

A meeting of the State Board of Cosmetologists was held on Monday, December 7, 2015, in the 3rd floor conference room, Department of Labor, Licensing and Regulation Building, 500 North Calvert Street, Baltimore, Maryland 21202.

The following members were in attendance:

Ms. Clairee Britt-Cockrum, Chair, Industry Member

Ms. Piccola Winkey, Industry Member

Ms. Maxine Sisserman, Industry Member

Ms. Lisa Lane-Treadwell, Industry Member

Ms. Sharon Bunch, Consumer Member

Others present:

Ms. Shirley Leach, Executive Director

Ms. Victoria L. Wilkins, Commissioner

Mr. John Papavasiliou, Deputy Commissioner

Mr. Eric London, Assistant Attorney General

Ms. Erica Lewis, Board Secretary

### **Meeting Called to Order**

The meeting was called to order at 10:07 a.m. by Ms. Britt-Cockrum.

Approval of Agenda

A motion was made by Ms. Bunch to approve the agenda with no changes, Ms. Sisserman seconded the motion, and the Board voted unanimously to approve.

### **Approval of Minutes**

A motion was made by Ms. Bunch to approve the minutes of the October 5, 2015 Board meeting with amendments, Ms. Lane-Treadwell seconded the motion and the Board voted unanimously to approve.

### **New Business**

#### **1) Dress Code Request**

On December 7, 2015, the Board of Cosmetology received a letter from Sshok K. Thakur, Esquire, requesting the Board to implement a dress code. Assistant Attorney General Eric London, the Board's counsel, conducted a 50 state survey to see whether or not a dress code was implemented in any jurisdiction. Mr. London confirmed no jurisdiction has implemented a dress code for licensed cosmetologists. Mr. London advised the Board it has authority over sanitation, but the legislature had not given the Board the broad authority to implement a dress code. Chair Cockrum and Ms. Sisserman agreed and added each business offers guidelines to their employees. Commissioner Wilkens acknowledged the Board had authority over sanitation and safety, but the implementation of a dress code would be beyond the scope of authority delegated to the Board.

#### **2) Consent Orders collected from June 2015 to December 7,2015**

Forty-two consent orders were issued as a result of violations, totaling \$20,000.00 dollars. Ms. Cockrum expressed her concern regarding the number of nail shops on the list, which was 72% of all consent orders.

#### **3) Shampooing before every service, open toed shoes policy**

Ms. Winkey mentioned to the Board her growing concern with shops allowing customers to be serviced without receiving a shampoo. In addition, Ms. Winkey explained the possible consequences that may occur as a result of wearing open toed shoes around chemicals and scissors. Mr. London, Counsel to the Board, indicated there are no regulations that address Ms. Winkey's concerns. Ms. Sisserman agreed with Ms. Winkey, but noted the Board is unable to enforce the policy without regulatory change. Ms. Bunch mentioned the importance of conducting a skin analysis prior to offering a service. After further discussion, the Board agreed to research the topic by making comparisons to other state requirements.

#### **4) New Shop Process Implementation**

Executive Director Shirley Leach requested the Board to modify the new shop application process, by allowing shop owners to complete an application in person at the office or by simply mailing the documents. Mr. London, Counsel to the Board, mentioned the new process would move the Board of Cosmetology towards a more business and customer

friendly environment. A motion was made by Ms. Bunch to change the current policy of requiring new salons to have an in person meeting at DLLR to complete the application to allowing the new shop owner to mail via e-mail or first-class mail all necessary documents. The Board voted unanimously to the change the policy.

5) Valerie Savage- Appeal for reinstatement of Cosmetology

Ms. Savage's Senior Cosmetologist license expired in 2009. She came before the Board requesting an exemption from taking the exam due to misinformation she alleges she received from a representative at DLLR. Ms. Savage explained she called to renew her license prior to her licensed being expired for 5 years, but was advised by a DLLR representative to wait additional time to ensure she would receive a full two year license. After waiting the additional time to receive a full two year license, Ms. Savage was advised that her license had expired and that she would be required to take the examination. The Board went into executive session to discuss the matter. A motion was made by Chairperson Britt-Cockrum to go into executive session and Ms. Bunch seconded at 11:17am. The executive session ended at 11:26am. After returning from executive session, the Board voted and by majority decision, the Board required Ms. Savage to take the exam to reinstate her Senior Cosmetology license.

6) American Beauty Academy Closure

Ms. Sisserman advised the Board of the closure of the American Beauty Academy in Wilmington, Delaware, after losing funding from the U.S. Department of Education. Ms. Sisserman informed the Board of the three options for the students: **1) Pursue a federal loan discharge and state refund of self-paid or private lender monies paid to the school; 2) Pursue a teach-out at a state-approved teach-out school (cost not to exceed original ABA contract); or 3) Pursue a self-chosen/determined transfer to another school (subject to all transfer policies of the accepting school).** Ms. Sisserman explained if a student chooses option #2 or #3, then the student cannot pursue option #1. If a student chooses option #1, the student cannot pursue option #2 or #3.

**Convictions**

The following convictions were presented and applications for their license were approved by the board.

- 1) Maria Ann Barron
- 2) Stephanie Ross
- 3) Jalena Jenkins
- 4) Tamara Johnson
- 5) Sonja Gladden
- 6) Steven Labore
- 7) Carlye Tomasello

**Public Comment**

No public comment.

Approved By:

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Chair Clairee Britt-Cockrum