



ALABAMA BOARD OF COSMETOLOGY AND BARBERING

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Minutes for the Board Meeting
January 26, 2015
10:00 a.m.
100 North Union Street, Suite 300
Montgomery, Alabama 36104

Ms. Smith called the meeting to order at 10:00 a.m. and presided over the meeting. The members present were: Floyd McDonald, General Jackson, Tracy Smith, Kathy Linden, Michelle Callahan-Alvis and LaTaya Aaron. Bobby Luster was absent. A quorum of the Board members was present. The office staff members present were Jodi Respass and Carol Reynolds. Bob McKee, Executive Director, was present. Elizabeth Sheehan from the Attorney General's Office was present as legal counsel. Visitors present were Arcelia Mendoza with Glamour Cosmetology School, Wendy Merriweather, Jada Forbes, Makyla Magwood, Dahriel Barber, Destiny Miller, Okesha Ropbeny, Briana Jones, Kiara Paulding, Yamicah Stephey, Henry Toney, Shemeah Steehe, KeSean matthews, Deleisha Williams, Breanna Blackmon, Alexusia Ephriam and Sha'Icerria Hollis with Midfield High School, Orson Steward with NPI and Kim Hightower with Gypset Beauty Co..

Roll call was taken.

Mr. McDonald made a motion to accept the minutes as presented from the October 20, 2014 meeting. Mr. Jackson seconded. All ayes, the motion carried.

Ms. Hightower with Gypset Beauty Co. addressed the Board concerning the possibility of having a mobile business. Ms. Hightower stated that she is not currently licensed with the Board, but wishes to obtain her esthetics license. The Board tabled this until the next meeting.

Ms. Mendoza with Glamour Cosmetology School addressed the Board about opening a new school. After discussion, Ms. Linden made a motion to accept the school's application. Mr. McDonald seconded. All ayes, the motion carried.

Mr. McKee read a resolution for Heidi Phillips who has received the 2014 Joel Gerson Award by the National Coalition of Estheticians, Manufacturers/Distributors & Associations. Mr. McDonald made a motion to adopt the resolution. Ms. Linden seconded. All ayes, the motion carried.

At 10:15, Mr. McDonald made a motion to adjourn the regular meeting convene the Public Hearing. Mr. Jackson seconded. All ayes, the motion carried.

For *Chapter 250-X-5-.03*, Mr. McDonald made a motion to accept the amendment to this *Rule*. Mr. Jackson seconded. All ayes, the motion carried.

For *Chapter 250-X-5.06(3)* and (4), Ms. Linden made a motion to accept the amendment to this *Rule*. Mr. McDonald seconded. All ayes, the motion carried.

At 10:20, Ms. Smith adjourned the public hearing and re-convened the regular meeting.

Ms. Reynolds requested to clarify a situation from the last Board meeting that may have been misunderstood. She stated that she does not take the closing of any business lightly, that her husband was without a regular paycheck for almost 4 years and she understands the need to work. The closing of a shop is for serious or repeated offenses. Ms. Reynolds explained the disciplinary process: a settlement letter is sent first, a hearing with Ms. Sheehan is next and a third violation of the same kind is a hearing with the Administrative Law Judge. Just writing a check is not correcting the violation. The Investigative Committee reviews the history of each shop and this is why fines are sometimes more than others. At the last Board meeting, four shops were directed to be closed. The closings were not scheduled until after the holidays. However, none of them closed during the designated time in January. The closing of a shop is our last recourse in the disciplinary actions, short of a filing in Circuit Court. She stated that we work with people as much as we can so that they will understand how to follow the Law.

For Complaint #2696, Mr. McDonald made a motion to accept the Administrative Law Judge's recommendation of \$500 plus court costs if shop obtains a score of 80 or above on an inspection done within 30 days for the Final Order. If the score of 80 or above is not obtained, fine Respondent the full \$1,875. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #2794, Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$2,125 plus court costs. Mr. McDonald seconded. All ayes, the motion carried.

For Complaint #2796, Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation for a fine of \$1,125 plus court costs. Ms. Aaron seconded. All ayes, the motion carried.

For Complaint #2800, Ms. Linden made a motion to accept the Administrative Law Judge's recommendation for a fine of \$250 plus court costs. Mr. McDonald seconded. All ayes, the motion carried.

For Complaint #2831, Mr. McDonald made a motion to accept the Administrative Law Judge's recommendation for a fine of \$1,000 plus court costs and suspend the shop's license for one week. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #2837, Mr. McDonald made a motion to accept the Administrative Law Judge's recommendation for Respondent take and pass a written exam and a practical exam in order to become licensed in Alabama. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #2846, Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation for a fine of \$500 plus court costs. Mr. McDonald seconded. All ayes, the motion carried.

For Complaints #2850, #2851, #2852, #2854, #2855, #2857, #2858, #2859, #2860 and #2861, Mr. McDonald made a motion to accept the Administrative Law Judge's recommendation for a fine of \$250 plus court costs, suspend personal license for thirty (3) days, Respondent is required to re-take the written exam. If receives a passing score, suspended license should be reinstated. If unable to receive a passing score, revoke license until requirements are fulfilled and Respondent obtains a passing score on written exam. Mr. Jackson seconded. All ayes, the motion carried.

Mr. McKee recognized Wendy Merriweather, former Board Member, and her class attending the meeting today.

Mr. Steward had sent a letter to Mr. McKee concerning apprentices and the new Rule requiring anyone failing the exam three (3) times to attend school. Ms. Aaron made a motion to table this issue until the next Board meeting. Mr. Jackson seconded. All ayes, the motion carried.

There was a discussion about the memo recently sent to instructors and sponsors concerning the changes in the barber styling, esthetician and nail technology exams.

Ms. Smith stated that NIC will be having a regional meeting in Savannah, GA this year and the national meeting will be held in Montana.

For Complaints #2658 and #2465, the Board Members had previously requested proof that the sponsor and apprentice were in Alabama. The information was provided to the Board Members. Mr. Jackson made a motion to accept the apprentice hours and allow Mia Meirina to keep her license. Ms. Linden seconded. All ayes, the motion carried. Trang Tran's license in Texas has been revoked by the Texas Board, so we are unable to offer her reciprocity.

There was a discussion concerning buffers and files and is they can be sanitized. Mr. McDonald made a motion that buffers and files are single use only, no matter what is printed on them. Ms. Aaron seconded. All ayes, the motion carried.

Mr. McDonald made a motion to add a notice to the Summons and Complaint that the personal and/or shop license will be revoked if the person fails to comply. Mr. Jackson seconded. All ayes, the motion carried.

For Eyebrow Threaders, Mr. McDonald made a motion to charge \$40 for the first time license and \$80 for the renewal. Ms. Aaron seconded. All ayes, the motion carried.

The Board had previously voted that a cosmetology Instructor must take 16 hours in shaving in order to become a Barber Instructor. This will continue with no change.

For the requirements for a Hair Braider from another state, Mr. McDonald made a motion that Braiders from another state will take 210 hours and then take and pass the written and practical exams. Ms. Aaron seconded. All ayes, the motion carried.

Mr. McKee stated that the Examiners of Public Accounts are currently in our office. The Legislature is looking to remove all hair cutters from regulation by our Board.

The Office had received several questions concerning what a person must do if the person holds one type of license and wants to have another type also. The Board Members reviewed and discussed the information and made the following decisions:

1. If a person holds a Manicurist license, what does he/she need to do to also become a Barber Instructor? Mr. McDonald made a motion for the person to take the difference of 900 hours and take and pass both exams. Ms. Aaron seconded. All ayes, the motion carried.
2. If a person holds a Manicurist license, what does he/she need to do to also become a Barber? Ms. Aaron made a motion for the person to take the difference of 900 hours and take and pass both exams. Mr. McDonald seconded.
3. If a person holds a Manicurist Instructor license, what does he/she need to do to also become a Cosmetology Instructor? Mr. McDonald made a motion for the person to take the difference of 1,373.5 hours and take and pass both exams. Ms. Linden seconded. All ayes, the motion carried.
4. If a person holds a Manicurist license, what does he/she need to do to also become a Cosmetologist? Mr. McDonald made a motion for the person to take the difference of 1,373.5 hours and take and pass both exams. Ms. Linden seconded. All ayes, the motion carried.
5. If a person holds a Manicurist Instructor license, what does he/she need to do to also become an Esthetic Instructor? Ms. Callahan-Alvis made a motion for the person to take the difference of 900 hours and take and pass both exams. Mr. Jackson seconded. All ayes, the motion carried.
6. If a person holds a Manicurist license, what does he/she need to do to also become an Esthetician? Ms. Callahan-Alvis made a motion for the person to take the difference of 900 hours and take and pass both exams. Ms. Aaron seconded. All ayes, the motion carried.
7. If a person holds an Esthetician/Manicurist Instructor license, what does he/she need to do to also become a Cosmetology Instructor? Mr. McDonald made a motion for the person to take the difference of 915 hours and take and pass both exams. Mr. Jackson seconded. All ayes, the motion carried.
8. If a person holds an Esthetician/Manicurist license, what does he/she need to do to also become a Cosmetologist? Mr. McDonald made a motion for the person to take the difference of 915 hours and take and pass both exams. Mr. Jackson seconded. All ayes, the motion carried.
9. If a person holds an Esthetician license, what does he/she need to do to also become a Cosmetologist? Mr. McDonald made a motion for the person to take the 760 difference in hours and take and pass both exams. Ms. Aaron seconded. All ayes, the motion carried.
10. If a person holds an Esthetician Instructor license, what does he/she need to do to also become a Cosmetologist Instructor? Mr. McDonald made a motion for the person to take the 760 difference in hours and take and pass both exams. Mr. Jackson seconded. All ayes, the motion carried.
11. If a person holds a Natural Hair Stylist license, what does he/she need to do to also become a Natural Hair Stylist Instructor? This is already covered with the Instructor Curriculum.
12. If a person holds a Manicurist Instructor license, then completes the Manicurist/Waxer program, can he/she now teach waxing? Ms. Linden made a motion that if a Manicurist Instructor holds a Manicurist/Waxer license, then he/she is able to teach waxing. Mr. Jackson seconded.

