

MINUTES

UTAH Barber, Cosmetology/Barber, Electrology, Esthetics And Nail Technology MEETING

December 01, 2008

Room 474 -9:00 am
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:06 AM

ADJOURNED: 2:00 PM

Bureau Manager:

Sally A Stewart

Board Secretary:

Penny Vogeler

Acting Board Secretary:

Sally Canavan

Board Members Present:

Marti Frasier, Chairperson
Lynette Casper-Johnson
Dianne Niebuhr
Lyle Ferguson
Ruth Ann Holloway
Electrology position not replaced at this time
Fran Brown
Monica Bruin

Board Members Absent:

Shauna Fox

Guests:

None noted

DOPL Staff Present:

F. David Stanley, Division Director
Kent Barnes, Compliance Manager
Debbie Harry, Compliance Specialist
Wayne Holman, Chief Investigator

TOPICS FOR DISCUSSION

BOARD DISCUSSION:

NIC Conference and Exams

DECISIONS AND RECOMMENDATIONS

The Board members who attended the NIC conference gave a report stating Ms. Frasier swore in Ms. Brown as a NIC Board member. The Board discussed the benefits of sending the entire Board membership to the NIC Conferences.

NIC Conference and Exams (continued)

It was reported that NIC feels the PSI testing is working well. The applicants get pass/fail reports within 10 minutes after completion of the exams.

The Regional NIC conference is in March in San Francisco.

There will be a new NIC Master Theory and Master Practical exam in January.

Alan Murphy, maker of barbicide products has indicated he would be willing to present information on disinfection techniques if requested.

Fish Exfoliation

The Board discussed the Fish exfoliation. There are 1 or 2 states allowing this process.

**ADMINISTRATIVE BUSINESS:
MINUTES:**

The minutes from the September 8th, 2008 meeting were reviewed. Ms. Brown moved to accept the minutes as written with Ms. Bruin as second. The motion passed unanimously.

COMPLIANCE SPECIALIST:

Ms. Harry gave her report on the probationers being interviewed today.

The Board discussed the list of Citations noting the cosmetology and associated professions have the highest ratio of citations per the amount of licensees. More information was requested to assess the need to meet with the individuals who had received citations. Mr. Holman commented that individuals with citations must pay a fine before their licenses can be made renewed or new application approved. The investigations department has the option of bringing criminal charges against Respondents or licensees.

**PROBATION INTERVIEWS:
Ms. Stephanie Brown**

Ms. Holloway conducted the interview. Ms. Brown stated things are going well. She is gaining experience and education as an assistant manager of Great Clips. Her goal is to be an assistant manager/manager at the Great Clips closer to her home. The Board requested she return in March 2009. **In compliance.**

Ms. Jenny Murray

Ms. Bruin conducted the interview. Ms. Murray stated things are going better since the last meeting. She has been sober since October 26, 2008. She is currently in residence at the Arc of Little Cottonwood. She plans to graduate in January 2009 and will reside with her mother after graduation. Ms. Harry noted the documentation needed to be in compliance and gave her the fax number. Ms. Murray will request her treatment agency fax the information to DOPL. She stated her goals are to get a job, earn some money and get her townhouse back. The Board would like to see her on March 2nd, 2009. **Will be in compliance.**

Ms. Amanda Call

Ms. Johnson-Casper conducted the interview. Ms. Call stated she has not been working due to a high risk pregnancy. She plans to go to work after March when the baby is due. The Board reminded her that when an individual is not working in the profession for 60 days the time may not be counted toward completion of the probation. Her probation is scheduled to end in January 2009. The Board discussed her Stipulation and Order. Ms. Brown made a motion, seconded by Ms. Holloway, to allow the time spent not working to count towards completion of probation. The motion passed unanimously. **In compliance.**

Ms. Marci Pruitt

Ms. Holloway conducted the interview. Her “out of range” results on drug screens were discussed. It was recommended she test in the morning or have the drug screening mobile service come to her work. She stated she is trying to cut costs right now so it is too expensive. She asked to use a different testing provider, however, DOPL requires our probationary licensees use the Compass Vision for uniformity in testing. Her goals are to own her own shop and do hair for television shows. The Board recommended she begin compiling her portfolio and continue to do what she is doing. The Board requested she attend the next meeting on March 2nd, 2009. **In compliance.**

Mr. Stuart Nelson

Ms. Brown conducted the interview. He is currently not employed, but is looking for work. The Board recommended he send his resume out to several different shops. His goals are to get a vehicle and get his credit back. The Board requested to see him again on March 2nd, 2009. **In compliance.**

Ms. Ashley Midby

Ms. Frasier conducted the interview. She needs to submit copies of drug screens but stated she had been unable to contact her probation officer to send those in. She is currently working for Smart Style. She plans to join the army in January or February 2009. The Board discussed that she would need to let DOPL know. The Board requested to see her on March 2nd, 2009. **Non compliant.**

NEW STIPULATIONS:

Ms. Morgan Dean-Morley

Ms. Murphy conducted the interview. Ms. Dean-Morley stated she originally got involved in drugs at 13 years old but has been sober since May 2005. She has been doing drug screens through the court and is in an after care program at her request. She will be on probation until September 2010. She stated she has a good support system. She is currently working outside her profession in outbound sales and wanted to meet with the Boards before seeking employment within her profession. Her MOU requires drug screens through Compass Vision. The Board requested she begin them in January 2009.

Ms. Stevie Burtenshaw

Ms. Niebuhr conducted the interview. She is currently working at Kate's Shop. She has finished drug therapy program but is still meeting with a therapist individually. She is doing monthly drug screens through the court. The Board recommended she check with Compass Vision on testing with them in Blanding. Her goal to have a shop in home and do some continuing education. The Board requested Ms. Burtenshaw at the next meeting on March 2nd, 2009.

Ms. Joanna Storer

Mr. Ferguson conducted the interview. She has been attending drug and alcohol classes. She is currently not in therapy but stated she has a good support system. She is working at the Texas Road House in Colorado, her current home. She is applying for her license in Colorado. She wants to maintain her license in Utah. Ms. Harry will contact the Colorado State Board to determine if further meetings with the Utah Cosmetology Board will be required.

DISCUSSION ITEMS:

The Board discussed that on Monday, December 8th, 2008 there will be hearings, at 9:00 a.m., 10:00 a.m. and 11:00 a.m. The hearings will be pursuant to

Orders to Show Cause for three probationary licensees.

The Board discussed the Minute Man product. It is can be used by individuals to pass drug screens and is available over the internet.

Legislative Possibilities

When the Legislature meets, the law will be opened to make changes, specifically regarding use of Laser. The proposed change is in the discovery stage at this point. The profession is considering some training with regulations or certification for Laser Hair Removal. The Board discussed concerns in the field and the potential danger of lay persons using a laser or teaching others who don't have training to treat the skin. One of the hopes is to require the laser course be taught to specifically train individuals who can then receive further training from a medical doctor. Also the profession hopes to clarify the definition of and practice of a Laser Safety Specialist. Brenda Sharman is working with a school owners committee on the discovery stage of changing the Utah law.

Investigations

Mr. Holman commented that cosmetology and related professional fields lend themselves to random investigations. The Board discussed that investigations are both complaint and randomly driven.

The Board discussed the problem with identifying products as MMA. There is not a currently cost effective test. The Board made the suggestion that this should be something looked into if the law is opened.

Accreditation of Schools:

Ms. Stewart advised the Board a letter had been mailed to the 77 licensed schools stating the Division is updating the records regarding the accreditation of schools. The Division is requesting proof of current accreditation. Schools which don't have documentation of current accreditation may be subject to license revocation. The Board discussed verification of current accreditation requirements as a part of the license renewal forms. If NACCAS gets behind in issuing documents for current accreditation DOPL may consider an extension. The NACCAS website has a lot of information.

ADJOURN: 2:00 p.m.

No motion required

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

March 2, 2009
Date Approved

(ss) Marti Frasier, Chairperson
Barber, Cosmetologist/Barber, Esthetician,
Electrologist and Nail Technician Licensing Board

March 2, 2009
Date Approved

(ss) Sally A. Stewart, Bureau Manager
Division of Occupational & Professional Licensing