board representing Cielo Beauty Academy in regards to open as a new school. Mr. Blackmon, Ms. Heo, and Ms. Suh were sworn in by the court reporter. Mr. Blackmon, Ms. Heo, and Ms. Suh explained their reasoning for wanting to open as a new school then discussion ensued.

Ms. Walters made a motion to approve Cielo Beauty Academy pending preliminary and final inspection. Ms. Tucker-Johnson seconded the motion and it carried.

ii. Exquisite Nail Academy LLC

Kimberla Norman appeared before the board representing Exquisite Nail Academy LLC in regards to open as a new school. Ms. Norman was sworn in by the court reporter. Ms. Norman explained her reasoning for wanting to open as a new school then discussion ensued.

Ms. Tucker-Johnson made a motion to defer Exquisite Nail Academy LLC to the next Board meeting, March 11, 2024, so that the Board members can review the curriculum. Ms. Walters

seconded the motion and it carried.

b. Consideration for School Changes

i. Institute of Beauty Artistry (Updating Floor Plan)

Beatriz Hernandez-Cardona appeared before the board representing Institute of Beauty Artistry in regards to updating their floor plan. Ms. Hernandez-Cardona was sworn in by the court reporter. Ms. Hernandez-Cardona explained her reasoning for wanting to update their floor plan then discussion ensued.

Ms. Walters made a motion to approve the request regarding the changes to Institute of Beauty Artistry, pending preliminary and final inspection. Ms. Tucker-Johnson seconded the motion and it carried.

ii. Canvas Artistry (Updating Contracts and Adding Instructor Program)

Ms. Maple appeared before the board representing Canvas Artistry in regards to updating their contracts and adding an instructor program. Ms. Maple was sworn in by the court reporter. Ms. Maple explained her reasoning for wanting update their contracts and adding an instructor program then discussion ensued.

Ms. Tucker-Johnson made a motion to approve the request regarding changes to Canvas Artistry. Ms. Walters seconded the motion and it carried.

iii. Bella Beauty School (3rd Location)

Ms. Laura Dowey appeared before the board representing Bella Beauty School in regards to adding a 3rd location. Ms. Dowey was sworn in by the court reporter. Ms. Dowey explained her reasoning for wanting to add a 3rd location then discussion ensued.

Ms. Walters made a motion to approve Bella Beauty School 3rd location pending preliminary and final inspection. Ms. Tucker-Johnson seconded the motion and it carried.

c. Consideration for Approval to Offer CE Classes

i. Esthetics Academy LLC

Ms. Porsche Jackson appeared before the board representing Esthetics Academy LLC in regards to their CE submission to be reviewed for approval or approved by the Board. Ms. Jackson was sworn in by the court reporter. Esthetics Academy LLC timely submitted proposed CE courses for review by the Board.. Upon review, the proposed continuing education courses did not comply with Board statutes and regulations governing continuing education. Association was provided an opportunity to revise its submission, but did not timely provide revisions.

Ms. Walters made a motion to deny the 2024 CE classes for Esthetics Academy LLC due to failure to comply with Board regulations pertaining to continuing education content. Ms. Tucker-Johnson seconded the motion and it carried.

ii. The Beauty Industry Group LLC

Ms. Karen Stacks appeared before the board representing The Beauty Industry Group LLC in regards to their CE submission to be reviewed for approval or approved by the Board. Ms. Stacks was sworn in by the court reporter. BIG timely submitted proposed CE courses for review by the Board. Upon review, the proposed continuing education courses did not comply with Board statutes and regulations governing continuing education. Association was provided an opportunity to revise its submission, but did not timely do so. Ms. Stacks expressed her understanding, and withdrew her request for approval of the non-conforming classes.

iii. Blush Beauty and Body Studio

Ms. Erin Pierce appeared before the board representing Blush Beauty and Body Studio in regards to their CE submission to be reviewed for approval or approved by the Board Blush Beauty timely submitted proposed CE courses for review by the Board. Upon review, the proposed continuing education courses did not comply with Board statutes and regulations governing continuing education. Association was provided an opportunity to revise its submission. Ms. Pierce was sworn in by the court reporter, and averred that the revised submission was timely submitted, but not reviewed.

Ms. Walters made a motion to go into Executive Session to garner legal advice in the matter and for Ms. Adams to join. Ms. Tucker-Johnson seconded the motion and it carried.

Ms. Tucker-Johnson made a motion to come out of Executive Session. Ms. Walters seconded the motion and it carried. No votes were taken during the session.

Ms. Tucker-Johnson made a motion that it appeared Blush Beauty and Body Studio reworked their content and it was submitted on time, however, it was unable to be reviewed. Because of the miscommunication Ms. Pierce was asked to provide hard copies or a PDF to the Board by 5pm. If the requirements were met upon review of the Board Chair, Ms. Pierce's request would be approved. If not, her request would be denied. Ms. Walters seconded the motion and it carried.

d. Ratification of Disciplinary Provider Classes

- i. A Better You Cosmetology Association**
- ii. Hair Heirs LLC**
- iii. SC Association of Cosmetology Schools (SCACS)**
- iv. Chesley Phillips Productions**

Ms. Walters made a motion to approve the ratification of the named Disciplinary Associations. Ms. Tucker-Johnson seconded the motion and it carried.

e. Final Order Hearing (Closed Session)

i. 2023-208

In accordance with South Carolina Code section 40-30-70 and 40-13-190, this hearing was confidential and should be closed unless the respondent wished otherwise. Respondent was not in attendance.

The Board approved the Hearing Officer's recommendation.

9. Board guidance regarding Regulations 35-10 (E)(7)

- i. Student Re-examination**
- ii. Instructor Re-examination**

Ms. Adams stated that the office is receiving a lot of applicants who retested after their 24-month timeframe and wanted guidance from the Board.

Ms. Tucker-Johnson made a motion to go into Executive Session to garner legal advice in the matter. Ms. Walters seconded the motion and it carried.

Ms. Tucker-Johnson made a motion to come out of Executive Session. Ms. Walters seconded the motion and it carried.

Ms. Tucker-Johnson made a motion that if an applicant has started the examination process prior to expiration of the 24-month period, they can re-test if necessary, even if the subsequent

examination occurs after the 24-month time frame.. Ms. Walters second the motion and it carried.

10. Consideration of Establishing a Task Force regarding Reg. 35-20(P)

Ms. Adams stated that a Task Force is needed for clarification on regulation 35-20(P) in regards to various esthetics practices.

Ms. Clark-Horton stated that if someone would like to be on the Task Force, they can submit their request to Board Executive, Tracy Adams. The Board would review and vote on members during the next meeting.

Ms. Tucker-Johnson made a motion to establish a Task Force to look at issues in regards to regulation 35-20(P) and to initiate a Notice of Drafting. Ms. Walters seconded the motion and it carried.

Ms. Mary League noted that written comments from stakeholders who are not Task Force members could be submitted for consideration by the Task Force.

11. Federation Association of Regulatory Boards – Approval Request

Ms. Adams requested to attend the Federal Association of Regulatory Boards (FARB) conference.

Ms. Tucker-Johnson made a motion to Ms. Adams to attend the FARB conference. Ms. Walters seconded the motion and it carried.

12. Board Member Reports

None at this time.

13. Adjournment

Ms. Walters made a motion to adjourn the meeting at 10:58 a.m. Ms. Tucker-Johnson seconded the motion and it carried.