

**MISSISSIPPI STATE BOARD OF COSMETOLOGY
SPECIAL TELEPHONIC BOARD MEETING
JANUARY 28, 2021, 8:30 AM
239 N. Lamar Street, Suite 301
Jackson, MS. 39201**

**Deborah Coker - President
Jewell Stewart - Vice President
Dorothy Ennis - Secretary**



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

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**

Board President Coker called the meeting to order at 8:36 AM.

Board Secretary Ennis called for a roll call of Board Members, staff, and members of the public. All five (5) Board Members, one (1) attorney, one (1) staff member, and no (0) members of the public were present.

Board President Coker stated the purpose of the meeting is to discuss Special AG Attorney, Pete Cajoleas' memo regarding clarification on the Board's position on proposed Bill 2342 by 1 PM, Monday, February 1, 2021, and to discuss Rule 6.2 regarding instructor CEU requirements.

Board Secretary Ennis motioned that the Board suspend Rule 6.2 (A) and Miss. Code Ann. Section 73-7-15(5) regarding instructor CE requirements, and to waive all instructor CEU requirements for the years 2020 and 2021 as part of the MS Board of Cosmetology's Covid-19 response. Board Member Bills seconded the motion and the motioned carried unanimously (5-0). A copy of President Coker's official proclamation suspending CE requirements is attached for reference.

Schools and Testing Administrator Lowery will communicate the Board's 1/28/2021 decisions regarding instructor CEU requirements to all instructors and schools.

Executive Director Lea will post the Board's 1/28/2021 decision regarding instructor CEU requirements on the MSBC website to inform the public.

Board President Coker stated the Board would now discuss clarification of the Board's position on items in Bill 2342 pending in the current 2021 MS Legislative Session. A copy of proposed Bill 2342 is attached for reference.

A discussion was held, and the Board came to a consensus and determined that the Board opposes the provisions of Senate Bill 2342 which deregulate the practice of "hair arranging" and deregulates the practice of "shampooing and conditioning"; however, the Board is in favor and unanimously supports the deregulation of the sole and limited practices of threading, eye lash extensions, and makeup artistry.

President Coker asked for a motion to adjourn.

Board Member Rossi motioned to adjourn the meeting, Vice-President Stewart seconded the motion, and the motion carried unanimously (5-0).

The meeting adjourned at 9:42 AM.

2 Attachments:

MSBC Proclamation Suspending CE Requirements

MISSISSIPPI STATE BOARD OF COSMETOLOGY

Post Office Box 55689 Jackson, MS 39296

PROCLAMATION

WHEREAS, by Proclamation, dated March 14, 2020, issued by Tate Reeves, Governor of the state of Mississippi, a state of emergency was declared pursuant to Miss. Code Ann. Section §33-15-11, to address the high risk for an outbreak of the novel coronavirus, identified as COVID-19, in the state of Mississippi; and

WHEREAS, the Proclamation has invoked the emergency powers of the Governor pursuant to Miss. Code Ann. Section §33-15-11(c)(1) to temporarily suspend the provisions of any regulatory statute, rule or regulation of a state agency which would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

WHEREAS, the Mississippi Board of Cosmetology ("Board"), as an agency of the state of Mississippi charged with the regulation of the cosmetology, esthetics, and manicuring, wishes to comply with the Governor's proclamation and take those steps to assist its licensees, including licensed instructors, in protecting the public from the spread of infection; and

WHEREAS the Safe Recovery Order instituted by the Governor in his Executive Order 1535 remains in full force and effect; and

WHEREAS, under the provisions of Miss. Code Ann. Section 73-7-15 (5), licensed instructors must obtain biennially twenty-four (24) clock hours of continuing education in teacher training instruction to renew their instructors license in an active status; and

WHEREAS, under the provisions of Board Rule 6.2 (A), licensed instructors must obtain twenty-four (24) Continuing Education in Instructor Training ("CEIT") hours per biennial period, including attending at least one mandatory Board sanctioned methods of teaching seminar earning a minimum of five (5) continuing education hours, to renew their instructor's license in an active status; and

WHEREAS the Safe Recovery Order places restrictions and limitations on indoor gatherings and special requirements on the attendees of such gatherings; and

WHEREAS the Board recognizes that there is an extremely limited opportunity to obtain, through online course instruction, the required twenty-four (24) CEIT hours per biennial period.

NOW THEREFOR, the provisions of Miss. Code Ann. Section 73-7- 15 (5) and the provisions of Board Rule 6.2 (A) are hereby suspended, as applicable to the year 2020, and for the year 2021, until further notice.

the application of dyes, bleach, reactive chemicals, keratin treatments or other preparations to color or alter the structure of hair.

- (h) "Hair braiding" means the use of techniques that result in tension on hair strands or roots by twisting, wrapping, weaving, extending, locking or braiding of the hair by hand or mechanical device, but does not include the application of dyes, reactive chemicals, or other preparations to alter the color of the hair or to straighten, curl or alter the structure of the hair.
 - (* * *i) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.
 - (* * *j) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:
 - (i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.
 - (ii) Applying artificial nails.
 - (iii) Massaging or cleaning a person's hands, arms, legs or feet.
 - (* * *k) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.
 - (* * *l) "Master" means a person holding a cosmetology, manicuring and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.
 - (m) "Mechanical devices" means clips, combs, crochet hooks, curlers, curling irons, hairpins, rollers, scissors, blunt-tipped needles, thread, hair binders and similar instruments.
 - (* * *n) "Salon" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.
 - (* * *o) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, or manicuring and pedicuring, or esthetics, or wigology, or all of those.
- (p) "Threading" means to remove hair from the eyebrows, upper lip, or other body parts by using cotton thread to pull hair from follicles.

SECTION 2. Section 73-7-31, Mississippi Code of 1972, is amended as follows:

73-7-31. Nothing in this chapter shall apply to:

- (a) Hairdressing, manicuring or facial treatments given in the home to members of family or friends for which no charge is made.
- (b) Persons whose practice is limited to the application of cosmetic products to another person * * *, with or without compensation.
- (c) Barbers, and nothing in this chapter shall affect the jurisdiction of the State Board of Barber Examiners.
- (d) Persons engaged in the practice of hair braiding * * *, hair arranging, shampooing and conditioning hair, threading, or extending eyelashes.

SECTION 3. Section 73-7-71, Mississippi Code of 1972, which provides for the registration requirements for those seeking to perform hair braiding, is hereby repealed.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.

SO, ORDERED AND APPROVED by the Mississippi Board of Cosmetology, as of January 28,2021.

THE MISSISSIPPI BOARD OF COSMETOLOGY
BY: Deborah Coker
Deborah Coker, MSBC President

Senate Bill 2342:

MISSISSIPPI LEGISLATURE
2021 Regular Session
To: Public Health and Welfare
By: Senator(s) England

Senate Bill 2342

AN ACT TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN BEAUTY SERVICES; TO EXCLUDE THREADING FROM THE DEFINITION OF COSMETOLOGY AND ESTHETICS; TO AMEND SECTION 73-7-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HAIR ARRANGING, THREADING AND EXTENDING EYELASHES SHALL NOT REQUIRE A LICENSE; TO REPEAL SECTION 73-7-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REGISTRATION REQUIREMENTS FOR THOSE SEEKING TO PERFORM HAIR BRAIDING, AND FOR RELATED PURPOSES.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 73-7-2, Mississippi Code of 1972, is amended as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

- (a) "Board" means the State Board of Cosmetology.
- (b) "Cosmetology" means anyone (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:
 - (i) Cutting, clipping or trimming hair and hair pieces.
 - (ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, * * * bleaching, tinting, coloring or similarly treating hair and hair pieces.
 - (iii) Cleansing, stimulating, manipulating * * * or applying oils, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical apparatus.
 - (iv) Arching eyebrows, * * * by tweezing, waxing * * * or any other methods of epilation, excluding threading, or tinting eyebrows and eyelashes.
 - (v) Removing superfluous hair by the use of depilation, excluding threading.
 - (vi) Manicuring and pedicuring.
- (c) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.
- (d) "Esthetics" means anyone (1) or a combination of the following practices: * * *
 - (* * *i) Arching eyebrows to include trimming, tweezing, * * * threading or * * * other methods of epilation or tinting eyebrows and eyelashes.
 - (* * *ii) Tinting eyelashes or eyebrows.
 - (* * *iii) Waxing, stimulating * * * or cleaning * * * the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation. The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition.
- (e) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.
- (f) "Extending eyelashes" means to apply artificial eyelash extensions with glue to natural eyelashes or to remove artificial eyelash extensions.
- (g) "Hair arranging" means to arrange, style, curl, dry or straighten hair by hand or mechanical device. It includes the use of hair sprays and topical agents, such as balms, oils and serums, and the use and styling of hair extensions and wigs. It also includes massaging the face and neck. It does not include cutting hair or

MISSISSIPPI STATE BOARD OF COSMETOLOGY

SPECIAL BOARD MEETING

January 28, 2021 at 8:30 AM

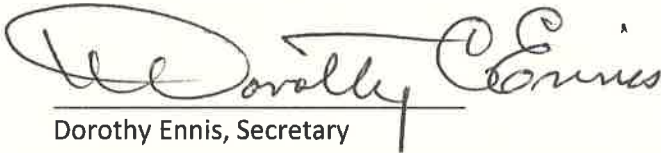
APPROVAL OF MINUTES



Deborah Coker - President



Jewel Stewart, Vice-President



Dorothy Ennis, Secretary

Hilda Bills, Member



Warren Rossi, Member