

## **Board Meeting Minutes February 13, 2017**

The Kansas Board of Cosmetology held a teleconference Board meeting on Monday, February 13, 2017 at 9:30 a.m. at the Board office at 714 S.W. Jackson Street, Suite 100, Topeka, Kansas. The Board Secretary recorded minutes.

### **Board Members Present:**

David Yocum, Chair  
Roger Holmes, Vice Chair  
Matthew Gross, Member  
Christine Burgardt, Member  
Kimberley Holm, Member  
Kathryn Skepnek, Member

### **Staff Present:**

Chiquita Coggs, Executive Director  
Ms. Gloeckner, Assistant Director  
Aubrie Pryer, Compliance Supervisor  
Darla Ray, Licensing Department  
Ms. Bowes, Board Secretary

### **Board Legal Counsel Present:**

Athena Andaya, General Counsel

### **Call to Order**

David Yocum, Board Chair, called the meeting to Order at 9:36 a.m.

### **Approval of Agenda (Additions/Deletions/Changes)**

Motion and second to approve made by Burgardt and Holm, respectively. Motion carried.

### **Minutes of January 9, 2017 & January 30, 2017**

Motion and second to approve the January 9, 2017 & January 30, 2017 Board meeting minutes made by Holmes and Holm, respectively. Motion carried.

### **Body Art Candidate Information Bulletin (BA CIB) Updated Request**

Ms. Gloeckner, Assistant Director, requested permission to notify the exam company to remove the Blood Spill Procedure and Blood Spill Kit section of the exam because the entire procedure for tattoo, cosmetic tattoo and body piercing is considered a blood spill.

Motion and second to approve the removal of the Blood Spill Procedure and Blood Spill Kit section of the exam made by Burgardt and Holm, respectively. Motion carried.

### **Policy 003-12: Verification of Body Art Completed Procedures Update Request**

Ms. Gloeckner requested permission to amend the Guidance Document, condensing the submission of client records for all 50 completed procedures to a simple two-page Client Verification Log, listing all 50 procedures, and to include an affidavit.

Motion and second to approve condensing of client records for Body Art completed procedures made by Burgardt and Goss, respectively. Motion carried.

### **Body Art Exam Checklist-Apprentice License/Temporary Permit**

Ms. Gloeckner requested approval to remove the requirement on the CIB exam checklist that examinees bring their active apprentice license or temporary permit because it is not always appropriate (e.g. for out-of-state applications) and it is not required by Kansas law.

Motion and second to approve removal of active apprentice license or temporary permit from the CIB exam checklist made by Goss and Skepnek, respectively. Motion carried.

### **Transfer of Hours: License-Program/Program-Program**

Ms. Gloeckner requested permission to further investigate the transfer of hours from one program to another and will present findings at next board meeting.

Motion and second to approve time for further investigation of transfer hours from one program to another made by Burgardt and Holm, respectively. Motion carried.

### **Updated Complaint Policy**

Aubrie Pryer, Compliance Supervisor, requested approval to update the Kansas Board of Cosmetology Complaint form. The Board discussed condensing the form and allowing for some anonymity. This agenda item was tabled to the March Board meeting.

### **Amended Cosmetology Fine Schedule Guidance Document**

Ms. Pryer informed the Board the approved Cosmetology Fine Schedule Guidance Document did not include the violations for reusing single-use items, failing to properly disinfect pedicure equipment and refusing to allow or impeding an inspection, which was discussed and approved at the January 2017 Board meeting. Ms. Pryer requested these violations be added to the Cosmetology Fine Schedule Guidance Document. The Board discussed set fine amounts for each violation found during an inspection for first and second offense.

Motion and second to approve the Cosmetology Fine Schedule Guidance Document be amended to include violations for reusing single-use items, failing to properly disinfect pedicure equipment and refusing to allow or impeding an inspection made by Burgardt and Holm, respectively. Motion carried.

### **Executive Session**

Ms. Skepnek made the following motion: "I move that the Board recess into executive session for consultation with our legal counsel, Athena Andaya, Deputy Attorney General, to seek legal advice on a matter protected by the attorney-client privilege, in order to protect the privilege and the public interest. In addition, I move that Chiquita Cogs, Executive Director, and Aubrie Pryer, who is part of the client circle, be present in the executive session to aid the Board in their discussions. The Board will reconvene the open meeting in this same location in five minutes at 10:41 a.m." Motion and second to approve made by Skepnek and Burgardt, respectively. Motion carried.

### **Call to Order**

Mr. Yocum called the meeting back to order at 10:41 a.m.

Motion and second to approve lancets be a prohibited item under the Cosmetology Act made by Goss and Skepnek, respectively. Motion carried.

**Clarification of Linen Storage**

Ms. Pryer informed the Board that the January 2016 newsletter section on *Towels, Robes and Linens* verbiage for ventilation openings needs clarification from the Board. Discussion concluded that ventilation openings do not allow for a towel to be thrown through the opening. Ms. Pryer requested permission to notify the public of the correct interpretation and rules of storing dirty linens in the next newsletter.

Motion and second to approve notifying the public of the correct interpretation and rules of storing dirty linens in the next newsletter made by Burgardt and Goss, respectively. Motion carried.

**Late Applications**

Ms. Bowes, Board Secretary, requested approval of three late apprentice applications.

Mr. Yocum requested a motion to approve the three applications and request each school submit procedural documentation showing how they will prevent late submissions of applications.

Motion and second to approve made by Burgardt and Goss, respectively. Motion carried.

**Instructor in Training Permit**

Ms. Gloeckner requested clarification from the Board on how to proceed in processing Instructor-in-Training permits, per K.S.A 65-1903(k)(1), when they have issues and/or request extensions. Ms. Gloeckner also requested approval of the Instructors-in-Training guidance document.

Mr. Yocum discussed issues related to extension for Instructors-in-Training permits should be sent to and decided by the Disciplinary Panel.

Motion and second to approve the Instructors-in-Training guidance document made by Burgardt and Skepnek, respectively. Motion carried.

**Break/Recess**

Motion and second to approve recess break until 11:21 a.m. made by Burgardt and Skepnek, respectively. Motion carried.

**Call to Order**

Mr. Yocum called the meeting back to order at 11:22 a.m.

**Appropriations Committee Hearing/ Legislative Update**

Chiquita Coggs, Executive Director, informed the Board the status of the proposed consolidation of the Board of Barbering and the Board of Cosmetology. Ms. Coggs requested permission to give testimony that the Board is in favor of the consolidation.

Motion and second to approve made by Holm and Burgardt, respectively. Motion carried.

**Adjournment**

Motion and second to adjourn the meeting at 11:41 a.m. made by Burgardt and Holm, respectively. Motion carried.