



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 JUNE 15, 2023

By the authority of AS. 08.01.070(2) and AS08.86.030 and in compliance with the provisions of AS 44.64, Article 6, a scheduled board meeting was held via teleconference/Zoom, June 15, 2023

June 15, 2023:

Attendance

Members Present: Chair Michelle McMullin, Connie Dougherty, Glenda Ledford, Breanna Hardy, Khitsana Sypakanphay

Staff Present: Cynthia Spencer & Wanda Whitcomb, Licensing Examiners, Alison Osborne and Stefanie Davis, Regulation Specialists, Renee Carabajal, Program Coordinator

Public Present via Zoom:

Despina Silverthorn, representing Alyeska Aesthetics,
Courtney Coon, Esthetician, representing Alyeska Aesthetics.
Rachel Lausen
Mechille South, Hairdresser Instructor, Shop Owner
Nicole Wilson
Teesha Northcutt, Esthetician,
Chloe Stillwell, Esthetician,
Kathleen Smart, Esthetician Instructor, Permanent Cosmetic Colorist, Tattooist
Shannon O'Neal-Yoakum, Esthetician and Hairdresser
Kiana Reese, Esthetician, Shop Owner
Tatyana Johnson, Esthetician
Michelle Bibbs, Esthetician and Shop Owner
Malissa Lindberg, Esthetician
Caitlin Webb, Esthetician
Monica Billman, Esthetician
Mina Fujimoto, Esthetician, Permanent Cosmetic Colorist
Megan Eubank, Esthetician
Kristen Harmon
Jane Henegan
Sonja Kontra, Esthetician
Elesha Taylor, Esthetician
Christine Engler, Esthetician
Crystal Loyer, Esthetician
Anna Smole, Esthetician

1. Call to Order/Roll Call

The board was called to order at 9:03 a.m.

All board members present via roll call.

2. Review Agenda

Board reviewed agenda.

Motion: 1st Glenda Ledford – 2nd Connie Dougherty

Approve agenda as written.

Approved by majority.

3. Ethics Disclosure

The board reviewed the provided Ethics packet.

Board members present stated they had no conflicts to disclose.

4. New Business

A. Scope of Practice Discussion – AS 08.13.220

i. Define Tattoo Removal

The board briefly discussed tattoo removal, tools, and injectable solutions.

The board agreed to define tattoo removal as a non-ablative removal via saline solution; the board agreed this service would only be allowed under a tattoo or permanent cosmetic colorist (PCC) license.

OLE Cynthia Spencer cautioned the board against adding “tattoo removal” to the scope of practice definitions of tattooing and PCC, based on services being accidentally added to incorrect license types; OLE Spencer suggested the board add the license types to the definition of “tattoo removal”.

Chair McMullin polled the board. Hearing no disagreements, the definition of tattoo removal would be “a non-ablative removal via saline solution; the board agreed this service would only be allowed under a tattoo or permanent cosmetic colorist (PCC) license.

ii. Barbering

The board reviewed the current scope of practice. The board briefly discussed the current definition and agreed to add hair braiding to the definition.

Chair McMullin polled the board. Hearing no disagreements, hair braiding will be added to the current definition.

iii. Body Piercing

The board reviewed the current scope of practice. The board briefly discussed the current definition and asked why the definition included “body piercing” does not include puncturing the external part of the human ear”. OLE Spencer stated that this was included to allow places like Claire’s, Icing, and jewelry shops to provide earlobe piercing only, without begin required to obtain a body piercing license; this does not mean that licensed body piercers cannot pierce the ear lobe.

The board agreed they don’t want to limit stores from providing this service but would like an opinion from Department of Law before making changes to the current definition.

Chair McMullin polled the board. Hearing no disagreements, staff was directed to request an opinion from Dept. of Law regarding why the definition of body piercing includes “does not include puncturing the external part of the human ear”.

Action Item: Request Dept. of Law opinion – why “body piercing” does not include puncturing the external part of the human ear.”

iv. Esthetics

Chair McMullin reviewed the definition of esthetics as written by the Idaho, Utah, and Washington State Boards.

The board briefly discussed estheticians providing injectables under the direct supervision of a licensed healthcare provider. OLE Spencer and Whitcomb both stated they had been telling estheticians that they could provide injectables under direct supervision of a licensed health care provider.

Chair McMullin informed the board and staff that the Medical Board had issued a guideline which stated esthetician may not provide any injectables even under supervision. The board briefly discussed the Medical Board’s Issued Guidelines, Section 6.

The board briefly discussed training requirements and the definitions from ID, UT, and WA.

The board agreed the scope of practice for estheticians should reflect:

“noninvasive care of the skin by application of cosmetic preparations, antiseptics, tonics, lotions, creams, and essential oils to cleanse, massage, exfoliate, hydrate and stimulate, makeup application, strip lashes and lash extensions applications, temporary removal of superfluous hair by lotions, creams, waxing, tweezing, depilatories, or others means; and tinting or perming the eyelashes and eyebrows; pore extraction; use of chemical exfoliants approved for professional esthetic use particle exfoliation; use of any class 1 medical device, as classified by the united states food and drug administration, designed for the care of skin. Estheticians may not provide injectable services.

Class I medical device with low to moderate risk requiring general controls; Estheticians may use these devices without medical supervision. Devices are:

- Microdermabrasion
- Hydrodermabrasion
- Microcurrent
- LED
- Microchanneling
- Superficial ultrasound (3mhz or less)
- Galvanic
- Vacuum
- High frequency”

Chair McMullin polled the board. Hearing no disagreements, the definition of esthetics would reflect the above.

Khitsana Sypakanphay stated she felt the board was moving in the right direction with this definition of esthetics and discussing a “master/advanced” esthetician license.

v. Hair Braiding

The board reviewed the current scope of practice and determined no change to the current definition is needed.

Chair McMullin polled the board. Hearing no disagreements, no changes were made to the current definition.

vi. Hairdressing

The board reviewed the current scope of practice. The board asked why “living person” was included in this definition. OLE Spencer informed the board that the clarification was included as an embalmer license is required to provide hair and makeup services on the deceased.

The board briefly discussed the current definition and agreed to remove “dressing” and add hair braiding to the definition.

Chair McMullin polled the board. Hearing no disagreements, “dressing” would be removed, and hair braiding added the current definition.

vii. Limited Esthetics

OLE Spencer reminded the board that hairdressers are allowed to provide limited esthetics and to keep than in mind when updating this scope of practice.

The board briefly discussed removal of superfluous hair and eyelash extension services and tools. The board agreed to remove the reference of “use of wax” for hair removals as they felt it limited the tools used as hairdresser may only use tweezers to remove superfluous hair and expand on “false eyelashes”.

The board agreed with the following as a scope of practice definition of “limited esthetics” and want this added to the esthetician scope of practice.

“makeup application, strip lashes and lash extensions applications, temporary removal of superfluous hair by lotions, creams, waxing, tweezing, depilatories, or others means; and tinting or perming the eyelashes and eyebrows.”

Chair McMullin polled the board. Hearing no disagreements, the definition of limited esthetics would reflect the above and also be added to the scope of practice definition of “esthetics”.

viii. Manicuring

The board reviewed the current scope of practice. OLE Spencer asked the board to consider section B as it pertains to massage treatment as it seems massaging of the hands and feet are provided with manicures and pedicures.

The board discussed “massage” and asked that staff work with Regulation Specialist, Alison Osborne to verify what could be provided without overstepping into the Massage Therapy program. Upon review by OLE Spencer and Ms. Osborne; they reported, in accordance with statute 08.06.080((13), person practicing only the manipulation of the soft tissues of the hands, feet, or ears and not holding out to be a massage therapist; a manicurist is able to provide massage as defined in 08.06.080(13) to clients.

The board asked if there was a current scope of practice definition for Advanced Manicuring; staff stated there was no definition for this license type.

The board briefly discussed changing the manicuring (12-hours) license to natural nail only services and changing the manicurist with advanced endorsement (250 hours and National Nail Technology theory exam). The board agreed no change in the training hours for each license type was warranted.

The board agreed to add “pedicuring” to the current scope of practice definition of manicuring; the updated scope of practice should be as follows and would remain as follows if the license type was changed to natural nails.

“Manicuring (to remain for natural nails and gel polish) and to include the following services:

Cutting, filing, trimming, shaping, polishing, coloring, removing polish, tinting, airbrushing, decorating, cleansing, or otherwise beautifying natural nails and toenails. To include gel polish application and removal.

Massaging, cleansing and exfoliating a person’s hands, arms, feet and legs.

Does not include hair removal cutting nail beds, treating corns or calluses or any medical treatment involving feet, hands or nails.”

Chair McMullin polled the board. Hearing no disagreements, the definition of manicuring would reflect the above.

The board agreed that a scope of practice definition should be created for Advanced Manicuring. The board agreed the license type and scope of practice definition should be titled “Nail Technician”.

Chair McMullin informed the board that the South Dakota Cosmetology board definition of nail technology seems to fit their needs:

“A person is engaged in the practice of nail technology if that person, for compensation, a fee, or any valuable consideration, engages in any of the following practices with hands, chemicals, or any mechanical or electrical apparatus or appliance for beautifying or cosmetic purposes: (1) Cutting, filing, trimming, shaping, polishing, coloring, removing polish, tinting, air-brushing, decorating, cleansing, or otherwise beautifying a person's fingernails or toenails; (2) Applying and removing artificial nails; or (3) Massaging, cleansing, and exfoliating a person's hands, arms, feet, and legs. Nail technology does not include hair removal, cutting nail beds, treating corns or calluses, or any medical treatment involving the feet, hands, or nails.”

Chair McMullin polled the board. Hearing no disagreements, the definition of advanced manicuring/nail technician would reflect the above.

ix. Non-Chemical Barbering

The board reviewed the current scope of practice. The board briefly discussed the current definition and agreed to add hair braiding to the definition.

Chair McMullin polled the board. Hearing no disagreements, hair braiding will be added to the current definition.

x. Permanent Cosmetic Coloring

The board reviewed the current scope of practice. Cynthia Spencer asked if this license type was able to provide reconstructive tattoos. The board briefly discussed and stated reconstructive tattooing is only allowable under a tattoo license.

The board determined no change to the current definition is needed.

Chair McMullin polled the board. Hearing no disagreements, no changes were made to the current definition.

xi. Tattooing

The board reviewed the current scope of practice and determined microneedling and microblading needed to be removed.

Chair McMullin polled the board. Hearing no disagreements, microneedling and microblading would be removed from current definition.

Ms. Sypakanphay asked OLE Spencer why regulation 12 AAC 09.185(2) reflects a licensed tattooist can still train a permanent cosmetic colorist trainee. OLE Spencer stated this was missed during the license update splitting tattooing and PCC into two separate license type; a regulation project would be started to amend this.

Action Item: Request regulation project 12 AAC 09.185(a)(2) - remove "..., or PCC if the trainer meets the requirements of 12 AAC 09.168."

Recess The Board recessed at 10:39 a.m. for a short break; reconvened at 10:49 a.m. Majority of the board confirmed by roll call.

B. Discuss Creation of New License Type, Advanced Esthetician

The board discussed additional training for this new license type would require the applicant hold an active esthetician license and then complete an additional 400 – 500 hours of training some of which would require a collaboration with a medical professional due to the use of Class I and Class II medical devices.

The board briefly discussed raising the current esthetician hour requirement from 350 hours to 600 hours.

The board briefly discussed "licensed health care provider" and "licensed medical provider".

Chair McMullin stated she would work with the Medical Board for details on a collaborative training reporting and requirements and how this would work into a school or apprenticeship program.

The board agreed this license type would have reciprocity with other states that met or exceeded their requirements for licensure.

The board briefly discussed a continued health care professional collaboration required to practice advanced manicuring once licensed; these collaborations would be maintained by this board.

The board agreed that the additional 400 hours of training would include 100 completed procedure hours, 150 hours of theory, 150 hours of practical, 25 discretionary hours, and passing the NIC Esthetics Advanced Practice (AP) theory written examination.

The board drafted the following scope of practice definition for “advanced esthetics”.

“Noninvasive care of the skin by application of cosmetic preparations, antiseptics, tonics, lotions, creams, and essential oils to cleanse, massage, exfoliate, hydrate and stimulate, makeup application, strip lashes and lash extensions applications, temporary removal of superfluous hair by lotions, creams, waxing, tweezing, depilatories, or others means; and tinting or perming the eyelashes and eyebrows; pore extraction; use of chemical exfoliants approved for professional esthetic use particle exfoliation; use of any class 1 medical device, as classified by the united states food and drug administration, designed for the care of skin.

Class II medical device designed for the care of the skin may be used as directed and supervised by an authorized and licensed health care provider. Class II medical device with a moderate to high risk that requires special controls. Estheticians may use these devices when working under medical supervision.

- Microneedling
- Lasers for hair removal or skin resurfacing
- Radiofrequency
- Non-superficial ultrasound (2mhz or less)
- Cool sculpting

Class I medical device with low to moderate risk requiring general controls. Estheticians may use these devices without medical supervision.

- Microdermabrasion
- Hydrodermabrasion
- Microcurrent
- LED
- Microchanneling
- Superficial ultrasound (3mhz or less)
- Galvanic
- Vacuum
- High frequency

The board briefly discussed Class III medical devices and determined, Class III medical devices with a high risk that require premarket approval; estheticians cannot use these devices with or without medical supervision. The board also reiterated; estheticians are not legally allowed to preform injectables under a doctor’s supervision.

Chair McMullin polled the board. Hearing no disagreements, the definition and curriculum of advanced esthetics would reflect the above and would allow for reciprocity with equivalent states.

Action Item: *Chair McMullin with work with the Medical Board on a collaborative training reporting and requirements; how this would work into a school or apprenticeship program for training and then licensure.*

C. Create New Regulation Projects(s)

Ms. Spencer asked Regulation Specialist, Alison Osborne, to begin a new regulation project to amend 12 AAC 09.185(a)(2). Ms. Osborne stated as this was just a small clean up, this could be added to the current regulation project packet.

The board agreed to add this to the current regulation packet and stated they had no new regulation projects to begin.

D. Proposed Regulation Projects – Update - 12 AAC 09.002, 09.005, 09.010, 09.075, 02.140, 12 AAC 09.004, 12 AAC 09.185, 12 AAC 09.190, 12 AAC 09.002(j) and 12 AAC 09.106(d)

Ms. Osborne reviewed the current regulation projects with the addition of 12 AAC 09.185(a)(2); removal of tattooist training PCC.

Glenda Ledford excused herself from the meeting at 12:11 p.m.

Action Item: *The board requested adding aspects to instructor licenses be added to the October 2, 2023, agenda.*

Motion: 1st Michelle McMullin – 2nd Connie Dougherty

Approve regulation packet as written with the additional of 12 AAC 09.185(a)(2), removal of tattooist training PCC.

Approved by majority.

The board thanked Ms. Osborne for her time and assistance.

5. Administrative Business

A. Approve FY23 Annual Report

The board reviewed the drafted annual report with OLE Spencer and had no edits.

Motion: 1st Connie Dougherty – 2nd Breanna Hardy

Approve the FY 23 Annual Report as presented.

Approved by majority.

6. Adjourn

The chair declared the board off the record at 12:42 p.m.

Respectfully submitted:



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Cynthia Spencer, Licensing Examiner

Approved by:



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Michelle McMullin, Chairperson
Board of Barbers and Hairdressers

Date: 10/3/2023