

Minutes

MS State Board of Cosmetology

January 28, 2013

Board Members Present:

Dorothy Ennis, President
Shelley Harsin, Secretary
Leisa McElreath, Member
Teresa Whitman, Member
Waylon Garrett, Member

Board Staff Present:

Cynthia Johnson, Executive Director
Wade Hampton, School Coordinator

Legal Counsel Present:

Margarette Meeks, MS Attorney General's Office

Call To Order

The meeting was called to order at 9:04 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 Harsin, seconded by McElreath and unanimously passed, to approve the agenda.

Approval of Minutes

A motion was made by McElreath to table the minutes from December 10, 2012 until the board attorney has had the opportunity to review them, seconded by Whitman and unanimously passed.

Executive Director's Report

Johnson reported to the Board that Inspector Badges had been ordered in addition software had been ordered to update all office computers. She also indicated that the website wish list had been submitted to MS Interactive for overhaul.

Johnson presented request from Virginia College (Jackson and Biloxi) to not change the delivery method of their 1,500 hour cosmetology course which was previously approved by the board September 24, 2012 but to continue with the original program. Motion was made by McElreath, seconded by Whitman to approve the request.

Johnson presented Continuing Education Approval Request for the following:

MIBA Northern Region Educational Classes 2013
March 3-4, 2013 9:00 am – 1:00 pm (daily)
Silver Star Pearl River Resort
Philadelphia, MS
Requested Hours: 8 hours for Cosmetologist and Instructor
Received: 12/20/12 > 45 days

Motion was made by McElreath to approve, seconded by Harsin and unanimously passed. Whitman and Garret to monitor.

Chy Productions Hair & Health Premiere
April 28, 2013
8:00 am – 3:00 pm
IP Casino Resort Spa
Biloxi, MS
Requested Hours: 7 hours for Cosmetologist, Estetician and Instructor
Received: 1/3/13 >45 days

Motion was made by McElreath to approve, seconded by Garrett and unanimously passed. Ennis and Garrett to monitor.

MCA 67th Student Competition 2013 and Education
October 13, 2013
8:00 am – 4:00 pm
Silver Star Pearl River Resort
Choctaw, MS
Requested Hours: 8 hours for Cosmetologist, Manicurist, Esthetician and
Instructors
Received: 1/9/13 >45 days

Motion was made by Harsin to approve, seconded by Whitman and unanimously passed. All board members will attend.

Education Plus Seminar
May 19-20, 2013
Pearl River Resort Golden Moon Hotel and Casino
Choctaw (Philadelphia), MS
Requested Hours: 16.5 hours (6 hours Methods of Teaching)
Received: 1/6/13 >45 days

Tabled for further information with presentation by Reba Roy.

Johnson presented updates from Pearson Vue regarding change of scheduling to once per month for specific test centers due to trend review across the state. Motion was made by Garrett to accept the change, seconded by Harsin, opposed by McElreath for attorney to review contract for verification. Motion carried.

In addition, Johnson presented notice from Pearson Vue that effective March 1, 2013 all testing candidates would be required to wear a smock for the practical exam. The notice indicated that the Board had approved Pearson Vue introducing a dress code, however, the Board only recognizes the dress code and is out of the testing business. Motion was made by Shelley to recognize the dress code, seconded by Garrett and unanimously passed.

Johnson presented the Fingerwave and Pin Curl Standard Setting Results provided by Sean Woods, Content Developer of Pearson Vue. Motion was made by Whitman to table for Executive session, seconded by McElreath and unanimously passed.

A request to investigate registered complaint C2012-16 was made by Johnson. Motion was made by Garrett, seconded by McElreath and unanimously passed. Hampton to investigate.

A request for administrative hearings for H010-2012, H001-2013, H002-2013 was made by Johnson. Motion was made by Whitman to approve for administrative hearings, seconded by McElreath and unanimously passed.

Johnson informed the Board of the following:

Travel reimbursement increase to .565 effective 1/1/13
Tennessee Board of Cosmetology will no longer send Certifications via mail but electronically via e-mail
House Appropriations Sub-Committee Report
RFP Testing Vendor requested update from ITS

Presentation was made by Reba Roy regarding Education Plus Seminar for continuing education approval request. Motion was made by McElreath, seconded by Whitman and unanimously passed. All board members will attend.

Reba Roy also of Mississippi Cosmetology Association (MCA) requested updates of legislative issue. Motion was made by Harsin to approve McElreath to be the Board Liaison to MCA and Mississippi Cosmetology Council, seconded by Whitman and unanimously passed.

Presentation of written notice of plan was made by Glenda Honeycutt, Lead Instructor of Northwest Community College-Ashland MS Campus for adding esthetics and manicuring programs to their school. Motion was made by Harsin to accept written notice of plan and grant written permission, seconded by Garrett and unanimously passed. Upon readiness, Hampton will inspect.

At 10:22 a.m., motion was made by McElreath for board to recess until 12:30 p.m., seconded by Garrett and unanimously passed.

At 12:49 p.m., motion was made by McElreath to resume board meeting, seconded by Harsin and unanimously passed.

Administrative Hearings began at 1:00 p.m. for the following:

H-007-2012 for operation with expired practitioner license; consent agreement established respondent to pay a fine \$75.00 for violation of MS Code Ann. Section 73-7-19 within 30 days of the date of consent order and pay renewal and any delinquent fees. Motion was made by McElreath to accept consent, seconded by Garrett and unanimously passed.

H-006-2012 for operation with expired practitioner license; consent agreement established for complainant. Motion was made by McElreath for complainant to pay a \$50.00 fine within 30 days of the date of order and satisfy all other fees in violation of MS Code Ann. Section 73-7-19, seconded by Whitman and unanimously carried.

H-004-2012 for repeat of allowing unlicensed practitioner to work; consent agreement established for complainant. Motion was made by Whitman for complainant to pay a \$100.00 fine within 30 days of the date of order for violation of MS Code Ann. Section 73-7-35.

School Coordinator's Report

Hampton presented request for continuing education hours for Pearson Vue Industry Day scheduled for February 10, 2013 from 9:00 a.m. – 11:00 a.m. Motion was made by Garrett to not approve continuing education hours for event, seconded by McElreath and unanimously carried.

Hampton presented request for final inspection of KC's School due to relocation. Motion was made by Garrett for Hampton and Harsin to perform final inspection, seconded by McElreath and unanimously carried.

Legal Counsel's Report

Meeks advised the Board regarding proposal by ACLU of language found in SB2084 section 22 to be amended as proposed. Motion was made by Whitman to accept ACLU language proposal in SB2084 Section 22 and Meeks to contact Senator Blount, author of Bill and Representative Young regarding changes, seconded by Harsin and unanimously passed.

Executive Session

Motion was made by Garrett for considering the need to enter into Executive Session, seconded by Whitman and unanimously passed.

The board entered into Executive Session for the purpose of candidate application review, personnel concerns of individual employees and further discussion of tabled item. Motion was made by McElreath to enter into Executive Session, seconded by Garrett and unanimously passed.

Motion made by Garrett to come out of Executive Session, seconded by Whitman and unanimously passed.

Meeks reported out the following:

- Armstrong will need 3 letters and upon receipt presented to board for approval.
- Black approved for examination.
- Boudreaux approved for examination.
- Griffin not approved until Hampton and Johnson have had ample time to investigate validity of presented documents
- Fowler approved for examination.
- Nguyen and Le approved for examination.
- Howard approved for enrollment.
- King approved for enrollment.
- Roles clarified by the board.
- Conference call will be scheduled with Meeks, Johnson and Pearson Vue.

The board reviewed new salon application and fees for adding scope of practice to existing establishments. Motion was made by McElreath on clarification of fees when adding scope of practice to existing establishments, seconded by Whitman and unanimously passed.

Special call board meeting scheduled for February 10, 2013 at 1:00 p.m. for the purpose of establishing procurement procedures for testing vendor.

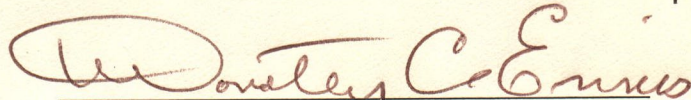
Regular scheduled board meeting for the month of February has been changed to February 11, 2013 at 9:00 a.m.

Administrative Hearings scheduled for March 11, 2013 at 10:00 a.m.

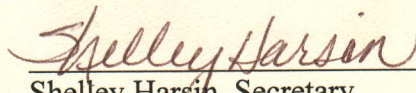
Adjournment

Motion was made by McElreath to adjourn, seconded by Whitman and unanimously passed. There being no further business the meeting was adjourned at 5:49 p.m.

Approved this the 11th day of February, 2013.



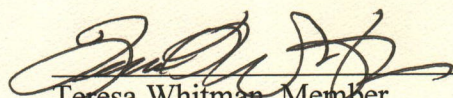
Dorothy Ennis, President



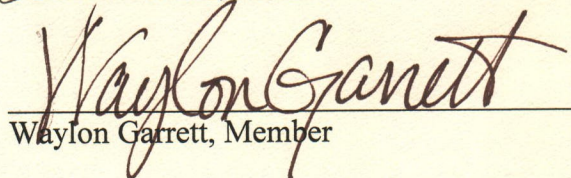
Shelley Harshin, Secretary



Leisa McElreath, Member



Teresa Whitman, Member



Waylon Garrett, Member