



ALABAMA BOARD OF COSMETOLOGY AND BARBERING

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Minutes for the Board Meeting

October 15, 2018

10:00 a.m.

100 North Union Street, Suite 324
Montgomery, Alabama 36104

Ms. Smith called the meeting to order at 10:00 a.m. and presided over the meeting. The members present were: General Jackson, Kathy Linden, Michelle Callahan-Alvis and Tracy Smith. Floyd McDonald, Bobby Luster and Shirlie Phan were absent. A quorum of the Board members was present. Jodi Respass was present as Acting Executive Director. Todd Hughes from the Attorney General's Office was present as legal counsel. The office staff members present were Donna Thompson, Vernon Gordon and Carol Reynolds. The visitors present were Edmond Dunklin, Jr. and Alisha G. Dunklin with J Jireh's In'l School of Cosmetology; Myong Thrasher; Wanda Henry with State Department of Education; Livia Linden; Orson Steward with NPI Tutoring; Koniquika Thompson, Amber Williams, Zoe Jeter, Charita Williams, Helen Hughes, Taylor Empcy, Alexus Crosby, Mary Woodworth, Zyka Gordon, Carue Maisey, Teyen Phan and Ann Costner with TTC Inc.

The invocation was given by Mr. Jackson. Roll call was taken.

Mr. Jackson made a motion to accept the minutes as presented from the July 9, 2018 meeting. Ms. Linden seconded. All ayes, the motion carried.

The Board Members returned to a request from their January meeting made by Kevin Diep to register to take the tests. A Written Exam Application has been received by the office, but the hours listed are incorrect. Mr. Jackson suggested that if Mr. Diep does complete the required amount of hours, the Board will then address the situation.

June Dunn had requested to address the Board Members concerning re-instating the upgrade to a Master license. She was not present.

J Jireh's International School of Cosmetology and Barbering has moved to a new location in Roebuck. Ms. Linden made a motion to accept the school's location change. Mr. Jackson seconded. All ayes, the motion carried.

The dates suggested for meetings in 2019 are:

January 7
April 8
July 8
October 7

Ms. Linden made a motion to accept these dates for meetings for the Board in 2019. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #3425: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,750.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend shop and personal licenses until comes into compliance. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

For Complaint #3474: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of a fine of \$1,000.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend shop and personal licenses until comes into compliance. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #3479: Mr. Jackson made a motion to accept the Administrative Law Judge's recommendation of a fine of \$750.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend shop and personal licenses until comes into compliance. Ms. Linden seconded. All ayes, the motion carried.

At 10:15, Ms. Linden made a motion to recess the regular meeting and move to the public hearing. Mr. Jackson seconded. All ayes, the motion carried. Ms. Callahan-Alvis made a motion to accept the new fees as listed. Mr. Jackson seconded. All ayes, the motion carried. The new fees will begin December 1, 2018. At 10:19, Mr. Jackson made a motion to return to the regular meeting. Ms. Linden seconded. All ayes, the motion carried.

For Complaint #3496: Ms. Callahan-Alvis made a motion to accept the Administrative Law Judge's recommendation of a fine of \$750.00 plus administrative hearing costs. If not paid within thirty (30) days, suspend shop and personal licenses until comes into compliance. Mr. Jackson seconded. All ayes, the motion carried.

For Complaint #3511: Ms. Linden made a motion to accept the Administrative Law Judge's recommendation of revocation of the personal license and pay all hearing costs. Mr. Jackson seconded. All ayes, the motion carried. Ms. Phuong Nguyen, the Respondent for Complaint #3511, has already applied for reciprocity from Florida. The Board Members discussed the overlapping apprentice hours in Alabama and the school hours in Florida. Ms. Smith made a motion to deny Ms. Nguyen reciprocity from Florida. Ms. Linden seconded. All ayes, the motion carried.

Ms. Respass discussed the recent Hurricane Michael that damaged the Florida panhandle. Because of the damage, she suggested that the Board allow Florida licensees to work for six (6) months until they can return home or expiration of their Florida licenses. Mr. Jackson made a motion to accept the six months' temporary work situation for Florida licensees or when their licenses expire, whichever comes first. Ms. Linden seconded. All ayes, the motion carried.

Ms. Respass and Ms. Thompson discussed situations that have come up in shops with esthetic rooms. Our Inspectors have been told by licensees/owners that they may not inspect when a service is being performed. Our Inspectors have knocked on the door, been told that a service is being offered, have waited and then only the Esthetician comes out of the room. Ms. Callahan-Alvis stated that the rooms should be inspected, that this is

State Law. It was suggested that the Inspector wait 10-15 minutes and if only the Esthetician comes out of the room, zero the shop for not allowing an inspection.

Ms. Respass continued with the discussion of curling sponges/gloves from the former meeting. Mr. Jackson stated that if the glove can be cleaned, then there is no harm. Mr. Gordon stated that he has only seen a couple of gloves, that he mainly sees the sponges. He stated that he has seen the sponges used over and over and that they are not sanitized or disinfected but are leaving parts of the sponge in the hair. There was a discussion concerning the curling sponges and other sponges that are considered single-use items. Mr. Jackson made a motion to table this until the next meeting. Ms. Callahan-Alvis seconded. All ayes, the motion carried.

Ms. Respass discussed the issues that the office is having with several of the schools turning in the paperwork late or incorrect, or it never comes in. The Investigative Committee will discuss consequences for schools and the Board Members may receive calls if hours are disallowed.

Ms. Respass stated that the fee increases are due to the costs the office has to pay to the Comptroller. She states that we have paid 40-50% more this year than last and it will go up in 2020. We are even charged for money we deposit in the bank. The STAARS program has cost the State a lot of money and this is being passed down to the agencies. Ms. Respass stated that we may have to ask for General Fund money.

Ms. Smith stated that she understood that the NIC national meeting in Seattle went well. Next year will be in Milwaukee.

Ms. Linden asked if the office is aware that Virginia College is closing in Huntsville. Yes, Virginia College is closing three of its four locations in Alabama over the next year or so.

Mr. Jackson made a motion to adjourn at 10:52. The next meeting is scheduled for January 7, 2019 at 10:00 a.m.

Carol A. Reynolds
Recording Secretary