



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

The Kansas Board of Cosmetology held a Board meeting on Monday, November 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  
Christine Burgardt, Member  
Katy Skepnek, Member  
Kimberley Mancuso, Member  
Kelly Robbins, Member

### **Staff Present:**

Chiquita Coggs, Executive Director  
Ms. Gloeckner, Assistant Director  
Aubrie Pryer, Compliance Supervisor  
Ms. Bowes, Board Secretary  
Michaela Ewing, Licensing  
Vickie Rodriguez, Licensing  
Ava Fiene, Inspector  
Skye Reid, Inspector

### **Members of the Public:**

David Tucker  
Jennifer Bohlander  
Clayton Tyner  
Ian Handlon  
Raymond Krisher  
Zenobea Krisher  
Josh Delaughder  
Erin Sutton  
Dylan Hagen  
Emily Winslow  
Janis Bishop  
Andrew De La Fuente  
Rick Moreno

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

Athena Andaya, General Counsel  
Marty Snyder, Litigation Counsel

### **Public Comment**

Josh Delaughder expressed concern for unlicensed individuals providing services in the state of Kansas.

David Tucker requested the Board consider developing Temporary Tattoo License for special events and/or guest artist visiting Kansas. Mr. Tucker also requested the Board consider adjusting the Continuing Education requirements.

Andrew De La Fuente informed the Board he and his business, Junction City Tattoo, are being harassed by the Body Art community of Kansas. Mr. De La Fuente also expressed concern as to why the Kansas Board of Cosmetology regulates the Body Art community.

### **Call to Order**

David Yocum, Chair, called the meeting to Order at 10:30 a.m.

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

Mr. Yocum requested the addition of the following items: Monthly/Quarterly Reports presented by Ergometrics, Kansas Board of Cosmetology Cash Balance Reports, Kansas Department for Aging and Disability Services (KDADS) meeting request.

Motion and second to approve the additional items and the agenda made by Burgardt and Mancuso, respectively. Motion carried.

### **Minutes of August 28, August 29 & October 9 2017**

Motion and second to approve the minutes for August 28, August 29, and October 9 made by Skepnek and Mancuso, respectively. Motion carried.

### **Body Art Discipline**

Aubrie Pryer, Compliance Supervisor, informed the Board Body Art discipline is not covered under the Kansas Administrative Procedure Act (KAPA).

### **2018 Legislative Session**

On behalf of Chiquita Coggs, Executive Director, Ms. Pryer informed the Board the following statutes are under revision by Ms. Coggs for possible review for the 2018 Legislative session:

K.S.A. 65-1912 Apprentice license; practice as apprentice required prior to licensure; charge for service of apprentice

K.S.A. 65-1909 Violations; civil and criminal remedies

### **Executive Session**

Kimberley Mancuso, Member, made the following motion, "In order to protect the privacy of the party involved, I move that the Board recess into executive session to discuss an individual employee's performance pursuant to the non-elected personnel exception in the Kansas Open Meetings Act. The Board will reconvene the open meeting in this same location in 14 minutes at 11:15 a.m." The motion was seconded by Katy Skepnek, Member, and was carried unanimously.

### **2018 KBOC Board Meeting Dates**

Athena Andaya, Legal Counsel, indicated November 12, 2018 is Veterans Day and state offices will be closed. The Board agreed to meet November 19, 2018. Ms. Bowes, Board Secretary, will send corrected schedule to the Board.

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

### **KBOC Strategic Plan Review**

Ms. Coggs requested the item continue to be on the agenda for all Board meetings. The Board reviewed and discussed the Strategic Plan for the Board.

### **Janey McCarthy Resignation**

Ms. Coggs notified the Board of Janey McCarthy's resignation. Ms. Coggs indicated she will verify the Governor's office has accepted Ms. McCarthy's resignation.

**Charitable Event Permit / Summary of State Responses**

Ms. Coggs recommended the Board adopt other states verbiage to adopt guidelines for a Charitable Event permit.

Mr. Yocum requested the item be tabled so that he and Ms. Coggs can draft verbiage for the permit and will present the draft at the next Board meeting.

**Separation of Cosmetology Professions and Hours of Training for Licensure**

Mr. Yocum informed the Board the curriculum and policy need updating.

Mr. Yocum requested the item be tabled for further review by the sub-committee.

**Late Applications: Kayla Ewing & April Lipke**

Ms. Bowes, Board Secretary, requested the Board's approval of two (2) late apprentice applications received.

Motion and second to approve the late applications for Kayla Ewing and April Lipke made by Mancuso and Robbins, respectively. Motion carried.

**Late application Prevention Guidelines for Schools: Review by Board**

Ms. Bowes presented to the Board operating guidelines from Garden City Community College, Johnson County Community College and Mitsu Sato Hair Academy, for prevention of late apprentice applications. The Board previously requested the submission of the guidelines from all schools when a late apprentice application is received.

The Board continued discussion on the issue of late apprentice applications received from schools and possible remedies and discussed Senate Bill 92.

**Lunch**

Motion and second to approve lunch break until 12:45 p.m. made by Burgardt and Mancuso, respectively. Motion carried.

**Called to Order**

Mr. Yocum called the meeting back to order at 12:58 p.m.

**Board Policy: Field Study Requests (cont.)**

Mr. Yocum updated the Board of his continuous discussion with the U.S. Department of Education.

**Late Applications: Law Change (cont.)**

The Board previously addressed the item under 2018 Legislative Session agenda item. No further discussion.

**Cosmetology Statute Change: Reimbursement for Hearing (cont.)**

Ms. Bowes advised the Board the agenda item is a continuous discussion by the Board. Previous Board minutes indicate a Litigation fund was proposed by Ms. Andaya, but required further review. The Board also had previous discussion about making a statute change, where the fee for the hearing would be billed to the Respondent.

Ms. Andaya informed the Board other state agencies have a Supplemental Budget to assist with other agency expenses. However, Ms. Andaya indicated she will contact the Board's Budget Analyst, Konnie Leffler, for assistance.

**Board Retreat Follow-Up: New Subsections K.A.R. 69-15-6 (e) & (f) (cont.)**

The Board discussed the future of the previously drafted motions from the August 28 and August 29, 2017 Board Retreat.

**Review of Kansas Regulations for Tattooing, Cosmetic Tattooing & Body Piercing (cont.)**

Mr. Yocum informed the Board he is creating a spreadsheet for Body Art Regulations for the Board.

**Monthly/Quarterly Reports presented by Ergometrics**

Ms. Coggs presented to the Board the monthly report for October 2017 from Ergometrics. Ms. Coggs indicated she will begin to provide the reports to the Board when received. The reports are for informational purposes only.

**Kansas Board of Cosmetology Cash Balance Reports**

Ms. Coggs presented to the Board the Cash Balance Reports for the agency. The reports are for informational purposes only.

**Kansas Department for Aging and Disability Services (KDADS) Meeting Request**

Mr. Yocum informed the Board the new Secretary for the Kansas Department of Aging and Disability Services requested a meeting with Mr. Yocum, Ms. Coggs, Ms. Pryer and Ms. Andaya.

**Body Arts Trainer Accountability (cont.)**

Ms. Andaya informed the Board there needs to be a regulation or statutory authority to implement accountability for Body Arts Trainer. Ms. Andaya recommended the Board draft a statute regarding unprofessional conduct and then a regulation defining unprofessional conduct.

**Adjournment**

Motion and second to adjourn the meeting at 2:31 p.m. made by Burgardt and Mancuso, respectively. Motion carried.