

**DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
BOARD OF BARBERS AND HAIRDRESSERS**

CONDENSED MINUTES OF THE MEETING HELD NOVEMBER 14, 2022.

By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via teleconference/videoconference, November 14, 2022.

Date:	November 14, 2022
Time:	9:00 a.m. - Noon
Location:	Zoom/Video Conference
Attending:	Sara Chambers, Director Michelle McMullin, Tina Taylor, Connie Dougherty, Kelsie McGraw, OLE Wanda Whitcomb, OLE Cynthia Spencer, Alison Osborne, Regulation Specialist
Absent:	N/A – Two board member vacancies

1. Agenda Item # 1 - Call to Order/Roll Call @ 9:03 a.m.		
Brief Discussion:	N/A	
	Khitsana Sypakanphay not in attendance - joined at 9:08 a.m. – no ethics disclosures	
2. Agenda Item # 2 - Review Agenda		
Brief Discussion:	Board reviewed agenda – no amendments.	
Motion:	<i>Chair Michelle McMullen polled the board; hearing no disagreements the agenda was approved.</i>	
3. Agenda Item # 3 - Ethics Disclosure		
Brief Discussion:	Board reviewed provided documentation. No violations to report	
4. Agenda Item # 4 – Administrative Business: A. Review/Edit/Approve October 3, 2022, Meeting Minutes		
Brief Discussion:	Board reviewed October 3, 2022, meeting minutes. The board had no edits for staff.	
Motion:	1 st Tina Taylor – 2 nd Connie Daugherty: Approve October 3, 2022, meeting minutes as written.	
Recorded Votes:	Michelle McMullin	Tina Taylor
	Connie Dougherty	Kelsie McGraw

	Khitsana Sypakanphay	
Action Items:	OLE Spencer will load meeting minutes to DocuSign for signatures after the meeting concludes	
5. Agenda Item #5 – New Business: A. Legislative Guidance		
Brief Discussion:	<p>The board reviewed provided documentation. OLE’s Cynthia Spencer and Wanda Whitcomb offered one on one assistance with setting up a Bill Tracking Management Facility (BTMF) account if needed. OLE Spencer also informed the board that new 2022 guidance would be provided shortly, however the basic information would be the same.</p> <p>Chair McMullin asked if meetings and hearings were still be conducted via Zoom. OLE Spencer stated Zoom meetings were still occurring.</p> <p>Chair McMullin asked the board if they had any questions. Ms. Taylor stated the provided packet was helpful; no other board members had questions or statements.</p> <p>Chair McMullin urged board members to start working to find bill sponsors immediately so they could set up meetings, etc., prior to the February 2023 meeting.</p>	
5. Agenda Item #5 – New Business: B. Legislative Proposals i - v		
Brief Discussion:	<p>Chair McMullin reviewed previous legislative projects that had errors which affected licenses (i.e., barbers not being able to provide hair braiding); she urged all board members to review any proposed legislation carefully to avoid unnecessary issues. Chair McMullin stated a major point of this current project is to remove microneedling from the definition of tattooing. Ms. Taylor stated also adding back hair braiding to the barber licenses is also very important.</p> <p>Chair McMullin stated a focus of this legislative project is to remove limiting language currently in statute and allow the board regulatory authority to change training requirements, including hours, curriculums, and the options to obtain more training through apprenticeship programs.</p> <p>The board reviewed provided previous 2019, 2021, and 2022 proposed legislation, 2019 statute and regulation worksheet, and template letter to legislators. The board briefly discussed statutes limiting their ability to change hour requirements and curriculums; they also briefly discussed regulation changes.</p> <p>OLE Spencer reviewed previous manicuring legislation and requested the board to be mindful of allowing time for those looking to upgrade to a “nail technician” license as these individuals may need to submit/provide work experience and pass the National Nail Technician written examination. OLE Spencer also asked the board to consider changing the 12-hour manicurist license to a “natural nails” only license, which would allow those</p>	

	<p>licensees not interested in upgrading to a nail technician license to continue to provide services albeit limited.</p> <p>OLE Spencer also reminded the board that the written examinations are all computerized and to take into consideration the \$90.00 cost to licensees.</p> <p>OLE Spencer briefly reviewed regulation project process that would begin when proposed legislation was finalized. OLE Spencer informed the board that regulation projects would not begin until legislation was moving through its processes.</p> <p>OLE Whitcomb, reviewed the process of finding a sponsor for proposed bills and reminded the board that it is their responsibility to move legislation through its processes.</p> <p>Director Chambers agreed with OLE Whitcomb’s statement and urged the board to start moving on their projects and stated the board has done well on previous legislative audits, however, as these are public safety and imminent public safety concern issues which have been discussed for several years are not acted on, the next legislative audit may not go well. Director Chambers urged to board to commit to and coordinate their search for a bill sponsor as it would be better to have one sponsor working on the project rather than several sponsors in an effort to save time and resources.</p> <p>Chair McMullin asked the board if anyone wanted to volunteer to be lead on this project and work with her. Ms. Taylor stated she would work with Chair McMullin on these projects.</p> <p>Director Chambers reminded the board to be very clear in this meeting to their procedure for this project and she would be available to support the board.</p> <p>Director Chambers and Chair McMullin informed the board that the current election results would be certified November 23, 2022, so that would be a good date to start the bill sponsor search. Director Chambers informed the board that legislative committee members wouldn’t be finalized until mid-end January 2023 and recommended labor and commerce committees in the House or Senate would be the first place this bill would be heard.</p> <p>The board continued to briefly discuss proposed legislation and agreed that all items in the 2019, 2021, and 2022 proposed legislation, 2019 statute and regulation worksheets needed to move forward.</p>
Action Items:	<p>OLE Spencer will email the “letter to legislators” to all board members in Word so they could edit the letter as needed.</p> <p>Michelle McMullin and Tina Taylor will work together and be leads/main contacts for legislation projects.</p>
<p>6. Agenda Item #6 – Old Business: A. Department of Law Memo Re: Lasers, Dermal Lights, Fibroblasting, Dermaplaning, Cryoskin, Microneedling, Microchanneling, Nanoneedling, and Crazy Hair</p>	

<p>Brief Discussion:</p>	<p>Director Chambers reviewed the DOL Memo with the board and reminded the board that they had asked for assistance from DOL during their October 2022 meeting. Director Chambers informed the board that issues may be tied into updating statutes and regulations which will take time to update, however, in the short term this memo will assist the board in creating position statements advising licensees.</p> <p>Director Chambers stated the DOL memo is somewhat confidential and only for the board’s information; this is not a document to share but could be used as a basis for their own memo or document. Director Chambers also stated that the board needs to take action as many of these issues have been under discussion for many years with the board taking no action; she urged to board to step up and do more than address these matters during meetings, action needs to happen, and information provided to licensees.</p> <p>Director Chambers suggested the board work with the Medical and Nursing boards to create a matrix of services, license types, and who can provide specific services with and/or without supervision. The board and Director Chambers briefly discussed creating an “advanced/master” esthetician license which would allow a licensee to provide more advanced esthetic services.</p> <p>The board continued to review and discussed the memo, addressed services, equipment, edits to drafted position statements, and enforcement/investigative processes.</p> <p>Chair McMullin asked Kelsie McGraw to research other states licensing requirements of estheticians and report back to the board. Ms. McGraw agreed to start this project and report back to the board. Chair McMullin stated she had a few contacts with the Washington board she would forward onto Ms. McGraw. Chair McMullin stated she would be available to meet with Ms. McGraw to assist. Chair McMullin reminded the board that no more than two (2) board members could meet to discuss board business/projects outside of board meetings.</p> <p>OLE Spencer reviewed statutes Sec 08.13.080 and 08.13.082 with the board; these are the statutes partially limiting training hour and curriculum changes.</p>
<p>Action Items:</p>	<p>Kelsie McGraw will research other state esthetician training and requirements. Ms. McGraw email staff information to be on the February 2023 meeting agenda</p>
<p>6. Agenda Item # 6 – Old Business: Position Statements</p>	
<p>Brief Discussion:</p>	<p>The board discussed the memo provided by the Department of Law and drafted position statements.</p> <p>The board discussed tattooists providing microblading and microneedling services. Khitsana Sypakanphay stated that microblading is considered tattooing as it deposits pigments into the skin.</p>

	<p>OLE Spencer reminded the board that they had wanted to remove microneedling from the tattooing definition as the consensus was microblading was a permanent cosmetic colorist service.</p> <p>The board made the following motions.</p>	
<p>Motion:</p>	<p>1st Khitsana Sypakanphay, 2nd Connie Dougherty accept Position Statement Regarding Microneedling, Microchanneling, Nanoneedling, Skin Stamping, And Dermarollers as written:</p> <p><i>On January 1st, 2019, statutory change took effect, and the definition of tattooing was changed to include the terms microblading and microneedling. This statutory change was a result of SB4 which passed April 2018. The FDA released a formal statement on June 12th, 2018, announcing microneedling devices as a class II medical device to be used by or under the supervision of medical practitioners.</i></p> <p><i>Tattooing is currently defined as “the process by which the skin is marked or colored to form indelible marks, figures, or decorative designs for nonmedical purposes by inserting or ingraining an indelible pigment into or onto the skin, microblading, or microneedling.” However, the process of microneedling does not deposit pigment into the skin nor does it form an indelible mark. The microneedling process is not satisfied by the definition of tattooing. Furthermore, permanent cosmetic coloring, defined as tattooing “for the purpose of simulating hair and makeup” does not support microneedling as the microneedling procedure does not simulate hair or makeup, in addition to not forming or ingraining an indelible pigment into the skin.</i></p> <p><i>After extensive research it is the opinion of the board that microneedling, microchanneling, nanoneedling, skin stamping, and dermaroller services, or similar services that puncture the skin should not be performed by anyone licensed by this board nor should microneedling be included in the definition of tattooing.</i></p> <p><i>Thank you for understanding. If you have any questions, please reach out to the board and questions will be discussed by board members.</i></p>	
<p>Recorded Votes:</p>	<p>Tina Taylor</p>	<p>Khitsana Sypakanphay</p>
	<p>Michelle McMullin</p>	<p>Kelsie McGraw</p>
	<p>Connie Dougherty</p>	
<p>Motion</p>	<p>1st Tina Taylor, 2nd Kelsie McGraw accept the Crazy Hair position statement as written:</p> <p><i>The Alaska State Board of Barbers and Hairdressers wants you to be aware that getting your hair done at a festival may sound like fun but keep in mind that the practice of hairdressing in Alaska is licensed and regulated for health and sanitary reasons. Persons who make changes to the style, color, and/or texture of hair in this state for a fee require a license which indicates they have sufficient training and knowledge.</i></p> <p><i>Booths at a carnival, festival or fair are required to have a mobile shop license. In Alaska, hairdressers and shops are required to prominently post these licenses. Check that you see these licenses before you or your child get any services. If you have concerns, please contact the management of the event and the Investigative Unit at (907-) 465-8174 or investigations@alaska.gov.</i></p>	

Recorded Votes:	Connie Dougherty	Kelsie McGraw
	Michelle McMullin	Khitsana Sypakanphay
	Tina Taylor	
Motion:	<p>1st Tina Taylor, 2nd Connie Dougherty accept Position Statement Regarding Estheticians Providing Services at the Dermal Skin Layer As written</p> <p><i>The Board of Barbers & Hairdressers met November 14, 2022 and made the following statement addressing estheticians providing services that go below the dermal layer of skin.</i></p> <p><i>Estheticians may provide services that does not go below the dermal layer of skin.</i></p> <p><i>In accordance with Alaska statute 08.13.220(5) "esthetics" means the use of the hands, appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the scalp, face, or neck, including skin care, make-up, and temporary removal of superfluous hair, for cosmetic purposes for a fee.</i></p> <p><i>Thank you for understanding. If you have any questions, please reach out to the board and questions will be discussed by board members.</i></p>	
Recorded Votes:	Connie Dougherty	Kelsie McGraw
	Michelle McMullin	Khitsana Sypakanphay
	Tina Taylor	

Next Meeting:	February 27 – 28, 2023
Adjournment:	11:49 a.m.

Respectfully submitted:

DocuSigned by:

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 Cynthia Spencer, Licensing Examiner

Approved:

DocuSigned by:

6309882FA2DC49E
 Michelle McMullin, Chairperson
 Board of Barbers and Hairdressers

Date: 5/16/2023