

**MINUTES**

**UTAH  
Barber, Cosmetologist/Barber, Esthetician, Electrologist and Nail  
Technician Licensing Act Board  
MEETING**

**September 14<sup>th</sup>, 2009**

**Room 474 – Fourth Floor- 1:00 pm  
Heber Wells Building  
Salt Lake City, UT 84111**

**CONVENED: 9:12 a.m.**

**ADJOURNED: 1:00 p.m.**

**Bureau Manager:**

Sally A. Stewart

**Board Secretary:**

Penny L. Vogeler

**Board Members Present:**

Marti Frasier, Chairperson  
Holly A. Murphy  
Lyle G. Ferguson  
Sunny Smith (new)  
Carlotta Veasy (new)

**Board Members Absent/Excused:**

Dianne Niebuhr, Public Member  
Fran Brown  
Shauna Fox, Public Member

**Guests:**

Natalie Parkin, Skinworks  
Lenette Casper, Phytomer  
Kurt Robinson, Capelli  
Shannon Mechling, SLCC NCA-U  
Candace Daly, Lobbyist for Assoc/COS schools  
Sabrina Deimler, Taylor Andrews  
Darlene Durrant, MATC

**DOPL Staff Present:**

Mark B. Steinagle, Division Director  
Debbie Harry, Compliance Specialist  
Kent Barnes, Compliance Manager

**ADMINISTRATIVE BUSINESS:**

**DECISIONS AND RECOMMENDATIONS**

**OATH OF OFFICE - NEW MEMBERS:**

Ms. Stewart administered the Oath to Sunny Smith and Carlotta Veasy. The Board congratulated them.

**MINUTES:**

The minutes from the June 1<sup>st</sup>, 2009 meeting were reviewed. A motion was made by Carlotta Veasy, seconded by Holly Murphy, to approve the minutes as written. Vote was unanimous.

**PROBATION INTERVIEWS:**

Debbie Harry, Compliance Specialist

Ms. Harry asked that the Board members remind all probationers to renew their licenses. She also mentioned the manner in which she would like to have the probation forms filled out. Ms. Harry noted that there are four new probationers being seen today. She reviewed all probationers being seen today and the status of their probation.

Tonya Lee Hofeling

Ms. Hofeling was interviewed by Ms. Murphy. Ms. Hofeling stated things are going well. She mentioned she is getting married in a few days. She has been working seven days a week at Hair Elegance. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Dallin Simper

Mr. Simper was interviewed by Ms. Frasier. He submitted his paperwork required by the Board. He did not have a therapist report to submit today. Mr. Simper has not attended any 12 step meetings as yet. He has 90 days to complete 12 meetings. His sobriety date is May of 2009. He stated he no longer spends time with his previous friends. He feels his family is very supportive. He is employed at Tuscan Sun Spa in Logan, Utah. He provided a new phone number and address. He feels he is in a huge financial bind at this time as he is getting married and his fiancé is expecting a baby. He was asked by the Board to submit the drug screens coming from the probation system in Cache County until he is able to afford compass vision. He submitted his personal narrative so his license can now be renewed. He will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Mary O. Booth

Ms. Booth was interviewed by Mr. Ferguson. She is still working at Western Barber Shop. She stated everything is the same and things are going well. She has renewed her license. Her probation ends in May 2010. Ms. Harry suggested, supported by Mr. Ferguson, that she submit a letter for early release by November. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Mr. Steinagel excused due to DOPL commitments.

Stuart William Nelson

Ms. Frasier interviewed Mr. Nelson. He addressed the Board stating that on September 4<sup>th</sup>, 2009 he checked himself into a treatment program. He personally feels

he needs to address his alcoholism personally rather than being required to do so by an order. He knows he needs to deal with his current depression. He also feels this four month program will be very helpful. He stated if he does not succeed in this program he will go to prison. He mentioned he detoxed with Volunteers of America prior to check-in. He remarked he feels better now than he has for the past five years. He feels he now has the tools that will help him stay sober. He feels he now has a better relationship with his family and knows he has to gain their trust. His family has been very receptive to the changes he has made. He has the support of AA for his spiritual grounding. Mr. Nelson mentioned he has become very humble through these changes in his life.

Mr. Nelson has not yet found a sponsor but is looking for the right person. He agreed to submit drug screens and employee reports even if he is not working. He asked about obtaining a renewal form and was informed to go downstairs to pick one up. He provided his current address to Ms. Harry. He will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Stevie Noel Burtenshaw

Ms. Burtenshaw was interviewed by Ms. Murphy. She needs to submit documentation of having been released from her criminal probation. She is signed up with compass vision. She missed calling September 2<sup>nd</sup>, 2009. She stated she left a message for Ms. Harry. This will be checked on by Ms. Harry. She will be moving in with her sister soon. She submitted refills of her prescriptions information to Ms. Harry. She stated she is going to start counseling again because she feels it would be helpful. She is working at a home salon and also Comfort Inn. She has not renewed her license at this time. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Stephanie Gammell

Arrangements had been made to interview Ms. Gammell out of sequence due to a time issue with school. Ms. Gammell was interviewed by Mr. Ferguson. She was introduced to the new Board members. She was reminded by Ms. Harry to submit documentation of school testing to justify missing her interview in June. She must submit it this week. She is a full time student working toward a nursing degree.

She stated she is happy with where she is with her life right now. She has not renewed her license as of today. She will be seen next on December 7<sup>th</sup>, 2009.

**Non-Compliant**

Andrea Jimmie

Ms. Jimmie was interviewed by Ms. Frasier. She is now working in the field. She needs to submit her 12 step cards. She is also missing an employer report and will fax it in tomorrow. She stated she can only afford to do two sessions of counseling a month. She has a good sponsor and connects with her daily. Her family still drinks at family gatherings when she is present but realizes she needs to stay strong. She will be renewing her license tomorrow. She provided a new phone number and verified the address as correct. She will be seen next on December 7<sup>th</sup>, 2009. **Non-**

**Compliant**

Michael Sipes

Mr. Sipes was interviewed by Ms. Frasier. He has straightened things out with Compass Vision after some confusion. He is working in landscaping and doing haircuts on the side. He was instructed to get a business license in order to do haircuts on friends and be in compliance with state law. He turned in his renewal of license today. He will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Megan Ann Linihan

Ms. Linihan was interviewed with Mr. Ferguson. She stated she has a good support system with her Mom and friends at work. She is still working on her stress relievers. She has sent in her renewal. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Jessica Albritton

Ms. Albritton was interviewed by Mr. Ferguson in a telephone interview. She is working at Snip-Its. She was asked to submit an employer report before December 7<sup>th</sup>, 2009. She was reminded to renew her license as soon as possible. She had no questions for the Board. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

BREAK

Reconvened 11:15 a.m.

**DISCUSSION ITEM: out of sequence**  
Kent Barnes, Compliance Unit Manager  
NIC Testing Development

Mr. Barnes discussed DOPL's relationship with PSI Exams, our preferred testing vendor. He stressed that PSI Exams and DOPL have a very good, open working relationship. Cosmetology and its related

licenses are the largest licensee group in DOPL. When DOPL and PSI Exams began working together in January, 2008, we requested that they administer the NIC standard tests. This was a good move and DOPL is very happy with that choice. NIC is currently using SMT to develop the exams. Mr. Barnes and Ms Stewart recently spent some time reviewing the Barber written exam with SMT. They felt the quality of the product was sub-standard.

There are two other states that have asked NIC to send their test development out for bid. DOPL is also going to ask that NIC do so. DOPL would like to have the support of the Board in this matter. A motion was made by Mr. Ferguson, seconded by Ms. Veasy, to support DOPL in requesting that NIC strongly consider putting the NIC test development contract up for competitive bid. Vote was unanimous.

**NEW STIPULATIONS:**

Jenny Louise Anderson

Ms. Anderson was interviewed by Ms. Murphy. Ms Anderson is before the Board today because of a felony theft charge and is being monitored by Adult Parole and Probation. Her intention is to get into the House of Hope for resident rehabilitation. Her primary stressor at this time is trying to get her child back. Ms. Stewart discussed the fact that the Board knows she has the skills but feel she needs additional monitoring. Ms. Anderson is seeking employment as a waitress because of the necessity of being available to enter the House of Hope as soon as the opportunity arises. She will be seen next on December 7<sup>th</sup>, 2009.

**Compliant**

Mallory Cochran

Ms. Cochran came before the Board and was interviewed by Ms. Murphy. Ms. Cochran stated she was before the board due to a theft charge. She has almost completed the criminal sanctions. She is working at Tressez Salon and they are aware of her probationary license. She will be submitting her employer reports monthly for 6 months and quarterly thereafter. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

Rachel Bowman

**Non-Appearance** - Board recommends letter of non-compliance. She will be seen next on December 7<sup>th</sup>, 2009. **Non-Compliant – if not present at December**

**interview, will seek Order to Show Cause**

Valerie Lynn Jansen

Ms. Jansen was interviewed by Ms. Frasier. Ms. Jansen stated she had two DUI's and was in with a bad crowd. She is doing counseling with Corner Stone and doing drug testing with Project reality. She stated has paid her fine. An instructor license if applied for would also be on probation. Her Mom is her support system. She will be submitting employer reports monthly. She will be seen next on December 7<sup>th</sup>, 2009. **Compliant**

**DISCUSSION ITEMS:**

Eyelash Extension Licensing Requirements

Mr. Steinagel rejoined the meeting. Ms. Stewart addressed the issue of eyelash extensions and licensing requirements. DOPL feels the practice will require a basic esthetician license, a master esthetician or a cosmetologist/ barber license because of the danger of the types of products being used. Presently students are attending a school for certification and are being told they do not need to be licensed in Utah. With the approval of the Board, Mr. Steinagel will prepare a statement which will be posted on the webpage addressing the issue of eyelash extensions and hair extensions.

**HEARING:**

Morgan Dean-Morley

The Hearing was cancelled after Ms. Dean-Morley failed to appear.

**NEXT SCHEDULED MEETING:**

December 7<sup>th</sup>, 2009

**ADJOURN: 1:00 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.*

December 7, 2009

(ss) Marti Frasier, Chairperson

Date Approved

Barber, Cosmetology/Barber, Esthetics, Electrology and nail  
Technology Licensing Act Board

December 7, 2009

(ss) Sally A. Stewart, Bureau Manager

Date Approved

Division of Occupational & Professional Licensing