

Regular Scheduled Board Meeting Minutes of April 11, 2022

I. Welcome and Call to Order

The Mississippi State Board of Cosmetology regular scheduled meeting was called to order at 9:41 a.m. on April 11, 2022 (delayed due to inclement weather). The following members of the Mississippi State Board of Cosmetology were present:

Hilda Bills, Member
Debbie Coker, Chairman
Dorothy Ennis, Member
Warren Rossi, Secretary
Jewel Stewart, Vice-Chairman

Also present was:

Pete Cajoleas, Special Assistant Attorney General / Counsel for the Board
Andria Calton
Melvin Calton
Denise De Rossette, Fiscal Agent
Ruby Lowery, Interim Executive Director
Porsha Welch, Senior Licensing Agent
Yvonne Laird, Contractor/Consultant
Yonika Ransom, Student-Unlimited Cosmetology School

II. Hearing / Hearing Update

Counsel for the Board Pete Cajoleas requested the Board to establish hearing dates for respondent's who failed to sign consent agreements for fine payments resulting from violations of law. The following meeting date changes and hearing dates and locations will be updated to the MSBC and to the DFA transparency websites, as required by law, as follows:

Sunday, July 26, 2022 at 1:00 p.m. – Board Meeting, Robert E. Lee Bldg
Monday, July 27, 2022 at 9:00 a.m. – Hearings, Woolfolk Bldg
Sunday, August 28, 2022 at 1:00 p.m. – Board Meeting, Robert E. Lee Bldg
Monday, August 29, 2022 at 9:00 a.m. – Hearings, Woolfolk Bldg

III. Agenda Request

A. MCSA CEU Request

Andria Calton provided information regarding the 2022 event scheduled for June 12 and 13, 2022 at the IP Casino and Resort in Biloxi, Mississippi. The motion was made by Jewel Stewart to approve this CEU request for twelve (12) hours. Dorothy Ennis provided a second. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi

Aye – Jewel Stewart

The motion was made by Warren Rossi with a second provided by Hilda Bills to approve the monitoring of this event. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi
Aye – Jewel Stewart

B. Lychandra Brown CEU Request

Dr. Brown was not present in support of her CEU Request; however, she was contacted by phone to respond to questions by the Board regarding the participation by students. After discussion by the Board, Jewel Stewart made the motion to approve the request with only licensed professionals receiving CEU credit. A second was provided by Hilda Bills. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi
Aye – Jewel Stewart

The motion was made by Warren Rossi to approve the monitoring of this event by Debbie Coker and Dorothy Ennis. A second was provided by Hilda Bills. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi
Aye – Jewel Stewart

C. Out of Country Reciprocity

After review of the application and in compliance with Rule 2.10, the motion was made by Jewel Stewart to approve. Warren Rossi provided a second. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi
Aye – Jewel Stewart

IV. Discussion of the Prior Board Meeting Minutes

The motion was made by Warren Rossi to approve the Board Meeting Minutes of March 21, 2022 A second was provided by Dorothy Ennis. The vote was, as follows:

Aye – Hilda Bills Aye – Debbie Coker
Aye – Dorothy Ennis Aye – Warren Rossi
Absent – Jewel Stewart

V. Report of Officers

A. Chairman

Debbie Coker had no special business to come before the Board.

B. Vice-President

Jewel Stewart had no special business to come before the Board.

C. Secretary/Treasurer

The motion was made by Warren Rossi to accept the financial report as presented by Denise De Rossette. A second was provided by Jewel Stewart.

The vote was, as follows:

Aye – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

VI. MS Cosmetology Council (73-7-7 (1))

Dorothy Ennis indicated that there was no update regarding the MS Cosmetology Counsel. The next regularly scheduled meeting is September 25, 2022.

VII. Travel Committee Update

The motion was made by Dorothy Ennis to table until the May 16, 2022 meeting, the MSBC Travel / Per Diem Policy as presented for further review. A second was provided by Hilda Bills. The vote was, as follows:

Aye – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

The motion was made by Jewel Stewart to recess for lunch at 12:44 p.m. Hilda Bills provided a second. The vote was, as follows:

Aye – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

The motion was made by Warren Rossi to return from recess at 1:06 p.m. A second was provided by Jewel Stewart. The vote was, as follows:

Aye – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

VIII. Legislative Committee Update

Chairman Coker, Secretary Rossi and Counsel for the Board Pete Cajoleas met with a Barber Board Member on Sunday, April 10, 2022 to establish advantages and disadvantages of merging the MS Board of Cosmetology and the MS Barber Board in anticipation of future legislation. Discussions will continue to prepare anticipated guidelines pursuant to the PEER Report and future merger discussions. Thirty-one (31) states currently regulate both the Barber Board and the Cosmetology Board as one agency in the U.S. No action required by the Board. Future updates to follow.

IX. Report of Counsel

Special Assistant Attorney General Pete Cajoleas had no general information to present to the Board.

X. Executive Director's Report

A. Inspector Report

Ruby Lowery presented inspection reports which were attached to and included in the distribution of the agenda. No action required by the Board.

B. School/ Testing Report

Pete Cajoleas provided an update regarding Exhibit A of the Prometric Agreement for testing. ITS will have to amend as they are the contracting agent on behalf of MSBC which may take some time. Therefore, an alternate method of testing might need to be considered until which time the Agreement may be modified. The Board determined that the sanitation and jurisprudent examination should consist of fifty (50) questions chosen randomly from a databank of multiple questions. Further information will be discussed at the May 16th meeting.

C. SOS / OLRC Filing

Yvonne Laird, Consultant advised the Board had received confirmation email from OLRC on March 25, 2022 from Amy Tisdale, Director of Business Services and Regulation (Secretary of State's Office) that our Proposed Rules had been received. The proposed rules were filed with the Secretary of State of March 30, 2022. MSBC will be submitting the Rules as Final on April 25, 2022 along with the Short Explanation of State Policy with which the Submission is in Compliance as well as the explanation of the impact that each proposed change will be on the public health and safety; a detailed explanation of the need for the proposed change; an analysis of the impact that the proposed change will have on small businesses; a comparative analysis of the proposed change to existing regulations in other states (if applicable); and a comprehensive legislative history (proposed and/or enacted legislation (if any)). Upon receipt, the OLRC will review all submissions and shall either approve, disapprove, disapprove with suggested amendment; or the Occupational Licensing Board (MSBC) will be allowed to withdraw for revision.

D. DFA Evaluation of Internal

the DFA Fiscal Management Internal Control Assessment has been completed. The DFA Fiscal Management Internal Control Assessment has been completed. The original deadline was December 31, 2021; however MSBC requested an extension until April 15, 2022. The motion was made by Warren Rossi to authorize Debbie Coker to sign the Assessment Letter on behalf of MSBC which indicates deficiencies and the Board's action to address these deficiencies. A second was provided by Jewel Stewart. The vote was, as follows:

Aye – Hilda Bills

Aye – Debbie Coker

Aye – Dorothy Ennis
Aye – Jewel Stewart

Aye – Warren Rossi

E. Internal Control Manual
The development of the MSBC Internal Control Manual is still under review and should be finalized by the May 16, 2022 meeting for Board consideration. No action required by the Board at this time.

F. Office/Inspector Job Posting
Porsha Welch and Denise De Rossette will coordinate the procedures for the Office/Inspector job posting on Indeed. The motion was made by Hilda Bills to also post on LinkedIn. A second was provided by Warren Rossi. The vote was, as follows:

Aye – Hilda Bills
Aye – Dorothy Ennis
Aye – Jewel Stewart

Aye – Debbie Coker
Aye – Warren Rossi

XI. Old Business

A. Cause Number 2022-01

Pursuant to the Board Minutes of March 21, 2022, Ruby Lowery issued an email to Delta Tech regarding the actions of the Board and provided an update regarding the students who had transferred to their program. Pete Cajoleas indicated that respondent had agreed to the settlement. The motion was made by Jewel Stewart with a second by Warren Rossi to adopt the Consent Order. The vote was, as follows:

Aye – Hilda Bills
Aye – Dorothy Ennis
Aye – Jewel Stewart

Aye – Debbie Coker
Aye – Warren Rossi

B. The motion was made by Warren Rossi to approve the Premier Show in Orlando, Florida not to exceed fourteen (14) hours for the 3-day program. A second was provided by Jewel Stewart. The vote was, as follows:

Aye – Hilda Bills
Aye – Dorothy Ennis
Aye – Jewel Stewart

Aye – Debbie Coker
Aye – Warren Rossi

XII. New Business

A. Online CEU Hours

The motion was made by Warren Rossi to only allow online CEU courses from Pivot Point International and Milady Standard Cosmetology with a certificate requirement. A second was provided by Dorothy Ennis. The vote was, as follows:

Absent – Hilda Bills
Aye – Dorothy Ennis
Aye – Jewel Stewart

Aye – Debbie Coker
Aye – Warren Rossi

B. Clarification of "Reciprocity"

Upon motion made by Warren Rossi, the Board voted that it would recognize traditional reciprocity (if you recognize our license, we will recognize your license) with another state only if there is a written agreement. A second was provided by Jewel Stewart. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

XIII. Executive Session / Closed Determination Session

Upon motion made by Warren Rossi the Board voted to go into a closed determination session to establish the need for an Executive Session. The motion carried with the following members voting for: Hilda Bills, Debbie Coker, Dorothy Ennis, Warren Rossi, and Jewel Stewart; voting against none; recusal: none; absent: none.

In the determination session, Jewel Stewart moved, that the Board had reason to go into Executive Session, namely for investigative proceedings regarding allegations of misconduct or violation of law. The Board determined that facts presented constituted the need for Executive Session under § 25-41-7 (d), Miss. Code Ann., as revised. The motion carried with the following members voting for: Hilda Bills, Debbie Coker, Dorothy Ennis, Warren Rossi, and Jewel Stewart; voting against none; recusal: none; absent: none.

The Board announced to the public the aforesaid reasons as the Board's purpose for entering an Executive Session.

Upon the conclusion of business of Executive Session, the Board voted, upon motion made by Dorothy Ennis to come out of Executive Session. The motion carried with the following members voting for: Hilda Bills, Debbie Coker, Dorothy Ennis, Warren Rossi, and Jewel Stewart; voting against: none; recusal: none; absent: none.

The Board resumed in open meeting by announcing the following actions and votes taken in Executive Session.

RETURN TO REGULAR SESSION

Within the Executive Session, the Board took the following actions:

1. Motion was made by Warren Rossi to turn the matter over to the Public Integrity Division of the Attorney General's Office for determination of action. Dorothy Ennis provided a second. The vote was, as follows:

Absent – Hilda Bills	Aye – Debbie Coker
Aye – Dorothy Ennis	Aye – Warren Rossi
Aye – Jewel Stewart	

2. Motion was made by Warren Rossi to turn this matter of possible fraud by a former employee over to the State Auditor's Office for assessment. Jewel Stewart provided a second. The vote was, as follows:

Absent – Hilda Bills

Aye – Dorothy Ennis

Aye – Jewel Stewart

Aye – Debbie Coker

Aye – Warren Rossi

XI. Adjournment

There being no further business to come before the Board, the motion was made by Warren Rossi to adjourn the meeting at 2:52 p.m. A second was provided by Jewel Stewart. The vote was, as follows:

Absent – Hilda Bills

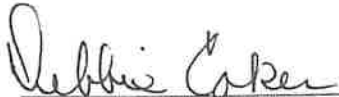
Aye – Dorothy Ennis

Aye – Jewel Stewart

Aye – Debbie Coker

Aye – Warren Rossi

APPROVED:


Debbie Coker, Chairman


Warren Rossi, Vice Chairman