

Board Meeting Minutes September 12, 2016

The Kansas Board of Cosmetology held a Board meeting on Monday, September 12, 2016 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
Matthew Goss, Member
Kimberley Holm, Member
Kathryn Skepnek, Member
Glenda Chappell, Member
Janey McCarthy, Member

Staff Present:

Chiquita Coggs, Executive Director
Ms. Gloeckner, Assistant Director
LeAnna Hickman, Director of Licensing
Aubrie Pryer, Compliance Supervisor
Allison Kelsey, Region 4 Inspector
Janet Durham, Region 3 Inspector

Board Legal Counsel Present:

Athena Andaya, General Counsel

Members of the Public:

Tracy Hein, Great Clips

Public Comment

Tracy Hein, General Manager /Great Clips, proposed that the Board consider adopting disciplinary action forgiveness procedures in regards to facility fine assessments.

Call to Order

Mr. Yocum called the meeting to Order at 9:41 a.m.

Addition to Agenda

Motion and second to add Period of Forgiveness in Facility Fine Assessments to the agenda made by Goss and Chappell, respectively. Motion carried.

Minutes of July 11, July 18 and August 8, 2016 meetings

Mr. Yocum requested approval of the amended July 11, July 18 and August 8, 2016 minutes.

Motion and second to approve the July 11, July 18 and August 8, 2016 Board meeting minutes made by Chappell and Goss, respectively. Motion carried.

Trendsetters Lenexa School Application

LeAnna Hickman, Director of Licensing, presented to the Board the school application for Trendsetters requesting to move to a new location.

Motion and second to approve the school relocation and application for Trendsetters made by Chappell and McCarthy, respectively. Motion carried.

Out-of-State License Application Review

Ms. Hickman requested minor changes to the Out-of-State License application. Athena Andaya, Legal Counsel, recommended exchanging the “State Board of Education” verbiage out to read the “Board of Regents”, wherever found in the Out-of State License application form.

Motion and second to approve the requested minor changes proposed by Ms. Hickman and the exchange of verbiage for the State Board of Education proposed by Ms. Andaya made by Goss and McCarthy, respectively. Motion carried.

Alterations to Field Study Request Form

Ms. Hickman requested a change to the Field Study Request form that would require the School Director or Manager to provide signature for approval.

Motion and second to approve changes to the form and to notify schools by email of the changes, with a copy of the form and a copy of the policy, by Goss and Skepnek, respectively. Motion carried.

Exam RFP

Chiquita Coggs, Executive Director, requested the Board extend the current Exam RFP contract so the agency can get the RFP in place. This contract would be effective June 30, 2017 and expire on June 30, 2018.

Motion and second to approve the extension of the Exam RFP to another year made by Goss and Chappell, respectively. Motion carried.

Continuing Education Requirements for Body Art Professions (CPR & BBP Certs)

Matt Goss, Board Member, requested that the Tattoo Artist apprenticeship curriculum be revised to include the requirement of CPR Certification. In addition, Mr. Goss asked that all body art practitioners be required to obtain Bloodborne Pathogen certifications for renewals and initial licensure.

Mr. Yocum requested the sub-committee take time to review before the Board comes to a decision.

Best Practices-Proper Tattoo Procedures Update

Mr. Goss proposed changing the Supplies List for Tattooing with Ergometrics to include distilled water as well as sterile water.

Motion and second to approve the change of adding distilled water as an alternative to sterile water to the Ergometrics exam supply list were made by Chappel and Holm, respectively. Motion carried.

K.A.R. 69-12-8 Tanning Regulation

Ms. Coggs informed the Board that the Joint Committee requested a change in verbiage for K.A.R. 69-12-8. Ms. Coggs also indicated the Board would be required to create a fine appropriate for this regulation.

Mr. Yocum requested tabling the current topic until the November board meeting.

Break/Recess

Motion and second to approve recess break until 11:15am made by Goss and Chappell, respectively. Motion carried.

Call to Order

Mr. Yocum called the meeting back to order at 11:18am.

Budget Report

Ms. Coggs notified the Board the agency is currently working on the budget request for fiscal years 2018 & 2019.

Enforcement Report

Aubrie Pryer, Compliance Supervisor, expressed her appreciation to all inspectors for their hard work, and introduced two new inspectors.

Executive Session to Discuss an Attorney-Client Privileged Matter

Ms. Chappell 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 Coggs, 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 six minutes at 11:52 a.m." The motion was seconded by Ms. McCarthy and motion carried.

Mr. Yocum recessed the KOMA meeting at 11:46am.

Call to Order

Mr. Yocum, Board Chair, called the meeting back to order at 11:52 a.m.

Fine Schedule

Ms. Pryer proposed to the Board possible amendments to the current fine schedule, which would include violations for not disinfecting pedicure equipment, reusing single use items and nail instruments and refusing to allow or impeding an inspection.

Motion and second to approve the additions of fining for violations of not disinfecting pedicure equipment, reusing single use items and nail instruments and refusing to allow or impeding an inspection be added to the Guidance Documents were made by Chappell and McCarthy, respectively. Motion passed.

Dermal Piercing

Matt Goss requested an Executive Session on this agenda item.

Executive Session to Discuss an Attorney-Client Privileged Matter

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 Cogg, Executive Director, 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 12:06 p.m." The motion was seconded by Chappell and motion carried.

Mr. Yocum recessed the KOMA meeting at 12:01p.m.

Call to Order

Mr. Yocum, Board Chair, called the meeting back to order at 12:06 p.m.

Barber Crossover Hours

Mr. Yocum informed the Board of his visit with the Board of Barbering and indicated that they are currently reviewing hours to determine cosmetology transfer guidelines.

Written Practical Exam

Mr. Yocum informed the Board of presentations at the next board meeting to discuss and request that the practical exam be in written format. Mr. Yocum suggested the Board gather their thoughts on the subject before the next board meeting.

Period of Forgiveness in Facility Fine Assessments

Mr. Yocum addressed the public comment on fines expiring after an allotted amount of time and requested legal clarification. Ms. Andaya requested time to continue research on the subject.

Adjournment

Motion and second to adjourn the meeting at 12:17 p.m. made by Goss and Skepnek, respectively. Motion carried.