



ALABAMA BOARD OF COSMETOLOGY

RSA Union Building
100 N. Union Street, Suite 320
P. O. Box 301750
Montgomery, AL 36130-1750

334-242-1918 Office
800-815-7453 toll free

334-242-1926 Fax
www.aboc.state.al.us

Minutes for the Board Meeting
July 29, 2013
10:00 a.m.

100 North Union Street, Suite 300
Montgomery, Alabama 36104

Ms. Linden called the meeting to order at 10:00 a.m. and presided over the meeting. The members present were: Floyd McDonald, Evonne Bennett, Tracy Smith, Kathy Linden, Clifford Pope and LaTaya Aaron. Eric Williams was absent. The office staff members present were Jodi Respass and Carol Reynolds. Bob McKee, Executive Director, was present. Elizabeth Utley Sheehan from the Attorney General's Office was present as legal counsel. Jean Parker Womack with St. John's School of Esthetics, Orson Steward with schools consortium and Jennifer Adams with the State Department of Education, cosmetology specialist were present as visitors.

Mr. Pope gave the invocation. Roll call was taken.

Mr. Pope made a motion to accept the minutes from the April 29, 2013 meeting as presented. Ms. Smith seconded. All ayes, the motion carried.

The LEARN School that was approved at the previous meeting had issues with the building the Board had approved. A different building/location was proposed. Mr. Pope made a motion to approve the new location. Ms. Smith seconded. All ayes, the motion carried.

Linh Nguyen (license #99407, Complaint #2179) had previously had her personal license revoked due to dishonest conduct. She had sent a letter requesting to be allowed to apprentice. Mr. Pope made a motion to allow her to apprentice after one year is up following the revocation. Ms. Smith seconded. All ayes, the motion carried.

Ms. Linden noted that the NIC School Overview is set for this Friday, August 2nd in the Harris Building at Faulkner University here in Montgomery.

At 10:15, Mr. McDonald made a motion to adjourn the regular meeting for the public meeting. Ms. Bennett seconded. All ayes, the motion carried.

Mr. McDonald made a motion to adopt *Chapter 250-X-5-.02(2)* and *Chapter 250-X-2* as proposed. Ms. Smith seconded. All ayes, the motion carried.

At 10:24, Mr. McDonald made a motion to adjourn the public hearing. Ms. Smith seconded. All ayes, the motion carried. Ms. Linden called the regular meeting back to order.

Mr. McKee asked the Board to consider moving the next scheduled Board meeting from October 28th to October 21st because of the 90-day window needed for passage of new *Rules*. Ms. Smith made a motion to change the next Board meeting date from October 28th to October 21st. Mr. Pope seconded. All ayes, the motion carried.

There was a discussion about the optional services to require on the barber exam. Mr. Pope made a motion for thermal curling to be required as an optional service on the barber exam. Mr. McDonald seconded. All ayes, the motion carried.

There was a discussion about exams for the two other new license types, Natural Hairstylist and Waxer. Mr. Pope made a motion that no exam will be required for waxing. Mr. McDonald seconded. All ayes. Mr. Pope made a motion that the Manicurist/Waxer will be limited in the scope of license to only wax the area of the neck and above. Ms. Aaron seconded. All ayes, the motion carried.

Mr. Pope made a motion to adopt the NIC written and practical exams to become licensed as a Natural Hairstylist. Ms. Smith seconded. All ayes, the motion carried. Mr. Pope made a motion that Natural Hair Styling will be defined as the practice of cleansing, weaving or interweaving, extending, locking, braiding, or arranging the hair without cutting, coloring, permanent waving, relaxing, removing, or chemical treatments of the natural hair. Ms. Smith seconded. All ayes, the motion carried.

At 11:33, Mr. Pope made a motion for a short break. Ms. Smith seconded. All ayes, the motion carried. At 11:43, Ms. Linden called the meeting back to order.

There was a discussion concerning when hours can be accepted for the new license types. Ms. Sheehan stated that after the curriculum has been approved and distributed, hours may be accepted.

Mr. Pope made a motion that the date for the Waxer curriculum to go into effect will be August 5, 2013. Ms. Smith seconded.

Mr. Pope made a motion to accept the curriculum for Natural Hair Stylist as amended. Ms. Smith seconded. All ayes, the motion carried.

Mr. Pope made a motion to accept the curriculum for Waxer certification as amended. Mr. McDonald seconded. All ayes, the motion carried.

Mr. Pope made a motion to accept the curriculum for Esthetician/Manicurist as recommended. Mr. McDonald seconded. All ayes, the motion carried.

Mr. Pope made a motion to accept the curriculum for Esthetician as amended. Mr. McDonald seconded. All ayes, the motion carried.

Mr. Pope made a motion to accept the curriculum for Barber as amended. Ms. Smith seconded. All ayes, the motion carried.

Mr. Pope made a motion to accept all curriculum beginning August 5, 2013. Mr. McDonald seconded. All ayes, the motion carried.

Mr. Pope made a motion to require the written and practical exams for barbers. Ms. Smith seconded. All ayes, the motion carried.

There was a discussion about new Administrative Rules. Mr. McDonald made a motion to adopt the Rules and Regulations as amended. Ms. Smith seconded. All ayes, the motion carried.

At 12:50, Mr. McDonald made a motion to move into closed session to discuss pending litigation. Ms. Smith seconded. All ayes.

At 1:02, Ms. Smith made a motion to come out of closed session. Mr. McDonald seconded. All ayes.

The following recommendations made by the Administrative Law Judge were reviewed:

Complaint #1295: Mr. Pope made a motion to uphold the Administrative Law Judge's recommendation to revoke K & B Nails' manicure salon license and Quoc Pham's personal license. Ms. Aaron seconded. All ayes, the motion carried.

Complaint #2033: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of revoking both salon and personal licenses until remaining total of \$2,250 is paid. Ms. Aaron seconded. All ayes, the motion carried.

Complaint #2255: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of a fine of \$750 and two week suspension of salon license. Mr. McDonald seconded. All ayes, the motion carried.

Complaint #2279: Mr. Pope made a motion to accept Option B of the Administrative Law Judge's recommendation of a \$750 fine and one week suspension of salon license. Ms. Bennett seconded. After discussion, Mr. Pope rescinded his motion. Mr. Pope then made a motion to accept Option A of the Administrative Law Judge's recommendation for a \$1,500 fine. Ms. Aaron seconded. All ayes, the motion carried.

Complaint #2424: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of a \$600 fine and 2-week suspension. Ms. Aaron seconded. All ayes, the motion carried.

Complaint #2440: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of a \$500 fine and one week suspension of salon license. Ms. Smith seconded. All ayes, the motion carried.

Complaint #2443: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of a \$500 fine and one week suspension of salon license. Mr. McDonald seconded. All ayes, the motion carried.

Complaint #2458: Ms. Bennett made a motion to accept the Administrative Law Judge's recommendation of a \$500 fine and a one week suspension of the salon license. Ms. Smith seconded. All ayes, the motion carried.

