4	APPROVED MINUTES
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	South Carolina Board of Cosmetology
3	Board Meeting
4	10:00 a.m., September 10, 2013
5	Synergy Business Park
6	Kingstree Building
7	110 Centerview Drive, Conference Room 105
8	Columbia, South Carolina 29210
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12	Meeting Called to Order
13	Public notice of this meeting was properly posted at the S. C. Board of Cosmetology office, Synergy
14	Business Park, Kingstree Building and provided to all requesting persons, organizations, and news media
15	in compliance with Section 30-4-80 of the South Carolina Freedom of Information Act.
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17	Pledge of Allegiance
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19	Rules of the Meeting Read by the Chairman
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21	Introduction of Board Members:
22	Chairperson Melanie C. Thompson called the regular meeting of the Board of Cosmetology to order.
23	Other Board members present for the meeting included, Janice Curtis, Cindy Rodgers, Selena M. Brown,
24	and Stephanie Nye.
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26	Staff Members Participating in the Meeting:
27	Mary League, Advice Counsel; Tracey McCarley, Administrator; Raymond Lee, Investigations; George
28	Barr, Investigations; Sandy Beatty, Inspections; Andrew Rogers, OGC; Matteah Taylor, Roz Bailey-
29	Glover, Administrative Staff; Cecelia P. Englert, Court Reporter.
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31	All Other Persons Attending:
32	Chesley Phillips, Colleen Large, Nasim Ghaemi, Natasha Pitman, Brandy Ray, Laquita Evans, Meagan
33	Harris, Tina Brigman, Tanya Ramsey, Steven Dawson, Yaser Danzi, Jake Levey, Gloria Smith, Clarissa
34	Bolz, T. Simmons, Meagan Taylor.
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36	Approval of Excused Absences: There were none.
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38	Approval of Agenda
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40	MOTION:
41	Ms. Rodgers made a motion to approve the agenda with changes as necessary. Ms. Brown seconded the
42	motion, which carried unanimously.
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44	Item #6 and #8 were removed from the agenda.
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46	Chairman's Remarks – Melaine Thompson
47	Ms. Thompson stated that she attended the PCS Examination Training for Schools Review on July 27-29,
48	2013. The program was very beneficial. Also briefly monitored a Nail, Skin and Hair class was given by
49	Annette Crank and there were 36 people in attendance. On August 9, 2013 Ms. Thompson went with
50	inspector Raymond Lee to inspect the school facility at the Academy of Academics and Technology for
51	their nail tech program. On August 12, 2013 accompanied Mr. Lee to inspect the Williamsburg Technical
52	College program for the reopening of a previously closed program. On August 12, 2013 monitored a
53	GATE continuing education class in Myrtle Beach. There were 97 people in attendance and 4 people
54	from North Carolina. On August 22-26, 2013 Ms. Thompson attended the NIC Conference in Colorado.
55	The presentations were excellent. Leslie Roste delivered a presentation on HPV and skin to skin contact

precautions and the transmission of disease. The presentations were excellent. Ms. Thompson stated that during the NIC Conference she was elected President of the NIC and that the 2014 Conference will be held in Charleston, SC. She will need help from the Board at the conference scheduled August 23-25, 2014 at the Double Tree Hotel and Suites in Charleston, SC.

Ms. Thompson stated that the Nail Technician Job Analysis survey will be on the website until September 30, 2013 to collect results. She encouraged all nail technicians to take the survey that will affect their examination. At the next meeting scheduled for mid November 2013, they will work on the examination.

Ms. Thompson stated that regarding the Board's budget, that LLR is working on making fee adjustments and she will meet later today with LLR's Director on the budget. Although the Board does not authorize spending, the Board should have final say on the spending matters. She will update the Board about the meeting at a later date.

Administrator's Remarks - Tracey McCarley

Ms. McCarley stated that she also attended the PCS Examination Training for Schools Review on July 27-29, 2013 along with staff members Ms. Matteah Taylor and Ms. Patrice Deas. Ms. McCarley also attended the NIC Conference in Colorado. The presentations were informative and she was able to make new contacts.

OLD BUSINESS

Complaints from Licensees Regarding Providers - Removed from the Agenda.

NEW BUSINESS

Licensing fee increase – Janice Curtis

The Board needs to know where the existing Board funds have gone before the Board can make a determination on any increase. Ms. Curtis stated she spoke with legal counsel, Ms. League about the large number of continuing education providers calling staff several times per day. She believes that the continuing education providers should have some type of fee assessed to them to become certified providers to the State. A discussion ensued. At this time the associations do not pay a fee, but the Board can implement a certification program and require a fee. At this time licensees pay a \$25 "walk-in" fee when they take up staff time. Ms. Curtis suggested that providers taking up staff time should also pay a fee. Ms. Thompson stated that the Board would need to determine if they can charge a fee and how much. There was not enough information to make a determination about this suggestion. Ms. Curtis will conduct research to see if other Boards have a certification program. The matter can be discussed at the November 2013 meeting.

Student Contracts for Tech Colleges

Ms. Thompson stated that this agenda topic came up as a result of inspecting schools trying to determine the legal differences between vocational high school programs versus private schools, technical schools, community colleges and junior colleges. Mr. Lee looked up the 1953 statutes for trade schools, industrial high schools and the high schools. The question is the vocational high school programs also known as career centers. At the time there were no bonds or contracts required. However, private schools have to have a bond, a contract and tuition is paid. The gray areas appear with the technical and junior colleges. The intent of the original statute did not have to have bonds or contracts. For technical schools, there are students enrolled and tuition is paid from \$12,000 to \$24,000. For technical schools, money is being exchanged so there should be a contract. Ms. League's research revealed that the cosmetology statutes and technical school statutes did not require a contract or bond at this time. The question is should the Board change the statute or does the board want counsel to seek changes without opening the statute? The Board agreed not to open the statutes.

Mr. Lee stated that PELL grants require paperwork for the students to complete, but there is no contract with the student. If the student drops from the school, there is no document in place to explain the student's responsibility.

MOTION:

Ms. Rodgers made a motion for Ms. League to research and find alternative avenues to provide student contracts for technical colleges. Ms. Curtis seconded the motion, which carried unanimously.

Early Testing for Instructor Students

The Board already discussed that early testing for cosmetologist, nail technicians and estheticians can be done. At this time 1,350 hours are required for cosmetologist, 250 hours for nail technicians and 400 hours are required for estheticians. The Board agreed that student training in an instructor program will be able to test at the completion of 650 hours and licensed at 750 hours. The student instructors, however, must still take the 45 hours of methods of teaching before they can take the examination.

MOTION:

Ms. Curtis made a motion to allow testing for student instructors at the completion of 650 hours, which represents 85% of the program completion. Ms. Rodgers seconded the motion, which carried unanimously.

Approval for Hearing Officer – Melanie Thompson

Ms. Thompson stated that the Board approved Mr. Eddie Jones as the Hearing Officer. However, due to unresolved compensation discrepancies, the Board will have to hear cases in the interim until LLR decides whether or not to confirm Mr. Jones. Since the Chairperson does not get a vote, as the Chairperson, Ms. Thompson can temporarily sit in as Hearing Officer until the appointment is confirmed. It was thought that the fee to Mr. Jones would be \$35 per day which the Board did not find unreasonable.

MOTION:

Ms. Rodgers made a motion to approve Ms. Melanie Thompson as the temporary Hearing Officer to hear cases for the Board. Ms. Curtis seconded the motion, which carried unanimously.

MOTION:

Ms. Rodgers made a motion to take a 10 minute break. Ms. Curtis seconded the motion, which carried unanimously.

The Board returned to public session.

Review for Approval of Cosmetology Training to Receive Esthetician License - Nasim Ghaemi

Ms. Ghaemi appeared before the Board seeking approval of an esthetician license with cosmetology training from Iran. Ms. Ghaemi passed the esthetician examination but was not allowed by staff to obtain the esthetician license. Ms. Ghaemi stated that in Iran the esthetician and cosmetologist is not a separate license. She had a spa and salon in Iran for 10 years where she practiced everything. Ms. Thompson let Ms. Ghaemi know that a cosmetology license in SC she can practice hair, nails and skin.

Ms. Ghaemi must take the cosmetology examination, obtain the cosmetology license and she can then practice esthetics. It's not a problem to take her training to get an esthetician license. However, her credentials show she is a cosmetologist.

Ms. Thompson stated that she spoke with PCS in order to assist Ms. Ghaemi. PCS agreed to refund her money for the esthetician exam so that she can apply the fee to the cosmetology examination. Ms. Thompson stated that the Boards hands were tied because they cannot allow a person to take their cosmetology training and take the esthetician examination.

- Ms. Ghaemi received several letters from LLR regarding licensing. Ms. Roz Bailey-Glover and Ms.
- 164 Tracey McCarley were sworn in to testify. Ms. Glover stated that several letters were mailed to Ms.
- Ghaemi. On several occasions, it was explained to her that she could obtain a cosmetology license and
- practice esthetics. In addition, she may need to appear before the Board since she had a license from
- another country. Ms. Glover stated that she spoke with Ms. Ghaemi on several occasions and she did
- appear a bit confused due to the language barrier. Ms. Glover stated that she sent a detailed email to Mr.
- Ghaemi regarding the examination Ms. Ghaemi took with PCS. Ms. Ghaemi was required to translate all
- of her training hours from Iran with the approved credentialing service and then submit a request to
- appear before the Board seeking an esthetician license with cosmetology training and a passing
- esthetician examination. The Board would need to decide which license to issue. Ms. Ghaemi took the
- esthetics examination in 2012. Ms. Ghaemi still appeared confused. The Board reviewed all documents.
- 174 Further discussion ensued.

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MOTION:

Ms. Curtis made a motion to go into executive session for legal counsel. Ms. Brown seconded the motion, which carried unanimously.

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MOTION:

Ms. Curtis made a motion to return to public session. Ms. Brown seconded the motion, which carried unanimously.

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During executive session no motions were made or votes taken.

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MOTION:

Ms. Curtis made a motion to approve the esthetician license as an initial examination application. Ms. Brown seconded the motion, which carried unanimously.

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Ms. Thompson stated that the Board reviewed the cosmetology training hours and was able to extract 450 hours of esthetics training from her cosmetology transcript. The Board agreed to issue an initial esthetician license, by examination to Ms. Ghaemi based on the number of esthetician hours she completed in Iran. The application is no longer an endorsement application. The Board clarified that LLR staff would not have been able to make this type of determination and that only the Board was able to make this exception.

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Review for Approval of Renewals with Background Reports - Marcia Bouknight

Ms. Bouknight was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her renewal application with a background report. Ms. Bouknight was not present to testify. Ms. McCarley stated that Ms. Bouknight called and requested that she withdraw her renewal application and board appearance. Staff will issue a refund to Ms. Bouknight for the renewal fee already paid. The Board accepted the withdrawal and moved on to the next case.

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Review for Approval of Reinstatements with Background Report -Natasha Pitman – Additional Charges

Ms. Pitman was mailed a letter on August 16, 2013 to appear before the Board seeking approval to reinstate her license with new background charges. Ms. Pitman stated she was charged with a DUI / AUAC or driving with unlawful alcohol content. Ms. Pitman stated that she went to classes two years ago to help her with her problem. She is not on probation, but cannot leave the State. She has until December 2013 to pay her fine.

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MOTION:

Ms. Rodgers made a motion to approve the reinstatement of the license with a two year probationary period and a SLED report at her own expense. Ms. Rodgers amended her motion to add, if any additional violations occur the license will be administratively suspended. Ms. Curtis seconded the motion, which carried unanimously.

218 Review for Approval of Reinstatements with Background Report - Clarissa Bolz

- 219 Ms. Bolz was mailed a letter on August 16, 2013 to appear before the Board seeking approval to reinstate
- her license with a felony charge. Ms. Bolz stated that she had problems in 2010 and was sentenced. Ms.
- Bolz told a disturbing story about her addiction. She has received counseling and has three weeks left at
- the Phoenix Center Program. She does not have a job at this time, but is taking computer, English and
- writing classes. Ms. Bolz stated that she was also a volunteer and aspires to be a drug counselor.

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225 MOTION:

Ms. Curtis made a motion to go into executive session for legal counsel. The Board will also break for lunch and resume at 1:15 p.m. Ms. Rodgers seconded the motion, which carried unanimously.

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MOTION:

Ms. Rodgers made a motion to return to public session. Ms. Curtis seconded the motion, which carried unanimously.

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During executive session no motions were made or votes taken.

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MOTION:

Ms. Curtis made a motion to approve the reinstatement with a two year probationary period. Ms. Bolz must supply a current SLED report at the end of each year at her own expense. Any further violations will result in an administrative suspension and a return to the Board. Ms. Rodgers seconded the motion, which carried unanimously.

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Review for Approval of License with Background Reports - Brandy Ray

Ms. Ray was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her online endorsement application with a background report. Ms. Ray testified that she had a pot plant which was discovered and received five felony charges for having the plant. She also had two DUI's and went to a half-way house for two months. The Board reviewed her documents.

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MOTION:

Ms. Rodgers made a motion to approve the endorsement application with a two year probationary period. Ms. Ray must submit a current SLED report at the end of each year at her own expense. Any new violations will result in an administrative suspension and appearance before the Board. Ms. Nye seconded the motion, which carried unanimously.

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Review for Approval of License with Background Reports -Laquita Evans

Ms. Evans was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her license by examination with a background report. Ms. Evans testified that she got into trouble writing fraudulent checks. She received one year probation and paid restitution. The legal problems caused her to lose everything. In addition, Ms. Evans stated that a credit card was found so she and an accomplice tried to purchase cell phones with the credit card. Ms. Evans stated that she has paid her debt to society and would like to obtain her license.

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MOTION:

Ms. Nye made a motion to approve the license with a two year probationary period. Ms. Evans must submit a current SLED report at the end of each year at her own expense. Any new violations will result in an administrative suspension and appearance before the Board. Ms. Rodgers seconded the motion, which carried unanimously.

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Review for Approval of License with Background Reports -Meagan Harris

Ms. Harris was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her license by examination with a background report. Ms. Harris testified that she completed 160 hours of

community service and served some jail time in addition to paying a fine. She also had a charge in 2011.

274 MOTION:

Ms. Curtis made a motion to approve the license with a two year probationary period. Ms. Harris must submit a current SLED report at the end of each year at her own expense. Any new violations will result in an administrative suspension and appearance before the Board. Ms. Rodgers seconded the motion, which carried unanimously.

Review for Approval of License with Background Reports -Tina Brigman

Ms. Brigman was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her license by examination with a background report. Ms. Brigman testified that she had felony arrests for drug possession and other infractions. She had problems and spent two years in jail. Ms. Brigman stated she spent 58 days in a rehabilitation program. She paid her restitution and served one year of community service. Ms. Brigman stated she has been clean for six years and has not new infractions.

MOTION:

Ms. Brown made a motion to approve the license with a two year probationary period. Ms. Brigman must submit a current SLED report at the end of each year at her own expense. Any new violations will result in an administrative suspension and appearance before the Board. Ms. Rodgers seconded the motion, which carried unanimously.

Review for Approval of License with Background Reports -Robert Dudley III

Mr. Dudley was mailed a letter on August 16, 2013 to appear before the Board seeking approval of his license by examination with a background report. Mr. Dudley was not present to answer questions from the Board.

MOTION:

Ms. Rodgers made a motion to deny the application for licensure. Ms. Brown seconded the motion, which carried unanimously.

Review for Approval of License with Background Reports -Jazzla Rucker

Ms. Rucker was mailed a letter on August 16, 2013 to appear before the Board seeking approval of her license by examination with a background report. Ms. Rucker was not present to answer question's from the Board. This is her second missed Board appearance.

MOTION:

Ms. Curtis made a motion to deny the application until she appears before the Board. Ms. Rodgers seconded the motion, which carried unanimously.

Review for Approval of License with Background Reports - Tanya Ramsey

Ms. Ramsey was mailed a letter on August 26, 2013 to appear before the Board seeking approval of her license by examination with a background report. Ms. Ramsey stated that she had shop lifting charges and was arrested. She spent five days in jail because she did not have the money to pay the fine. Ms. Ramsey stated that someone stole her credit card and she, in turn, stole their card and proceeded to charge items on the card. She paid restitution and did not go to jail. She moved to Georgia to work, but has moved back to South Carolina. Ms. Ramsey stated she is working and staying out of trouble.

MOTION:

Ms. Brown made a motion to approve the license with a two year probationary period. Ms. Ramsey must submit a current SLED report at the end of each year at her own expense. Any new violations will result in an administrative suspension and appearance before the Board. Ms. Rodgers seconded the motion, which carried unanimously.

Time: 2:18. Board member Cindy Rodgers had to leave for the day.

Discussion

Ms. Thompson stated that the continuing education review process for 2014 will happen in October, 2013. The process will be the same as last year. Emails will be sent to the providers, on the same day of the review, to prevent discrepancies in communication between what the Board wants and what staff sends to providers. The room for the session will be available from 8:30 a.m. until 5:00 p.m., however the Board will determine the start time for the session. The review will be held on October 21 & 22nd, 2013 in room 108.

Ms. Curtis had questions about a nail salon advertising waxing services in the salon window, but not providing the waxing service. Ms. Thompson clarified that if a waxing station is set up and no cosmetologist or esthetician is on staff, the inspectors should report it. Some Boards have specifics about advertising services in their statute, this Board does not. A discussion ensued as to whether or not salons should be asked to remove wax pots if no licensee is present. Ms. League stated that a letter of caution would be in order for the salon if a wax pot is present and plugged in and the cosmetologist or esthetician is not present. Ms. Thompson stated that if a wax pot is plugged in and ready for use without a cosmetologist or esthetician present, that is a clear violation and the salon should be cited. Ms. Thompson asked Ms. McCarley to follow-up with Mr. Boland in the Inspections Department and reiterate the Boards position on this matter regarding plugged in wax pots.

 Ms. Curtis stated that receiving a meeting packet was a surprise. She thought LLR was now requiring Boards to use laptops starting in September, 2013. Wanted to know when the laptops will be implemented. Ms. McCarthy explained that the software required for the laptops must be ordered for LLR staff first before the documents can be transferred over to the laptops. Ms. Glover stated that the Adobe application would have to be purchased by the Board. The cost is unknown at this time. Ms. McCarley stated that some Boards are using the laptops at this time. Ms. Glover stated that the Adobe application is not on the network to download to all computers and each department must purchase the application. It should be recommended the application be placed on the website so it can be downloaded readily for use by all boards. Ms. McCarthy stated that the federal express packets cost \$6-\$9 dollars per packet and takes staff days to prepare, with the copies etc. Ms. Glover stated that LLR will use the laptops for a cost savings across the Agency by reducing the cost of paper, man hours and toner.

Ms. Curtis stated that on August 12, 2013 she went on an inspection in Greenville. The form the inspector used was outdated and has not been updated. Ms. Thompson stated that the inspection did not contain a selection for sharps containers or a comment section. The form was revised by the Board and Mr. Boland stated the revision target date was scheduled for July 1, 2013, but that did not happen. Ms. Thompson stated she spoke with Mr. Boland and he let her know that there was a supply of the old forms that had to be used up before a new one can be created. Mr. Boland did not know when the new forms will be implemented. Ms. Thompson asked Ms. McCarley to follow-up on when the new form would be available.

Ms. Curtis stated that there is a break-down in communication between LLR and PCS. Ms. Ghaemi's case today was a prime example of this break-down. Ms. McCarley stated that LLR was having monthly conference calls. They will start again. Ms. Thompson stated that multiple turn-over at LLR and PCS has added to this problem. The monthly conference calls must start again and a list of problems and communication break-downs must be gathered by both parties, and worked out on both sides. Ms. Thompson also requested a copy of PCS's contract to check if the contract requires PCS to follow-up on the applicant's credentials. The PCS contract is from July 1, 2013 to June 30, 2018. The contract automatically renews for 12 months unless terminated by either party. Ms. McCarley stated she will email the contract in its entirety to the Boards.

Board Members Reports

Ms. Nye did not have a report.

Ms. Brown stated that on July 19, 2013 she attended a school inspection for Kenneth Schuler in North Augusta. The school is in a mall. The school is large and well equipped. She suggested having lockers put in for the students. The class rooms were well equipped and two class rooms had sinks for demonstrations. They will also have a fingerprint station for students.

Ms. Curtis stated that on August 12, 2013 she went to an inspection with one of the inspectors for Paul Mitchell in Greenville. The facility was very nice and spacious. They had clinical rooms for advanced students.

Public Comments

 Regarding the wax pots, Ms. Chesley Phillips stated that someone should call the salon to see if the service was provided. Ms. Beatty stated that the inspector search everything because sometimes things are disguised. Ms. Thompson stated that a wax pot is disguised, the Board gives the authority to photograph it and report.

 Ms. Phillips had a comment about disciplinary classes. One of her customers stated that LLR told him he had to take the disciplinary class twice. Apparently, the same letter was mailed to the owner of the shop and the manager. Ms. Thompson stated Ms. Phillips cannot speak for the licensee and without the Board seeing the letter could not comment on it. If the customer is concerned he should contact staff directly.

Ms. Phillips commented that if charges are to be assessed to CEU providers, the Board is reminded that associations are not the same size. Ms. Thompson stated that this is the discussion stage of the meeting and not implementation of a program.

Ms. McCarley stated that the next CEU review would happen on October 20 & 21, 2014, Monday and Tuesday in room 204.

Mr. Steven Dawson stated that the Department of Education is working on bringing back the Gainful Employment Program to technical schools. Cosmetology programs are considered a gainful employment program and would fall under the same stipulations as a private school. Also, regarding the Adobe program needed for the laptops, there is a software application made by Docudesk or Desk PDF which is server based and inexpensive which the Board may want to consider. Also, he taught a laws and regulation class this past week and one of his students wants to file a complaint. Ms. Thompson stated that Mr. Dawson should share the bases of the complaint with the Administrator, Ms. McCarley who can file a formal complaint with the Board.

Ms. Gloria Smith commented that the review is an open meeting but you can't interact with the Board. Ms. Taylor asked that all providers provide their correct email addresses for the CEU review. Regarding CEU provider fees, Ms. Smith stated that it's easy to become a provider, but if the Board makes it harder to become a provider then maybe staff time would not be wasted as it is now. Maybe a certification class should be initiated and recertification should be required. Ms. Smith stated she is glad the Board is still tracking down the budget issues.

Ms. Colleen Large commented on the existing budget issues and the possibility of raising fees. Ms. Thompson stated that fee adjustments were not discussed since questions the Board had about the budget have not been answered. Ms. Large stated that she is not opposed to CEU provider fees. Information should be sent to providers who do not attend regular board meetings. The fee, if charged, should be based on the size of the class, for example, 300 students per year versus 300 students per class.

Ms. Phillips stated that based on her knowledge, on September 11, 2001, Pat Adams asked Mr. Randy Bryant where the budget money went. Mr. Bryant stated that one third of the funds were put into the General Fund.

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438	Adjournment
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440	MOTION:
441	Ms. Curtis made a motion to adjourn the meeting. Ms. Brown seconded the motion, which carried
442	unanimously.
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444	Meeting adjourned at 3:15 p.m.
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446	The next meeting of the SC Board of Cosmetology is scheduled for November 4, 2013
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