

**BARBERING AND COSMETOLOGY EXAMINING BOARD
MINUTES
NOVEMBER 1, 2010**

PRESENT: Jeannie Bush, Janice Boeck, Howard Twait, Rod Gottfredson, Jeffrey Patterson

CONFERENCE

LINE: Laura Ruiz and Susan Kolve-Feehan

EXCUSED: Cheryl Pearse,

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

GUESTS: Diane Pandl, JoAnn Schneider, Mary Kiley, Laurel Thomas, Joan Kornitz , Lois Leytem, Chrissy Reed, Jalissa Hansen, Casey Carey, Cassy Yanez, Nicole Rindt, Yana Orletska, Corina Mann, Mandi Tony, Dennis Overson and Hafeezah Ahmed

CALL TO ORDER

Chair Jeannie Bush called the meeting to order at 9:36 a.m. A quorum of 7 members was present.

APPROVAL OF AGENDA

Amendment:

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

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 13, 2010

MOTION: Rod Gottfredson moved, seconded by Janice Boeck, to approve the Minutes of September 13, 2010 as published. Motion carried unanimously.

ADMINISTRATIVE REPORT

Angela Arrington told the Board that the Department has received a letter of resignation from Tina Rettler-Pagel.

The Board members that attended the Summit joined in discussion surrounding the recent Barbering and Cosmetology Continuing Education Summit. Several members applauded Yolanda McGowan for grace under pressure due to the technical difficulties during her presentation at the Madison Summit. Jeannie Bush noted she had received comments from many attendees that Ms. McGowan's presentation was very worthwhile.

Ms. Arrington reported that the second issue of the Regulatory Digest has been placed on hold. The Board asked that the next edition be completed prior to the renewal time.

ELECTIONS

Jeannie Bush announced that she was resigning from the Board at the end of the meeting today. Angela Arrington, along with the Board, thanked Ms. Bush for her service.

The chair called for nominations for chairperson.

NOMINATION: Rod Gottfredson nominated Jeffrey Patterson as chairperson.
Jeffrey Patterson declined the nomination.

The chair called for additional nominations.

NOMINATION: Jeffrey Patterson nominated Janice Boeck as chairperson.

The chair called for nominations for a third time.

NOMINATION: Laura Ruiz nominated Sue Kolve-Feehan as chairperson.
A paper ballot vote was taken and Janice Boeck was voted chairperson.

The chair called for nomination for vice-chairperson.

NOMINATION: Rod Gottfredson nominated Jeffrey Patterson as vice-chairperson.

The chair called for additional nominations.

NOMINATION: Laura Ruiz nominated Sue Kolve-Feehan as vice-chairperson.

The chair called for nominations a third time.

A paper ballot vote was taken and Jeffrey Patterson was voted vice-chairperson.

The chair called for nominations for secretary.

NOMINATION: Rod Gottfredson nominated Susan Kolve-Feehan as secretary.

The chair called for nominations 2 additional times.

Susan Kolve-Feehan was voted secretary by unanimous vote.

Jeannie Bush appointed Cheryl Pearse to the Screening Panel as the public member to replace Tina Rettler-Pagel who recently resigned from the Board.

EDUCATION AND EXAMINATION ISSUES

Aaron Knautz reported that a new testing site has been approved in Onalaska. The new site will be host to three exams in 2011. He also noted that this is the final year of Prometric as the testing company. The process for a new contract will begin in January.

LEGISLATIVE/ADMINISTRATIVE RULES

Review of Final Revisions of Emergency Rulse BC9 and BC11

The Board asked for a clarification related to the 30 grandfather clause. Licensees reaching 30 years prior to the renewal due date will be exempt from the 6 hours of practice specific

continuing education but will still be required to complete the 2 hours of law and 4 hours of safety and sanitation.

MOTION: Janice Boeck moved, seconded by Jeffrey Patterson, to adopt the emergency rule as written.

REGULATION/ENFORCEMENT ISSUES

Forfeiture Grid

The Board discussed the forfeiture grid noting corrections from the last meeting and making additional changes.

Discussion Related to Working Outside of a Licensed Establishment

Sue Kolve-Feehan explained the concept behind a mobile license and asked the Board to consider this type of license in Wisconsin. The recommendation is for licensed managers that would be able to work off-site on a case by case basis and not an on-going basis to perform services for clients at a location outside of the licensed establishment. For example – licensees with the “mobile” license would be able to go to a church and style hair for a wedding party or go to the movie set to style hair or to a fashion show and be able to provide nail services etc. There was a great deal of discussion regarding this type of license.

MISCELLANEOUS CORRESPONDENCE/INFORMATION

Discuss e-mail received from Moraine Park Technical College

Secretary Jackson addressed the Board regarding their thoughts about meeting with the vendors regarding comments received. She suggested that the Department host a couple of meetings throughout the state to allow continuing education vendors an opportunity to be heard.

Update from Sanitation Committee

Jeffrey Patterson gave the Board an overview of the November 1, 2010, sanitation committee meeting.

Update from Barbering and Cosmetology Curriculum Advisory Committee

Angela Arrington noted that the committee met and completed the recommendations for the following curriculum: Aesthetics, Electrology and Manicuring. They will be addressing new curriculum areas at the next meeting.

The Board asked the Committee to create a curriculum for “Master Barber” as a separate license and will not be moving forward with a separate hair braiding or natural hair curriculums but will include those practices under the practitioner license which will allow the Division of Enforcement to act upon violations.

PUBLIC COMMENTS

Laurel Thomas – She recommended that braiding could be included in the barbering license. She noted that threading is an art. She also noted that she should not be required to pay more but rather limit where they can use a mobile license and what they can do.

Lois Leytem – She voiced her frustration over needing students needing to take a test at a Wisconsin School in order for them to sit for the state exam.

CONVENE TO CLOSED SESSION

MOTION: Rod Gottfredson moved, seconded by Jeffrey Patterson, 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; Jeffrey Patterson - yes. Motion carried unanimously.

Open Session recessed at 1:47 p.m.

Sue Kolve-Feehan left the meeting at 2:00.

RECONVENE IN OPEN SESSSION

MOTION: Rod Gottfredson moved, seconded by Howard Twait, to reconvene in open session at 2:38 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

CASE CLOSINGS

MOTION: Jeffrey Patterson moved, seconded by Janice Boeck, to approve case closings and citations 07 BAC 231, 09 BAC 021, 09 BAC 028, 09 BAC 052, 09 BAC 062, 09 BAC 066, 10 BAC 041, 10 BAC 052, 10 BAC 053, and 10 BAC 077 according to recommendations by the Division of Enforcement. Motion carried unanimously.

PROPOSED STIPULATIONS

MOTION: Howard Twait moved, seconded by Laura Ruiz, to accept the Stipulations, Findings of Facts, Conclusions of Law and Orders in the matters concerning 08 BAC 246 – Agustin A. Garnica and 09 BAC 056 – USA Nails and Andy T. Nguyen. Motion carried unanimously.

PROPOSED ADMINISTRATIVE WARNINGS

MOTION: Janice Boeck moved, seconded by Jeffrey Patterson, to issue an Administrative Warning in the matter of 09 BAC 066. Motion carried unanimously.

PROPOSED FINAL DECISIONS AND ORDERS

MOTION: Janice Boeck moved, seconded by Howard Twait, to accept the Proposed Final Decisions and Orders of Default in the matter concerning 07 BAC 016 – Phung K. Huynh. Motion carried unanimously.

CONTINUING EDUCATION ISSUES

MOTION: Jeffrey Patterson moved, seconded by Janice Boeck, to deny the requests for continuing education waivers as requested by G.J and R.M. Motion carried unanimously.

ADJOURNMENT

The Board reiterated their appreciation to Jeannie Bush for her service to the Board, profession, and Citizens of the State of Wisconsin.

MOTION: Rod Gottfredson moved, seconded by Jeffrey Patterson, to adjourn the meeting at 2:50 p.m. Motion carried unanimously.