

**South Carolina Board of Cosmetology
Board Meeting
9:00 a.m., May 13, 2019
Synergy Business Park
Kingstree Building
110 Centerview Drive, Conference Room 108
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.
- b. Rules of the Meeting
- c. Pledge of Allegiance

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. Other Board members participating in the meeting included:

- ❖ Marcia Delaney
- ❖ Patricia Walters
- ❖ Stephanie Nye
- ❖ Eddie Jones

Staff members presented included: Mary League, Advice Counsel; Micah Hurtt, Staff; Theresa Brown, Administrator; Kevin Eckerd, Office of Investigations and Enforcement (OIE); Erin Baldwin Office of Disciplinary Counsel; Rodney Pigford, Office of Investigations and Enforcement (OIE); Emily Farr, Agency/Director's Office

All Other Person Attending:

Tina Behles, Court Report; Floyd Bustos; Chesley Phillips; Diane Camp; Judy Razor; Rebecca Teal; Gordon Morris; Terry Frick; Shaneka Brown; Catherine Stabler; Nicholas Hawkins; Steven Dawson; Bert Elle; Heidi Daly; Loreta Wilkerson; Vanessa Euresti; Michael Pringle; Gladys Kelly; Gloria Smith; Erica Horton; Lynn James; Frances Archer; Michelle Furtick; Kelly Hucks; Ngan Tran; Lillie Smalls

3. Approval of Excused Absences – Laquita Clark-Horton – Ms. Nye made a motion to approve of Chairperson Melanie Thompson's absence. Mr. Jones and Ms. Delaney seconded. The motion carried.

4. Approval of Agenda

Ms. Nye made a motion to approve the meeting's agenda with any changes that are conducive to the meeting. The motion was seconded by Ms. Delaney. The motion carried.

5. Approval of Meeting Minutes

March 11, 2019

Ms. Nye made a motion to approve the meeting minutes from the March 11, 2019, board meeting. The motion was seconded by Mr. Jones. The motion carried.

6. Chair Remarks – Laquita Clark-Horton – Vice-Chairperson Clark-Horton announced that Ms. Nye was listed as one of three attorneys in South Carolina that was granted the award for 2019 Mentor of the Year.

7. Administrator's Remarks – Theresa Brown

- a. **Budget/Drawdowns** – For Information – N/A
- b. **OIE Report** – For Information - Rodney Pigford – The first report is for cases received between January 1, 2019, and May 8, 2019. There have been total of 150 cases. There are currently 33 active cases, 10 cases have been closed thus far, 43 cases were complaints referred to inspections unit, 39 Do Not Open

cases, 4 cases pending Board action, 13 cases pending Complaint Analyst Review and 8 cases pending further information. In terms of types of complaints, there were 31 misconduct investigations, 19 sanitation investigations, 19 unlicensed practice, and 61 non-licensee investigations.

- c. **IRC Report** – Rodney Pigford – Based on the last meeting, the committee recommends 6 cases for dismissal, 4 cases for dismissal of a Cease & Desist order, 1 case for a formal complaint, 6 cases for consideration for dismissal, 2 cases for reconsideration for a letter of caution.

The IRC inspection report reflects 2 Cease & Desist orders, 2 cases for consent agreement, 2 cases pending a hearing, 1 cases for a letter of caution.

A motion was made by Ms. Delaney to approve of the IRC report and it was seconded by Ms. Walters and Mr. Jones. The motion carried.

- d. **ODC Report** – For Information – Erin Baldwin. The ODC report is for informational purposes only. There are currently 52 open cases.
- e. **Inspection Report/Citation Report – For Approval** – Kevin Eckerd – In March, there were 509 salon inspections and 5 school inspections. In April, there were 727 salon inspections and 3 school inspections. There were 27 citations written for the month of March and 22 written for the month of April. These citations dealt with unlicensed practice, sanitation issues, expired licenses, and unlicensed locations.

A motion was made by Ms. Delaney to approve the inspection and citation reports and it was seconded by Ms. Walters and Mr. Jones. The motion carried.

- f. **Legislative Updates** – Mary League

Ms. League announced that there with pending status. The first pertains to military spouse licensure and could return later this month. The second has to do with how the board facilitates licensure for those with criminal backgrounds and proposes an apprenticeship path to licensure.

8. Old Business

- a. **Motion for Reconsideration of License Denial**

- i. Floyd Bustos

Floyd Bustos was represented by his attorney J. Charles Ormond, Jr. Mr. Ormond made a motion for reconsideration to the Board from the order set forth in the March Board meeting.

Ms. Delaney made a motion to enter executive session to consult legal counsel, Ms. Walters and Mr. Jones seconded and the motion carried.

Ms. Delaney made a motion to leave executive session with Ms. Walters and Mr. Jones seconding and the motion carried.

Ms. Delaney made a motion to deny Mr. Bustos's request for reconsideration of the licensure denial and to affirm the conditions set forth in the March Board meeting. Ms. Walters seconded the motion and it carried.

9. New Business

- a. **Application Hearings**

- Nicholas Hawkins

Nicholas Hawkins was representing himself and was asked to appear before the Board as it pertained to his criminal background and renewal application.

Ms. Delaney made a motion to enter closed session and it was seconded by Mr. Jones. The motion passed.

During closed session, Ms. Walters made a motion to approve of Mr. Hawkins's license for renewal with the condition that he be on probation with the Board for 2 years and for him to provide a SLED report at the end of each calendar year beginning the date of the Board Meeting. Ms. Delaney seconded the motion and it carried.

Ms. Walters made a motion to leave closed session and it was seconded by Mr. Jones. The motion passed.

b. Consideration of Trade Show Approval

- Hickory Mart

Hickory Mart was represented by Diane Camp and Judy Razor. Ms. Camp had requested to meet with the Board in regards to her continued approval as a CE provider as well as approval of the Hickory Mart trade show.

Ms. Nye made a motion for the approval of the trade show and Hickory Mart to continue as a CE Provider. Mr. Jones seconded the motion and it passed.

c. Consideration of CE Provider Requests

- ACE

ACE was represented by Mr. Steven Dawson on behalf of Ms. Angela Shuler who requested to meet with the Board for consideration of approving the addition of a CE class.

Vice Chairperson Clark-Horton stated that the breakdown of the hours were not listed in the CEA schedule and she requested for a copy of that breakdown.

Ms. Delaney made a motion to approve CEA as a CE class offered for instructors on the condition that a list showing the breakdown of hours be provided to the office of the Board. The motion was seconded by Ms. Walters and Ms. Nye and it carried.

- Upstate Hair Skin and Nails

Upstate Hair Skin and Nails was represented by Ms. Lynn James. Ms. James was requesting to meet with the Board in regards to allowing their association more than 15 participants and to allow Ms. James to assist CE instructors as a guest speaker.

Mr. Jones made a motion to approve the request made by Upstate Hair Skin and Nails for the addition of a guest speaker and for 20 individuals per classroom. Ms. Delaney seconded the motion and it carried.

d. Consideration of New Schools/School Changes

- SHB International

SHB International was represented by Ms. Shaneka Brown and was requested to appear before the Board in regards to approval to open as a new cosmetology school.

Ms. Delaney made a motion to approve of SHB International's Esthetics and Nail Technician programs on the condition that was first inspected by a Board member. Ms. Walters seconded the motion and it carried.

- Advanced Aesthetics Academy

Advanced Aesthetics Academy was represented by Ms. Heidi Daly. Ms. Daly was requested to appear before the Board in regards to the approval to open as a new esthetics school.

Ms. Delaney made a motion to approve of Advanced Aesthetics Academy for preliminary inspection and it was seconded by Ms. Walters. The motion carried.

- Coastal Advance Esthetic Education

Coastal Advance Esthetic Education was represented by Ms. Lillian Smalls. Ms. Smalls was requested to meet with the Board in regards to the approval to open as a new esthetics school.

Ms. Walters made a motion to approve Coastal Advance Esthetic Education for preliminary and Board inspections and for the inspections to occur simultaneously. Mr. Jones, Ms. Nye and Ms. Delaney seconded the motion and it carried.

- Woolard Technology Center (WTC)

WTC was represented by Ms. Rebecca Teal and Mr. William Morris and were requested to meet with the Board in regards to the approval to open as a new cosmetology school.

Ms. Nye made a motion to approve WTC for preliminary inspection and it was seconded by Mr. Jones. The motion carried.

- Kenneth Shuler Schools

Kenneth Shuler was represented by Mr. Steven Dawson who requested to see the Board for the approval of changes in their school catalog and student enrollments for all school locations.

Ms. Walters made a motion to approve the changes for all school locations and Ms. Delaney seconded. The motion carried.

- Miller-Motte

Miller-Motte was represented by Ms. Vanessa Euresti and Ms. Loleta Wilkerson and requested to meet with the Board in regards to updating their enrollment agreements.

Ms. Walters made a motion to approve of the changes and Ms. Delaney seconded. The motion carried.

10. Discussion and Action: Delegation of authority to Board Chair to issue Cease & Desist for unlicensed practice with finality (Advice Counsel) – Ms. League briefly explained that this authority to issue Cease & Desists would streamline the process for their approval as opposed of going through several different checkpoints.

Ms. Delaney made the motion to approve to give the Board Chair the authority to issue Cease & Desists for unlicensed practice with finality and Ms. Walters seconded it. The motion carried.

11. Final Order Hearings – Erin Baldwin

- 2016-195

Ms. Baldwin presented the findings of the case. Respondent did not appear for the hearing. Ms. Walters made a motion to approve of the Hearing Officer's Recommendations and it was seconded by Ms. Delaney and Mr. Jones. The motion carried.

- 2017-335

Ms. Baldwin presented the findings of the case. Respondent did not appear for the hearing. Ms. Delaney made a motion to approve the Hearing Officer's Recommendations and it was seconded by Ms. Walters and Mr. Jones. The motion carried.

12. Board Member Reports – Vice-Chairperson Clark-Horton stated that she monitored the school practical and was impressed by what she observed.

13. Discussion – Mr. Jones made an inquiry about the examination assignments for this year and Vice-Chairperson Clark-Horton confirmed that the assignments was the same. Mrs. Brown will be sending that list out to the Board again and Vice-Chairperson Clark-Horton requested their confirmation by the end of the week.

14. Public Comments – N/A

15. Adjournment

Ms. Delaney made a motion to adjourn the meeting and it was seconded by Ms. Nye. The motion carried.

The meeting adjourned at 11:56 a.m.

The next meeting of the S.C. Board of Cosmetology is scheduled for July 8-9, 2019.