



**VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
March 28, 2022**

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:30 AM

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-4)**
- B. Approval of Minutes of January 24, 2022 (5-10)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff, and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Cwojdzinski, Kayla M. – 7/1/2024
 - b. Fazel, Charity-Faith – 7/1/2024
 - c. Halverson, Georgianna – 7/1/2023
 - d. Hoepfner, Ann M. – 7/1/2023
 - e. Jackson, Megan A. – 7/1/2023
 - f. Lee, Kristin N. – 7/1/2023
 - g. Quintal, Daisy L. – 7/1/2023
- F. Board Chair Meeting and Options to Address Department Resources – Discussion and Consideration**
- G. Legislative and Policy Matters – Discussion and Consideration
- H. Administrative Rule Matters – Discussion and Consideration
 - 1) Pending and Possible Rulemaking Projects
- I. COVID-19 – Discussion and Consideration**
- J. Deliberation on Items Added After Preparation of Agenda
 - 1) Introductions, Announcements and Recognition
 - 2) Election of Officers, Appointment of Liaison(s), Delegation of Authorities

- 3) Administrative Matters
- 4) Education and Examination Matters
- 5) Credentialing Matters
- 6) Practice Matters
- 7) Legislative and Policy Matters
- 8) Administrative Rule Matters
- 9) Liaison Reports
- 10) Board Liaison Training and Appointment of Mentors
- 11) Informational Items
- 12) Division of Legal Services and Compliance (DLSC) Matters
- 13) Presentations of Petitions for Summary Suspension
- 14) Petitions for Designation of Hearing Examiner
- 15) Presentation of Stipulations, Final Decisions and Orders
- 16) Presentation of Stipulations and Interim Orders
- 17) Presentation of Proposed Final Decision and Orders
- 18) Presentation of Interim Orders
- 19) Petitions for Re-Hearing
- 20) Petitions for Assessments
- 21) Petitions to Vacate Orders
- 22) Requests for Disciplinary Proceeding Presentations
- 23) Motions
- 24) Petitions
- 25) Appearances from Requests Received or Renewed
- 26) Speaking Engagement(s), Travel, or Public Relation Request(s)

K. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), 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.).

L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters

- 1) **Administrative Warnings**
 - a) 19 BAC 090 – D.H. **(11-12)**
 - b) 20 BAC 026 – K.P.B. **(13-14)**
- 2) **Case Closings**
 - a) 19 BAC 028 – L.L. **(15-20)**
 - b) 19 BAC 030 – C.N. **(21-24)**
 - c) 19 BAC 034 – M.N., L.D. **(25-28)**
 - d) 19 BAC 079 – K.N. **(29-37)**
 - e) 19 BAC 090 – T.T., B.S.S. **(38-44)**
 - f) 20 BAC 011 – R.K., N.O.O. **(45-48)**
 - g) 20 BAC 021 – K.H. **(49-52)**
 - h) 20 BAC 032 – H.N., K.K. **(53-59)**
 - i) 20 BAC 070 – S.J., R.S. **(60-63)**
 - j) 20 BAC 079 – B.N., G.C. **(64-69)**

M. Deliberation on Proposed Final Decisions and Orders

- 1) Kim Bui and TLC Nails & Spa, LLC, Respondents (DHA Case Number SPS-21-073/DLSC Case Number 18 BAC 003) **(70-80)**

N. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspension
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decision(s) and Order(s)
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Orders Fixing Costs/Matters Related to Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-hearings
- 21) Appearances from Requests Received or Renewed

O. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

P. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

Q. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: JUNE 13, 2022

**VIRTUAL/TELECONFERENCE
 COSMETOLOGY EXAMINING BOARD
 Virtual, 4822 Madison Yards Way, Madison
 Contact: Adam Barr (608) 266-2112
 March 28, 2022**

**COSMETOLOGY EXAMINING BOARD
 2021 WISCONSIN PUBLIC RECORDS LAW FACILITATED TRAINING
 9:45 A.M. OR IMMEDIATELY FOLLOWING THE BOARD MEETING**

A quorum of the Cosmetology Examining Board may be present; however, no board business will be conducted.

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
COSMETOLOGY EXAMINING BOARD
MEETING MINUTES
JANUARY 24, 2022**

PRESENT: Charity-Faith Fazel, Georgiana Halverson, Ann Hoepner, Megan Jackson, Kristin Lee (*arrived at 9:43 a.m.*), Daisy Quintal

EXCUSED: Kayla Cwojdzinski

STAFF: Adam Barr, Executive Director; Jon Derenne, Legal Counsel; Megan Glaeser, Bureau Assistant; and other Department staff.

CALL TO ORDER

Megan Jackson, Chairperson, called the meeting to order at 9:40 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Ann Hoepner moved, seconded by Georgiana Halverson, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF NOVEMBER 1, 2021

MOTION: Ann Hoepner moved, seconded by Daisy Quintal, to approve the Minutes of November 1, 2021 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Slate of Officers

NOMINATION: Megan Jackson nominated the 2021 slate of officers to continue in 2022.

Adam Barr, Executive Director, called for nominations three (3) times.

The Slate of Officers were elected by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Megan Jackson
Vice Chairperson	Georgianna Halverson
Secretary	Kayla Cwojdzinski

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaisons	Georgianna Halverson <i>Alternate: Kayla Cwojdzinski</i>
Monitoring Liaison	Kayla Cwojdzinski <i>Alternate: Daisy Quintal</i>
Professional Assistance Procedure (PAP) Liaison	Kayla Cwojdzinski <i>Alternate: Daisy Quintal</i>
Education and Examinations Liaison	Megan Jackson <i>Alternate: Ann Hoepfner</i>
Legislative Liaison	Megan Jackson <i>Alternate: Georgianna Halverson</i>
Travel Authorization Liaison	Daisy Quintal <i>Alternate: Georgianna Halverson</i>
Screening Panel	Georgianna Halverson, Daisy Quintal Megan Jackson <i>Alternate: Kayla Cwojdzinski</i>

(Kristin Lee arrived at 9:43 a.m.)

Delegation of Authorities

Document Signature Delegations

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Ann Hoepfner moved, seconded by Georgiana Halverson, that in order to facilitate the completion of urgent matters between meetings, the Board

delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Megan Jackson moved, seconded by Ann Hoepfner, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after one meeting. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Monitoring

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to adopt the "Roles and Authorities Delegated for Monitoring" document as presented in the January 24, 2022 agenda materials on pages 16-17. Motion carried unanimously.

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Ann Hoepfner moved, seconded by Georgiana Halverson, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board meetings on behalf of the Board Chairperson. Motion carried unanimously.

Credentialing Authority Delegations

Delegation of Authority to Credentialing Liaison (Generic)

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department Attorneys and Paralegals to make decisions regarding applications according to Wis. Stat. § 454.06(1)(b). Motion carried unanimously.

Delegation to DSPS When Applicant's History Has Been Previously Reviewed

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous Cosmetology credential and there is no new conviction record. Motion carried unanimously.

Delegation of Authority for Reciprocity/Endorsement Reviews

MOTION: Megan Jackson moved, seconded by Ann Hoepfner, to delegate authority to the Department Attorneys to review and approve reciprocity/endorsement applications in which the out of state services are substantially equivalent to those in Wisconsin. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Department's Attorney Supervisors to serve as the Board's designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Voluntary Surrenders

MOTION: Megan Jackson moved, seconded by Daisy Quintal, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Authorization for DSPS to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

CLOSED SESSION

MOTION: Ann Hoepfner moved, seconded by Daisy Quintal, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss. 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.). Megan Jackson, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Charity-Faith Fazel-yes; Georgiana Halverson-yes; Ann Hoepfner-yes; Megan Jackson-yes; Kristin Lee-yes; and Daisy Quintal-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:36 a.m.

DELIBERATION ON DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Final Decisions and Orders of Default

MOTION: Ann Hoepfner moved, seconded by Megan Jackson, to adopt the Proposed Decision and Order of Default in the matter of disciplinary proceedings of the following cases:

1. 18 BAC 052 – Tim Nguyen, TT Nails
2. 19 BAC 036 and 19 BAC 048 – Tham Tran, Oshkosh Nail Salon

3. 19 BAC 046 – Tia Hunter, Honeycomb Salon Collective
Motion carried unanimously.

Administrative Warnings

- MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to issue an Administrative Warning the following DLSC Cases:
1. 18 BAC 052 – T.T.
 2. 19 BAC 059 – M.H.
- Motion carried unanimously.

Case Closings

18 BAC 059 – H.S.

- MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to close DLSC Case Number 18 BAC 059, against H.S., for Lack of Jurisdiction (L2). Motion carried unanimously.

RECONVENE TO OPEN SESSION

- MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to reconvene into open session. Motion carried unanimously.

The Board reconvened into Open Session at 10:46 a.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

- MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the closed session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

- MOTION:** Ann Hoepfner moved, seconded by Daisy Quintal, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:48 a.m.