

**South Carolina Board of Cosmetology
Board Meeting
10:00 a.m., March 18, 2014
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 108
Columbia, South Carolina 29211**

Meeting Called to Order

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.

Pledge of Allegiance

Rules of the Meeting Read by the Chairman

Introduction of Board Members:

Chairperson Melanie Thompson called the regular meeting of the Board of Cosmetology to order. Other Board members in attendance included, Janice Curtis, Stephanie Nye and Selena M. Brown.

Staff Members Participating in the Meeting:

Mary League, Advice Counsel; Roz Bailey-Glover, Interim Administrator; Matteah Taylor, Staff; Sandy Martin and Cecelia P. Englert, Court Reporters.

All Other Persons Attending:

Chesley Phillips, Shawonda Thomas, Viet Ho, Gloria Smith, Colleen Large, Lavisha Belton, Muranda Ragin, and Van Pham

Approval of Excused Absences: Cindy Rodgers

MOTION:

Ms. Curtis made a motion to approve the absence of Ms. Rodgers. Ms. Brown seconded the motion, which carried unanimously.

Approval of the agenda:

MOTION:

Ms. Curtis made a motion to approve the agenda with any deviations necessary. Ms. Nye seconded the motion, which carried unanimously.

Chairman's remarks – Melanie Thompson:

Ms. Thompson attended the Federal Associations of Regulatory Boards Forum (FARB) in Austin, Texas the end of January. Most of the licensure professions were represented at the forum. There were attendees from Dentistry, Funeral Homes, Cemeteries, Cosmetology, and the Psychology division to the Pharmacy division, and a host of others. These professions are facing

many of the same frustrations as The Board of Cosmetology. In that forum, Cosmetology was not frowned upon or looked at as a lesser profession, the forum was interested in what the Cosmetology industry had to say. In March 2014 Ms. Thompson and Ms. Curtis attended the NIC regional conference in Las Vegas. There were 19 regions represented. Mr. Adam Higginbox delivered a great presentation on human trafficking. Statistics were given for South Carolina. There was a presentation on endorsement/reciprocity applicants. In the past 40 years there has not been much progress in making it easy for licensees to move from one state to another. South Carolina is one of the easier states to obtain licensure. We need to work on making it easier for our licensees to move to other states and open the doors to South Carolina to appeal the ease of obtaining a license to work. There was also a presentation regarding deregulation covering 13 states. Ms. Thompson stated that deregulation is an ongoing battle which also affects South Carolina. Ms. Thompson reminded everyone that there is a job analogy survey sponsored by NIC for cosmetologists. This is your opportunity to state what should be on the examination. Cosmetologists throughout the entire country are given the opportunity to participate in the survey. Ms. Thompson stated the annual conference will be held in Charleston, South Carolina, which is an opportunity to bring a lot of revenue to our state. Each Board member should mark their calendar and plan to be in attendance because our state is the hosting state. The conference will be held from August 22 - August 25, 2014.

Board Elections:

MOTION:

Ms. Curtis made a motion to leave the current Chairperson as Ms. Melanie Thompson and Vice Chairperson as Ms. Cindy Rodgers. Ms. Nye seconded the motion, which carried unanimously.

Administrator's Remarks - Roz Bailey-Glover

There were no additional remarks.

Old Business: Proposed Online CEU Checklist

Ms. Curtis and Ms. Brown were assigned the task to come up with a checklist for online continuing education Providers to use as a guide when submitting their CEU packets. They proposed that: In order to guarantee access to classroom CE courses by licensees, all online CE providers must offer at least six hours of classroom CE's in addition to online classes. Also online CE providers must use the Board approved CE checklist when submitting a proposed online program. In addition they must include a link to access the online content as part of the submission of an online CE classes. Providers must also include an online table of contents to allow access to various parts of the content, copies of lesson plans, the agenda(s), and links to other information on how to access the online program. A provider can submit hard copies of the lesson plans and agenda(s) for each submission. Providers must include an appendix of resources documenting the source material of the content. The resource must be acceptable by the Board and can include recognized Cosmetology textbooks, materials, or curriculum developed by a licensed Cosmetology Instructor. Online CE programs must also be offered in six - hour increments which can be divided into two three - hour segments. All six hours must be taken by the licensee for the hours to be counted. The provider must have a means of notifying the licensee taking the course that all six hours have not been completed and must have a protocol to

make sure the licensee takes all six hours within a specific timeframe. The time period in which the licensee has to finish the six hours course must be clearly specified at the beginning of the online course material. Providers should not report completion of the CE course until all six hours have been completed. Ms. Curtis stated that some of the providers were asking the Board to specify a period of time for the licensees to complete the entire six hours. They discovered that the online course time frame varied from provider to provider as far as their computer systems were concerned. How the completions were tracked would be left up to the providers. Also providers must demonstrate, through the use of pop-ups, and timers, that a licensee has completed six contact hours of instruction. Any quiz used as a part of the instruction material is deemed to be part of the six hours as long as the quiz timing is reasonable. Online course packets must be received on or before October 1st of each year in order to be received on time.

MOTION:

Ms. Brown made a motion to approve the CE proposed guidelines with any necessary changes. Ms. Nye seconded the motion, which carried unanimously.

Consideration of Foreign Translation Company:

Ms. Thompson stated there are only two companies the Board relies on to provide translations, Ms. Thompson met a young lady named Brentni while in attendance at FARB who is employed with the National Association of State Boards of Accountancy (NASBA) in Nashville, Tennessee. Brentni's main duties are to translate foreign documents across the country. In the past there have been some difficulties with the two companies used by the Cosmetology Board staff. Ms. Thompson would like the Board to grant permission for staff to reach out to Brentni to obtain information and what the fee would be, and the specifics. Then staff will report the information back to the Board. Ms. Thompson stated the Board will make a decision whether or not to add this company to the other two that are currently being used or if this will be the sole provider used for foreign translations. Ms. Doris Cubitt speaks very highly of NASBA and how they operate. If the Accountancy Board trusts this company and they are doing a good job, there's no reason the Board of Cosmetology would not trust them as well.

MOTION:

Ms. Curtis made a motion to grant staff permission to gather information from NASBA and to reach out to Brentni pertaining to foreign translation. Ms. Nye seconded the motion, which carried unanimously.

MOTION:

Ms. Curtis made a motion to take a break. Ms. Brown seconded the motion, which carried unanimously.

Ms. Thompson called the meeting back to order.

Review for Consideration of Continuing Education Changes/Adds:

Jolei's – Shawonda Thomas

Ms. Thomas was not available on Monday, March 17, 2014 to answer the Board's questions about the requested changes. Ms. Thomas stated that she would like to add two class dates, March 30, 2014 and October 13, 2014. The location is the Marriott at Barefoot Landing in

Myrtle Beach. Ms. Thomas will be using an approved agenda and instructor. The next change was a correction to a typo. Ms. Thomas is aware this change will count against her changes, but she would like the May 9, 2014 date to change to June 9, 2014. The last change is for July 7, 2014 to change to April 7, 2014. Ms. Thomas will use the same instructor, and the same approved agenda.

MOTION:

Ms. Brown made a motion to accept the changes for Jolei's. Ms. Curtis seconded the motion, which carried unanimously.

New Business:

Review for Consideration of the Examination – Invalid Hours After Twenty-Four Months:

Ms. Lavisha Belton requested permission to take the examinations after twenty-four months of completing the cosmetology program. Ms. Belton stated she was in the military and pre-deployed on December 2009. Ms. Belton was actually deployed in March or April 2010. Ms. Belton graduated from cosmetology school in October 2009. Ms. Belton stated she was discharged from the military November 2011. Ms. Thompson stated the laws are clearly stated and the Board wants applicants to obtain their license to bring more revenue into the state. Since Ms. Belton served this country, she wants her to have her license, but she's not sure there is a way to go against the laws since it has been since 2009 that school hours were completed.

MOTION:

Ms. Curtis made a motion to deny the exam consideration. The motion died due to the lack of a second.

MOTION:

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

MOTION:

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

During executive session no motions were made or votes taken.

MOTION:

Ms. Brown made a motion to deny Ms. Belton's request for examination due to the length of time that lapsed. Ms. Nye seconded the motion, which carried unanimously.

Review for Consideration of the Examination – Shakeerah Swinton:

Ms. Shakeerah Swinton was not present.

MOTION:

Ms. Curtis made a motion to deny examination consideration since Ms. Swinton was not present. Ms. Brown seconded the motion, which carried unanimously.

Review for Consideration of Reinstatement with Background Reports –Muranda Ragin:

Ms. Muranda Ragin is interested in reinstating her cosmetology license. Ms. Ragin’s license lapsed March 10, 2013. Ms. Ragin explained she was visiting family in Virginia and was pulled over for speeding. Ms. Ragin refused to get out of her car for the officer. She was arrested and charged with obstruction of justice. Prior to this incident Ms. Ragin stated her Virginia driver’s license was suspended because her window tint was too dark. Ms. Ragin accepted a plea bargain and paid a \$300 fine in Virginia.

MOTION:

Ms. Curtis made a motion to approve the reinstatement of Ms. Ragin’s cosmetology license. Ms. Brown seconded the motion, which carried unanimously.

Review for Consideration of Reinstatement with Previous Board Order – Van Vu Pham:

Mr. Pham was late so the Board decided to defer this case until the end of the day.

MOTION:

Ms. Curtis made a motion to defer this case to the end of the day because Mr. Pham had not shown up yet. Ms. Brown seconded the motion, which carried unanimously.

Review for Consideration of Out-of-State Hours Viet Quoc Ho:

Mr. Viet Quoc Ho is seeking licensure by examination. Mr. Ho has a license in Maine and Pennsylvania. Mr. Ho stated he attended Nail Tech School in California but never received a California license. Mr. Ho owned a Nail Salon in Pennsylvania and Maine. Mr. Ho received a citation in Pennsylvania and was fined \$500 which was paid. Mr. Ho could not renew his Pennsylvania license in 2010 until his child support was paid.

MOTION:

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

MOTION:

Ms. Curtis made a motion to come out of executive session. Ms. Nye seconded the motion, which carried unanimously.

During executive session no motions were made and no votes taken.

MOTION:

Ms. Nye made a motion to approve Mr. Ho for licensure. Ms. Brown seconded the motion. Ms. Curtis voted nay. The motion carried.

Review for Consideration of Reinstatement with Previous Board Order – Van Vu Pham:

Mr. Van Vu Pham is interested in reinstating his Nail Technician license with a previous Board Order. Mr. Pham's license expired March 10, 2013. Mr. Pham was the manager of Golden Nails which his sister owns. Mr. Pham is licensed in Georgia now. He moved back to Georgia to help his parents in their salon since they are elderly. Mr. Pham stated his Georgia Nail Tech license has never been reprimanded. Mr. Pham stated he did not know it was important for him to come to the hearing in South Carolina, because at that time he decided to move back to Georgia.

MOTION:

Ms. Nye made a motion to enter into executive session for legal advice. Ms. Curtis seconded the motion, which carried unanimously.

MOTION:

Ms. Curtis made a motion to return to public. Ms. Brown seconded the motion, which carried unanimously. During executive session no motions were made or votes taken.

MOTION:

Ms. Nye made a motion to reinstate Mr. Pham's license. Ms. Brown seconded the motion. Ms. Curtis voted nay. The motion carried.

Discussion:

Board Member Reports:

Ms. Curtis stated she monitored a continuing education class at Nail, Skin & Hair of America. There were 15 attendees. The class started and ended on time. The class agenda was followed as outlined. Ms. Curtis also monitored a continuing education class at SC Esthetics. There were 11 attendees. The class started and ended on time. The agenda was followed as outlined. Ms. Curtis also attended of the NIC Regional Conference in Las Vegas.

Public Comments:

Ms. Chesley Phillips wanted to thank the Board members and staff for work done for the online CEU checklist. Ms. Phillips stated there has been feedback from licensees the three - hour segments are too long.

Adjournment: 12:37pm

Ms. Curtis made a motion to adjourn. Ms. Brown seconded the motion, which carried unanimously.