

**BARBERING AND COSMETOLOGY EXAMINING BOARD
MINUTES
MONDAY, SEPTEMBER 13, 2010**

PRESENT: Jeannie Bush, Janice Boeck, Howard Twait, Rod Gottfredson, Jeffrey Patterson and Tina Rettler-Pagel

CONFERENCE

LINE: Cheryl Pearse, Laura Ruiz and Susan Kolve-Feehan

STAFF: Angela Arrington, Bureau Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant and other DRL Staff.

GUESTS: Jeanne Schumacher, Diane Pandl, JoAnn Schneider, Mary Kiley, Jan Studesville, Lauri Thomas, Joan Kornitz and Rachel Payne

CALL TO ORDER

Chair Jeannie Bush called the meeting to order at 9:36 a.m. A quorum of 9 members was present.

APPROVAL OF AGENDA

MOTION: Rod Gottfredson moved, seconded by Janice Boeck, to adopt the Agenda as amended in the red folder. Motion carried unanimously.

APPROVAL OF MINUTES OF JULY 19, 2010

MOTION: Janice Boeck moved, seconded by Jeffrey Patterson, to approve the Minutes of July 19, 2010 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Angela Arrington reviewed the information in the red folders.

Secretary Jackson provided the Board with an update on the Barbering and Cosmetology Summits. She encouraged the Board members to attend the Summits.

Ms. Arrington told the Board that the first regulatory digest has been distributed to licensees with e-mail addresses and posted to the website. The Board suggested that an announcement regarding its availability be made at the upcoming summits. She also indicated that there have been 2 new hires in the Office of Education and Exams and one person will be concentrating on the BAC continuing education issues.

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND
ORDERS**

No presentations were requested.

EDUCATION AND EXAMINATION ISSUES

Andy Parker and Karen Olsen from Prometric for Barbering and Cosmetology introduced themselves to the Board. They reviewed the questions that were submitted by Board members and the Department and provided answers. The Board was given an opportunity to ask additional questions.

LEGISLATIVE/ADMINISTRATIVE RULES

Final Adoption of BC 7 Rule Revisions

MOTION: Jeffrey Patterson moved, seconded by Rod Gottfredson, to adopt BC7 as included in agenda packet. Motion carried unanimously.

Review and Discuss Additional Revisions to Continuing Education Emergency Rule Draft

Yolanda McGowan reviewed each of the changes that have been included in the most recent version of the Emergency Rule Draft and the reason behind the changes. The Board suggested some additional changes.

MOTION: Tina Rettler-Pagel moved, seconded by Janice Boeck, to approve the emergency rule draft as presented in the packet and modified on the record. Motion carried unanimously.

MOTION: Sue Kolve-Feehan moved, seconded by Janice Boeck, to authorize the chair to approve the final rule draft. Motion carried unanimously.

Review And Discuss Authorization to Publish the Scope Statement for Emergency Rules BC 9 AND BC 11

Angela Arrington indicated that this is standard operating procedure. The Board asked that instructors be removed from the scope statement.

MOTION: Janice Boeck moved, seconded by Howard Twait, to approve publishing the scope statement as published in the agenda packet and amended on the record. Motion carried.

Discussion Regarding Proposed Statutory and Rule Changes – Separation of Barbering and Cosmetology Licenses

This item was tabled until a future meeting.

REGULATION/ENFORCEMENT ISSUES

Discussion Related to Working Outside of a Licensed Establishment

After much discussion, the Board decided that Sue Kolve-Feehan will work with Jeannie Bush to develop a starting point for discussion for the next meeting.

Forfeiture Grid

The Board discussed the grid and suggested changes. Jeannie Bush appointed Cheryl Pearse and Rod Gottfredson to work with Yolanda to develop an ethics piece to be incorporated into discipline.

MOTION: Tina Rettler-Pagel moved, seconded by Sue Kolve-Feehan, to adopt the forfeiture grid as submitted in the agenda packet and amended on the record. Motion carried unanimously.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Update from Sanitation Committee

Jeffrey Patterson gave the Board an overview of the September 13, 2010, sanitation committee meeting.

Update from Barbering and Cosmetology Curriculum Advisory Committee

Angela Arrington noted that the committee met and completed the recommended aesthetics curriculum committee and will present it to the Board at the next meeting.

PUBLIC COMMENTS

Lauri Thomas – Summit was handled well. Organization was excellent. Most licensees were complaining about the cost of the CE and the amount of new information that was presented. More could be accomplished if licensees knew what the costs of failing to comply. She thanked the Board for making the Regulatory Digest available on-line. She addressed the idea of a national exam. Nail techs should not wax as it opens clients to infection once the client moves to the pedispa. She asked that aestheticians not be required to take CE in microderm abrasion. She asked about delegated medical procedures. She also encouraged the Board/Committee to invite the schools to the curriculum committee meeting.

Jeffrey Patterson left at 2:05.

Dian Pandl – She indicated that the Summit was worthwhile. She expressed concerns with Prometrics and not being able to find out the failure reasons for students or instructors.

CONVENE TO CLOSED SESSION

MOTION: Janice Boeck moved, seconded by Tina Rettler-Pagel, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.;

consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Jeannie Bush – yes; Janice Boeck – yes; Susan Kolve-Feehan – yes; Laura Ruiz – yes; Howard Twait – yes; Rod Gottfredsen- yes; Tina Rettler-Pagel – yes; Cheryl Pearse - yes. Motion carried unanimously.

Open Session recessed at 2:10 p.m.

RECONVENE IN OPEN SESSSION

MOTION: Rod Gottfredson moved, seconded by Howard Twait, to reconvene in open session at 3:15 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

CASE CLOSINGS

MOTION: Howard Twait moved, seconded by Janice Boeck, to approve case closings and citations 07 BAC 016, 07 BAC 104, 07 BAC 250, 07 BAC 252, 08 BAC 254, 08 BAC 240, 08 BAC 242, 09 BAC 025, 09 BAC 029, 09 BAC 039, 09 BAC 087, 09 BAC 111, 09 BAC 120, 09 BAC 122, 10 BAC 008, 10 BAC 022, 10 BAC 027, 10 BAC 037, 08 BAC 126, 09 BAC 019, 09 BAC 031, 09 BAC 054, 09 BAC 065, 09 BAC 086, 10 BAC 003, 10 BAC 023 according to recommendations by the Division of Enforcement. Jeannie Bush and Susan Kolve-Feehan recused themselves on case 10 BAC 027. Motion carried unanimously.

PROPOSED STIPULATIONS

MOTION: Tina Rettler-Pagel moved, seconded by Janice Boeck, to accept the Stipulations, Findings of Facts, Conclusions of Law and Orders in the matters concerning

- 06 BAC 054 Jose A. Sanchez and Supreme Clientele Hair Studio
- 06 BAC 142 Le Fox Hair Studio and Lane Fox
- 07 BAC 121 Robin L. Gunderson
- 07 BAC 130 Loan H. Nguyen and Magical Nails
- 07 BAC 147 Joette K. Johnston
- 07 BAC 147 Pamela A Singer and A Touch Above
- 07 BAC 250 \ Choates Sport Cuts, Inc., Sportcuts, and Charles Choate
- 09 BAC 016 /
- 07 BAC 252 Supercuts #9065, #9457, #9456 and #9416
- 08 BAC 068 Inside Out Salon and Lavon Berry

08 BAC 113 Maria D. Novoa Sanchez, Jose A. Sanchez and Supreme
Clientele Hair Studio
08 BAC 121 Lynn L. Szydel and Smartstyle #4873
08 BAC 242 Serenity Now Day Spa, LLC
08 BAC 249 Christi J. Newell and Spa at Riverfront, Ltd.
09 BAC 087 Kathleen A. Magyar and Salon West Brookfield
09 BAC 129 Katarzyna Matuszczak and
09 BAC 129 Susie Jelich Nevins and Georges Barbers
Motion carried unanimously.

PROPOSED FINAL DECISIONS AND ORDERS

MOTION: Rod Gottfredson moved, seconded by Howard Twait, to accept the Proposed Final Decisions and Orders of Default in the matters concerning 08 BAC 034 Denise Taylor, 08 BAC 086 Tamara Kellerman, 08 BAC 123 Jerry Brown, and 08 BAC 254 Reginald J. Mims. Motion carried unanimously.

PROPOSED ADMINISTRATIVE WARNINGS

MOTION: Tina Rettler-Pagel moved, seconded by Howard Twait, to issue an Administrative Warning in the matter of 08 BAC 074. Motion carried unanimously.

CONTINUING EDUCATION ISSUES

MOTION: Janice Boeck moved, seconded by Tina Rettler-Pagel, to authorize Legal Counsel, Yolanda McGowan, to review and respond, on behalf of the Board, to all requests for a waiver consistent with the intent of the rule as being applicable to practicing licensees. Motion carried unanimously.

MOTION: Rod Gottfredson moved, seconded by Sue Kolve-Feehan, to deny the requests for continuing education waivers as requested by B.A.Z., D.D., D.P., D.S., J.K., M.K., R.F., S.W. and D.G. Motion carried unanimously.

ADJOURNMENT

MOTION: Rod Gottfredson moved, seconded by Howard Twait, to adjourn the meeting at 3:30 p.m. Motion carried unanimously.