

Minutes

MS State Board of Cosmetology

April 22, 2013

Board Members Present:

Dorothy Ennis, President

Shelley Harsin, Secretary

Leisa McElreath, Member (absent – Executive Board Meeting at the conclusion of the NIC Regional Conference in Charlotte, NC)

Teresa Whitman, Member

Waylon Garrett, Member

Board Staff Present:

Cynthia Johnson, Executive Director

Wade Hampton, School Coordinator (absent – monitoring International Hair Expo; Jackson, MS)

Legal Counsel Present:

Margarette Meeks, MS Attorney General's Office

Call To Order

The meeting was called to order at 9:10 a.m. in the MS State Board of Cosmetology Office, located at 239 N. Lamar St., Suite 301 in Jackson, MS.

Approval of Agenda

A motion was made by Whitman, seconded by Harsin and unanimously passed, to approve the agenda.

Approval of Minutes

A motion was made by Whitman, to approve the minutes from March 25, 2013 with necessary corrections, seconded by Harsin and unanimously passed.

School Coordinator's Report

Johnson presented school coordinator's report in Wade Hampton, School Coordinator's absence.

Hampton conducted the following PR visits:

- April 16, 2013 – Hinds Community College Utica
- April 18, 2013 – Holmes Community college Goodman
- April 18, 2013 – Carl Keen Vocational Technical Center
- April 18, 2013 – Coahoma Community College

We currently have 455 signatures for the Specialty Cosmetology Tag.

Final Inspection for Virginia College, Jackson relocation was completed on April 9, 2013 by Garrett and Hampton. Final approval was requested. Motion was made by Whitman for final approval, seconded by Garrett and unanimously passed. Approval letter was sign.

Infinity Career College is requesting the addition of the Cosmetology Instructor's Program. Motion was made by Garrett for the addition of the Cosmetology Instructor's Program, seconded by Harsin and unanimously passed.

Inspectors' Report

No items were discussed.

Executive Director's Report

Johnson provided a Pearson Vue correspondence update regarding the Examination Candidate registration process. Pearson Vue indicated that they would be willing to accept the proposed approval letter which would be required to be presented by each candidate upon entry into the exam sight. Johnson to schedule a conference call will Shebba Toussaint, Project Manager for Pearson Vue to discuss the details.

Johnson presented a revised schedule of fines to the board to coincide with the reformatted Board Laws, Rules and Regulations.

Johnson presented a revised violation checklist that inspectors will use during routine inspections to simplify their process.

Johnson gave a brief administrative report regarding her attending the NIC Regional Meeting in Charlotte, NC April 19-21, 2013.

Johnson provided information regarding NIC Annual Conference scheduled for August 22-26, 2013 in Denver, CO.

An invitation was received from Virginia College Jackson on the Grand Opening at its new location scheduled for May 2, 2013 5:00 - 7:00 p.m. Johnson will RSVP Ennis and Garrett to attend.

Johnson presented the following for Continuing Education Approval Request:

July 15, 2013
Homewood Suites
Ridgeland, MS
Requested Hours: 6 hours for Cosmetologist (4 hrs- Hands-on, 2 hrs- Observe)
Received: 3/28/13 >45 days

Motion was made by Harsin to approve hours, seconded by Garrett and unanimously passed. Garrett to monitor.

Tasha Hewett, Course Development
8-Hour Online Course (Master Cosmetologist)
Received: 4/5/13
Inquiry for consideration

The board determined that there was not a need to approve additional Online CE Course Providers at this time.

The following schools were scheduled to meet with the Board regarding pass/fail ratio in accordance with Rule 309:

- | | | |
|-----------------------------------|-------------|--------------------|
| • Academy of Hair Design Jackson | Written 67% | Melvin Calton |
| • Creative Cosmetology of America | Written 69% | Katrina Ware |
| • Day Spa Career College | Written 66% | Peggy Tiblier |
| • Freedom Nail School | Written 68% | Kristina Wansley |
| • George County Occupational | Written 67% | Fran Byrd |
| • Magnolia College of Cosmetology | Written 68% | Andrew Howard |
| • Meridian Community College | Written 69% | Tanya Wright |
| • Pearl River Community College | Written 67% | Michelle Patterson |
| • Virginia College Jackson | Written 69% | No Show |

All representatives were required to submit a compliance plan to the board office within 30 days of this meeting.

Improvement/Compliance Plans Received to Date

Career Development Center	Not Received
Coahoma Community College	April 18, 2013
Creations College of Cosmetology	April 8, 2013
East Mississippi Community College	April 9, 2013
Final Touch	No Show
Hinds/Utica Community College	April 17, 2013
Holmes County Community College	April 8, 2013
Nail Academy 2000	Not Received
Southwest Community College	April 18, 2013

At 10:54 a.m. motion was made by Harsin to take a 5 minute break, seconded by Whitman and unanimously passed.

At 11:00 a.m. motion was made by Harsin to resume meeting, seconded by Whitman and unanimously passed.

Johnson made a request of the following Registered Complaints to investigate.

C2013-008	Unlicensed Salon and Practitioners
C2013-009	Student practice work not checked by instructor

Motion was made by Harsin to investigate, seconded by Whitman and unanimously passed.

A request for administrative hearings for the follow cases:

H-016-2013	73-7-35(2)	Allowing a practitioner to practice without valid license
H-017-2013	809.II(B)(3)	Level of wet sanitizer not adequate to sanitize items
H-018-2013	702.III; 73-7-35(2)	No storage for clean esthetician linens or no container for soiled linens; Allowing a practitioner to practice without valid license
H-019-2013	73-7-35(2) (repeat); 812.II.D; 73-7-	Allowing a practitioner to practice

	27(E)	without valid license; Whirlpool foot spa records not maintained; Dishonest conduct
H-020-2013	701.I.A.6 (repeat)	Establishment providing services outside scope of license
H-021-2013	73-7-19	Expired Practitioner License
H-022-2013	803.V; 803.VII	Pet (except seeing eye dog) allowed in salon
H-023-2013	73-7-19	Expired Practitioner License
H-024-2013	73-7-19	Expired Practitioner License
H-025-2013	73-7-35(2)	Allowing a practitioner to practice without valid license
H-026-2013	73-7-19	Expired Practitioner License
H-027-2013	73-7-35(2) (repeat)	Allowing a practitioner to practice without valid license
H-028-2013	73-7-19	Expired salon license
H-029-2013	73-7-35(1)	Working in an unlicensed salon

Motion was made by Whitman for administrative hearing request, seconded by Harsin and unanimously passed. Administrative Hearing date was set for July 15, 2013 and 9:00 a.m.

Johnson presented a Request for Declaratory Opinion requested by the following:

C. Stuart Rome
Woodhouse Day Spa
4280 Harlow's Boulevard
Greenville, MS. 38701
Received: March 29, 2013

Meeks advised the board that a drafted Declaratory Opinion would be provided at the next board meeting by Meeks, if appropriate.

Legal Counsel's Report

No items were discussed.

Executive Session

Motion was made by Harsin to consider the need for executive session, seconded by Whitman and unanimously passed.

The need to enter into Executive Session for the following was established: a) candidate application for examination review and b) candidates entering cosmetology program.

Motion was made by Whitman to enter into executive session, seconded by Garrett and unanimously passed.

Motion was made by Garrett to come out of executive session, seconded, by Whitman and unanimously passed.

The following was reported out from executive session:

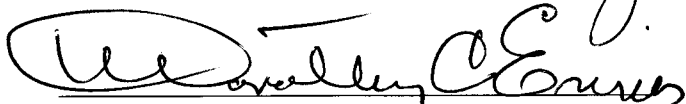
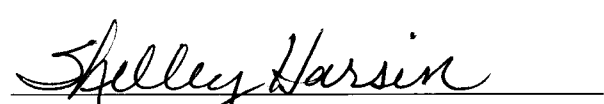
- Wilson denied to sit for examination until appropriate information is provided.
- Jones denied enrollment until appropriate information is provided.



Other Business as Submitted by Members of the Board

Adjournment

Motion was made by Whitman to adjourn, seconded by Garrett and unanimously carried. There being no further business the meeting was adjourned at 12:15 p.m.

Approved this the 24th day of June, 2013.

 
Dorothy Ennis, President Shelley Harsin, Secretary

 
Leisa McElreath, Member Teresa Whitman, Member

absent
Waylon Garrett, Member