

MISSISSIPPI STATE BOARD OF COSMETOLOGY
Robert E. Lee Building, Floor 12
239 North Lamar Street, Jackson, MS. 39201
601-359-1820 FAX: 601-354-6639
www.msbc.state.ms.us

Debbie Coker - President
Jewell Stewart - Vice President
Dorothy Ennis - Secretary



Warren Rossi - Member
Hilda Bills - Member
Stacy Lea, Executive Director

MONTHLY BOARD MEETING
FEBRUARY 22, 2021, 9:00 AM
MINUTES

Board Members Present:
Deborah Coker, President
Jewel Stewart, Vice-President
Dorothy Ennis, Secretary
Hilda Bills, Member
Warren Rossi, Member

Others Present:
Pete Cajoleas, Special Assistant Attorney General
Stacy Lea, Executive Director
Ruby Lowery, School & Testing Coordinator
Jody Wilmoth, Reciprocity Agent

Board President Coker called the meeting to order at 9:07 AM.

Board Member Ennis called for a roll call of Board Members. All five (5) Board Members, one (1) attorney, three (3) staff members were present, and two (2) members of the public

Secretary motioned to deny credit for hours prior to sept 18, 2020 & deny accelerated proposal Dec 14, Board Member Rossi s. motion carried 5-0.

President Coker stated the Board would now hear a litigation and legislative update from Attorney Cajoleas.

Attorney Cajoleas briefed the Board on the following legislative updates:

Pending Litigation: There are currently two lawsuits filed against MSBC that Pete / the Office of the Attorney General are responding to on behalf of MSBC: 1) Deregulation of Threading Lawsuit. 2) Deregulation of Makeup Artistry Lawsuit. HB1312 will address and resolve both lawsuits if passed.

HB1312: This is our key bill which extends the life of the Board until July 1,2024 and is currently tabled and now before the Senate. The bill also deregulates the limited practices of threading, makeup artistry and eye ash extensions. The Board unanimously supports the passage of HB 1312.

HB1263 & SB 2187: These bills introduce new universal licensing policies that would significantly impact reciprocity processes for all occupational licensing boards (including MSBC) if passed. HB1263 will allow out-of-state licensed practitioners who establish residency in MS to qualify for MS license according to

OLRC (Occupational Licensing Review Committee) requirements. The Board has not taken an official position yet on these bills.

SB 2342 and SB 2343: The Board was unanimously against both bills introduced by Senator Jeremy England deregulating "hair arranging", "massage of the face and neck", and "shampooing and conditioning". Both bills died in committee.

President Coker asked Mr. Calton to clarify the MS Cosmetology Council process for selection of delegates. Mr. Calton stated that delegate nominations are requested from the associations.

President Coker stated the Board would now hear an update from Attorney Cajoleas regarding Erica's ATA public records requests for "a list with public contact information for cosmetologists, schools, barbers and businesses sent via email or by ink".

First, The Board has not in the past nor currently require email addresses to be given in the application process for any of our individual licensees. However, email address have been accumulated from our licensed schools because of the monthly reports they have to submit to the Board which can be released.

Cosmetologists: The Attorney General of the State of Mississippi has issued an opinion stating that specific identity information of named individuals such as "home addresses" are confidential and cannot be disclosed unless specifically authorized or required by law. MS AG OP. Neyman (January 31, 2014). The Neyman opinion further states, "It is our opinion that the Public Records Act does not authorize nor require such disclosure."

On March 27, 2015, the Attorney General opined, "It remains our opinion that generally, and unless authorized or required by statute, information such as addresses, telephone numbers, and other related personal information . . . should not be made public pursuant to a public records request." MS AG OP. Turner (March 27, 2015). See also, MS AG OP. Kilpatrick (August 17, 2012).

Accordingly, the Board of Cosmetology is not authorized to release the contact information for individual licensees which you have requested pursuant to a public records request and the individual licensees have not authorized the board to release such information pertaining to them.

Schools: Current contact information of the licensed cosmetology schools, along with a list of email addresses for such schools is posted on the MSBC website can be released.

Barbers: The Board of Cosmetology does not have the authority to regulate barbers. Please contact the State Board of Barber Examiners.

Businesses: Current contact information for licensed cosmetology, esthetics, and manicuring salons can be released.

Board Member Rossi motioned that the Board require that all MSBC salon and individual licenses display a current email address beginning February 23, 2021. Vice-President Stewart seconded the motion, and the motion was carried unanimously (5-0)

President Coker requested that the Board approve \$40 per diem for Vice-President Stewart to attend the National Interstate Council (NIC) conference as a representative of Mississippi.

Board Member Bills motioned that the Board approve \$40 daily per diem for Vice-President Jewel to represent Mississippi at the NIC national conference. Board Member Rossi seconded the motion, the motioned carried (4-0). Secretary Ennis tabled her decision pending additional information requested to clarify Ethics Committee and DFA policies that are applicable.

President Coker stated the Board would now consider Dharti Soni's agenda request for approval of documentation required for Reciprocity licensure from

Vice-President Stewart motioned to approve Dharti Soni's request for reciprocity licensure. Secretary Ennis seconded the motion, and the motion was carried unanimously (5-0).

President Coker stated the Board would now hear Ronnie Hudson's agenda request for a testing extension due to Covid-19 and other hardships.

Vice-President Stewart motioned that the Board uphold Rule deny Ronnie Hudson's request based 50 brush-up hours required Bills seconded

Vice-President Stewart stated that Ronnie Hudson was granted fair and ample time of one year to complete exams, that MSBC testing was disrupted only two weeks during April 2020 due to COVID-19, and all students effected have been accommodated. Vice-President Stewart motioned that the Board uphold Rule 2.7-D and deny Ronnie Hudson's request for a testing extension and require completion of 50 brush-up course hours for testing eligibility. Board Member Bills seconded the motion and the motioned carried (4-0).

Rule 2.7 General provisions regarding licensure by examination

D. Any applicant failing to pass the required examination after three attempts within 365 days of school completion is not eligible for re-examination until he or she has returned to a school for additional training of no more than 10 percent of the prescribed course hours for the course of training for which application for licensure is being made.

President Coker stated the Board would now consider the agenda requests submitted by five (5) constituents with felony convictions requesting permission to enroll in school.

Vice-President Stewart motioned that the Board approve agenda requests of 5 constituents with felony convictions to enroll in school. Bills seconded the request, and the motion was carried unanimously (5-0)

President Coker stated the Board would now consider approval of proposed revisions to the MSBC Employee Dress Code Policy. Board Member Rossi motioned that the Board approve and adopt the revised dress code policy. Secretary Ennis seconded the motion, and the motion was carried unanimously (5-0).

President Coker stated the Board would now consider the approval of Board minutes. Board minutes were reviewed and approved with Board signatures.

Public Comments:

Hannah Rushing thanked the Board for their time, efforts, and dedication to maintaining integrity in the field of cosmetology in MS.

Secretary Ennis motioned for the Board Meeting to adjourn. Board Member Rossi seconded the motion, and the motion was carried unanimously (5-0).

President Coker stated that the Board Meeting is now adjourned at 4:22PM.

Public Present:

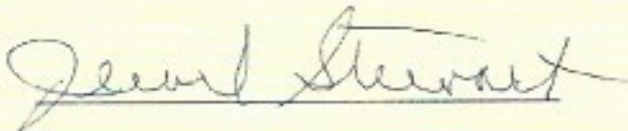
Melvin Calton
Hannah Rushing

MISSISSIPPI STATE BOARD OF COSMETOLOGY
MONTHLY BOARD MEETING
February 22, 2021

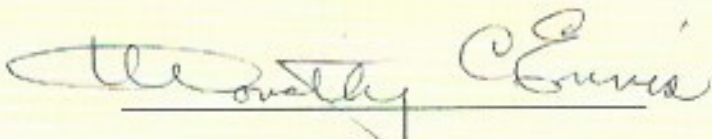
APPROVAL OF MINUTES



Deborah Coker – President



Jewel Stewart – Vice-President



Dorothy Ennis - Secretary

Hilda Bills - Member

Warren Rossi - Member