

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

**MINUTES OF MEETING  
May 12, 2014**

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 May 12, 2014 in Anchorage, Alaska, Robert B. Atwood Bldg., Room 1270.

**Monday, May 12, 2014**

**Item 1. Call to Order/Roll Call**

The meeting of the Board of Barbers and Hairdressers was called to order by Glenda Ledford, Chair at 9:04 a.m. Members present were:

Glenda Ledford, Barber, Chair  
Deanna Pruhs, Hairdresser  
Jeannine Jabaay, Public Member  
Kevin McKinley, Tattooist/Body Piercer/Permanent Cosmetic Colorist  
Darae Crews, Hairdresser/Esthetician  
Derrick Slaughter, Barber

Present from the Division of Corporations, Business and Professional Licensing were:

Cynthia Spencer, Licensing Examiner  
William Harlan, Investigator  
Jay Paff, Investigator  
Angela Birt, Acting Chief Investigator

Present from the public were:

Heather Picard, Hairdresser  
Mae Canady, Instructor  
Michelle (Mitch) Black, Instructor

Debra Long, Instructor  
Charlotte Lushin, Barber  
Christine VanVliet, Hairdresser  
Michelle McMullin, Esthetician & Manicurist  
Tammy Dupree, Instructor

The Board welcomed Derrick Slaughter, Barber. Mr. Slaughter introduced himself and gave a brief background; Mr. Slaughter stated that he is looking forward to working with the Board.

Kevin McKinley informed the Board that he would need to leave the meeting at about 5:00p.m.

### **Item 2. Review/amend agenda**

Glenda Ledford asked Board members and staff if there were any changes to the agenda.

Cynthia Spencer stated there were no changes from her; however several agenda items had additional handouts which had been provided to Board members.

Ms. Ledford asked the Board if there were any other changes needed; hearing no further additions, Ms. Ledford polled the Board, hearing no disagreement the agenda was approved as provided.

### **Item 3. Ethics Disclosure**

The Board reviewed ethics disclosure forms in the meeting packet.

The Board had no ethics violations to report.

### **Item 4. Review/Adopt Meeting Minutes**

#### **October 7, 2013**

The Board reviewed the draft October 7, 2013 minutes. Ms. Ledford asked the Board if there were any edits/corrections needed; hearing none Ms. Ledford asked for a motion.

**On a motion duly made by Kevin McKinley, seconded by Jeannine Jabaay, and approved unanimously, it was**

**RESOLVED to adopt the October 7, 2013 meeting minutes as written.**

Ms. Ledford polled the Board, hearing no disagreement the minutes were approved.

### **Item 5. Correspondence**

1. The Board reviewed correspondence from National-Interstate Council of State Boards of Cosmetology, Inc. (NIC) regarding The Stylist Newspaper Request for State Boards' Assistance.

The Board agreed that since the State of Alaska has no methods or tools to track or provide licensee emails there was nothing they could provide.

The Board reviewed the December 19, 2013 letter from Kim Howard, Field Representative, Kenai Peninsula, Senator mark Begich's office.

Ms. Ledford stated that the Board was ahead of schedule and would move on to another agenda item until William Harlan, Investigator arrived at 10:00 a.m. for Item 6.

### **Item 7. Board Business/Discussion**

- ❖ Manicuring Legislation Update & Resolution in Support of manicuring Legislation.

Ms. Ledford gave the Board a brief updated of the proposed manicuring legislation had passed through the labor and commerce committee but died without submission. Ms. Ledford stated she believed the legislation died again due to the perception of Legislators, etc., towards the industry. Ms. Ledford urged Board members to contact their Senators, Representatives, and Legislators to express their support of the Manicuring legislation.

Ms. Spencer suggested to the Board that they might consider holding a Board meeting in Juneau, AK to be held during the upcoming Legislative Session which would offer Board members the opportunity to physically visit the Capitol during session and offer their input in person.

The Board agreed that a meeting during session would be excellent. Ms. Ledford asked Ms. Spencer how she would get approval from the Division to hold a meeting in Juneau. Ms. Spencer responded that this was the perfect timing and opportunity as the Board could include this travel request in their Annual Report. Ms. Spencer also stated that during the Boards October 6, 2014 meeting the Board could set the date for a Juneau meeting to coincide with the upcoming session during January/February 2015.

The Board discussed and decided that a resolution should also be made for pending Manicuring legislation.

**On a motion duly made by Deanna Pruhs, seconded by Darae Crews, be it resolved that the Board of Barbers and Hairdresser support the Pending Manicuring Legislation which would increase the minimum licensure requirements from the completion of a 12-hour book safety & sanitation course to be equivalent to or more than the current requirements of Regulation 12 AAC 09.148, Advanced Manicurist Endorsement, 250 hours. The Board feels that this change will be beneficial to the safety of the public as it will increase education/training for future licensees.**

Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

NAME	YES	NO	ABSTAIN
Derrick Slaughter	X		
Jeannine Jabaay	X		
Glenda Ledford	X		
Kevin McKinley	X		
K. Darae Crews	X		
Deanna Pruhs	X		

**THE RESOLUTION PASSED BY A MAJORITY VOTE.**

Ms. Ledford asked for a motion to break into subcommittees for the purpose of writing the Annual Report. Ms. Spencer stated that a motion was not necessary; all that was needed was direction from the Chairperson assigning Board members to tasks and on the record statement “the Board would be adjourning into subcommittees for the purpose of XXX”; once tasks were completed the Board would go back on the record to discuss the tasks, etc.

❖ **Board Resolution in Support of Advisory 4 (May 2013 Meeting)**

The Board reviewed the April 19, 2013 Advisory #4 from the Board of Examiners in Optometry and resolution information provided by Ms. Spencer. The Board asked Ms. Spencer what action was needed. Ms. Spencer stated that the Board would need to make a motion on the record with resolution wording they would prefer. The Board asked Ms. Spencer if they could use the wording provided. Ms. Spencer responded that the Board could but that they should verify it was what they wanted before making the motion.

**On a motion duly made by Jeannine Jabaay, seconded by Derrick Slaughter, be it resolved that the Board of Barbers and Hairdresser support the Board of Examiners in Optometry Advisory #4 regarding risks and concerns with colored or cosmetic contact lenses (non-**

prescription) dated April 23, 2013. The risks of colored or cosmetic contact non-prescription lenses may include, but is not limited to:

- Corneal Abrasion
- Allergic Reactions
- Decreased vision'
- Infection
- Blindness

Ms. Ledford asked for a roll call vote.

#### Roll Call Vote

NAME	YES	NO	ABSTAIN
Deanna Pruhs	X		
Kevin McKinley	X		
K. Darae Crews	X		
Derrick Slaughter	X		
Glenda Ledford	X		
Jeannine Jabaay	X		

#### THE MOTION PASSED BY A MAJORITY VOTE.

- ❖ Adopt Proposed Regulations 12 AAC 09. 004, 12 AAC 09.106, 12 AAC 09.169, 12 AAC 09.185

Ms. Spencer reviewed the Notice of Proposed Regulations with the Board and informed them that no public comments had been received and that the regulations were initially on the January 2014 meeting agenda; however as the meeting was cancelled no action had been taken. Ms. Spencer informed the Board that the Department of Law had email correspondence containing questions which had been addressed by Staff; however the Board was obliged to review the information in Executive Session before moving forward with adoption.

**On a motion duly made by Derrick Slaughter, seconded by Deanna Pruhs, and approved unanimously, it was**

**RESOLVED to enter into Executive Session under the authority of AS 44.62.310(4) to review and discuss October 9, 2013 Correspondence from Department of Law.**

The Board entered into executive session at 9:15 a.m., and returned from executive session at 9:25 a.m.

Ms. Ledford asked the Board if anyone wanted to discuss the proposed regulations. Hearing none, Ms. Ledford asked for a motion.

**On a motion duly made by Darae Crews, seconded by Derrick Slaughter and approved unanimously, it was**

**RESOLVED to adopt 12 AAC 09.004, 12 AAC 09.106, 12 AAC 09.169, and 12 AAC 09.185 as public noticed.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Kevin McKinley</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE**

❖ **Proposed Regulations – Apprentice Monthly/Quarterly Report Requirement**

Ms. Spencer informed the Board that since having the assistance of Licensing Examiner Tawna Curry; there had been a Regulation requirement noted by Ms. Curry which does not allow for the submission of monthly/quarterly reports and termination paperwork for those enrolled in an apprenticeship program whereas the requirements for the submission of student monthly/quarterly reports and termination paperwork were covered and addressed in 12 AAC 09.130 (c), (e), and (f).

Ms. Spencer requested she be allowed to submit a proposed regulation change which would take directly from 12 AAC 09.130 (c), (e), and (f) to be added to 12 AAC 09.190

The Board discussed monthly report submission versus quarterly submissions. Ms. Spencer stated that the board would have the opportunity to amend the proposed changes before public noticing. The Board asked what the purpose of changing the current regulation. Ms. Spencer stated it would hold the Instructor accountable for the documentation as currently there is no recourse for those who don't submit any or very little paperwork.

The Board reviewed 12 AAC 09.130 and 09.190 and decided that the exact wording of c., e, and f should be added to 12 AAC 09.190; quarterly submission of reports was agreeable.

**On a motion duly made by Darae Crews, seconded by Kevin McKinley and approved unanimously, it was**

**RESOLVED to draft proposed regulation changes to 12 AAC 09.130 by adding the subsections and wording of 12 AAC 09.190 (c), (e), and (f) into 12 AAC 09.130 and to have the reports be submitted quarterly.**

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE**

William Harlan, Investigator joined the Board at 9:40 a.m. for the Investigative Report.

**Item 6. Investigative Report**

Mr. Harlan greeted the Board and passed out copies of the Investigative report.

**On a motion duly made by Glenda Ledford, seconded by Jeannine Jabaay, and approved unanimously, it was**

**RESOLVED to enter into Executive Session under the authority of AS 44.62.310(C) to discuss with the investigator the investigative report.**

The Board entered into executive session at 9:46 a.m., and returned from executive session at 11:19 a.m.

*Recess The Board recessed at 11:19 a.m.; reconvened at 11:26 a.m.*

**On a motion duly made by Kevin McKinley, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to adopt the CA for case 20012-000800 and 2012-000194, Angela Thies as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

NAME	YES	NO	ABSTAIN
Glenda Ledford	X		
Derrick Slaughter	X		
K. Darae Crews	X		
Jeannine Jabaay	X		
Kevin McKinley	X		
Deanna Pruhs	X		

**THE MOTION PASSED BY A MAJORITY VOTE.**

**On a motion duly made by Kevin McKinley, seconded by Deanna Pruhs, and approved unanimously, it was**

**RESOLVED to adopt the CA and request for extension of time to pay fine(s) for case 2013-002014 and 2013-001808, Sugako Fisk as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion.

Ms. Jabaay stated that 2013-001618 was requesting an extension for the time period in which the fines must be paid; Ms. Jabaay went on to state that the current fine was to be paid within 120 days. Ms. Pruhs asked Jay Paff, Investigator what time was being required. Mr. Paff stated that an 18 month extension was requested. The Board agreed that the time being requested was reasonable.

Ms. Ledford asked if any further discussion was needed; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

NAME	YES	NO	ABSTAIN
Deanna Pruhs	X		
Kevin McKinley	X		
Jeannine Jabaay	X		
K. Darae Crews	X		
Derrick Slaughter	X		
Glenda Ledford	X		

**THE MOTION PASSED BY A MAJORITY VOTE.**

**On a motion duly made by Kevin McKinley, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to adopt the CA for case 2013-001999 and 2013-001003, Linda Lorico as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion.

Ms. Pruhs stated that an extension for the payment of fine(s) was being requested for case 2013-001999.

Ms. Ledford asked if any further discussion was needed; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Kevin McKinley</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

**On a motion duly made by Kevin McKinley, seconded by Derrick slaughter, and approved unanimously, it was**

**RESOLVED to adopt the CA for case 2014-000565, Leira Ware as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Kevin McKinley</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Derrick Slaughter</b>			
<b>Glenda Ledford</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

**On a motion duly made by Kevin McKinley, seconded by Deanna Pruhs, and approved unanimously, it was**

**RESOLVED to adopt the CA for case 2013-002120, Mike Mayotte as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

### Roll Call Vote

NAME	YES	NO	ABSTAIN
Kevin McKinley	X		
Jeannine Jabaay	X		
Derrick Slaughter			
Glenda Ledford	X		
K. Darae Crews	X		
Deanna Pruhs	X		

### THE MOTION PASSED BY A MAJORITY VOTE.

**On a motion duly made by Kevin McKinley, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to adopt the CA for case 2013-001618, Lana De’Rossett as written.**

Ms. Ledford asked the Board if they would like any discussion on this motion.

Ms. Jabaay asked the Board if the amount of time, six (6) months, provided in the consent agreement was reasonable to pay a \$10,000.00 fine without repercussions through litigation to the Board if this case was contested by the licensee. Mr. McKinley asked if the board was being asked to accept the CA as written or to amend the time frame. Ms. Jabaay responded that she was asking if the time in the current CA was reasonable for the fine being applied.

Ms. Ledford informed the Board that they could amend the CA during this meeting with a motion, however the Board should be aware that once a CA was approved, if the licensee has issue paying fine(s) by the due date, the licensee could submit a letter to the Board requesting an extension.

Mr. Harlan responded that the licensee had already had the opportunity to request changes before the consent agreement was signed. Mr. Harlan also stated that this CA had been written based on historical cases as set by the Board through previous CA’s and the current Fine Schedule. Ms. Ledford pointed out that no request of this nature had been received.

Ms. Jabaay expressed her concern about how this might be perceived; maybe irrational of the Board to expect this amount of fine be paid within six (6) months in the time frame detailed in the CA. Ms. Pruhs stated that if an exception was made in this case it would open the Board up to having to make

this type of exception for possible future cases; Ms. Pruhs went on to state that the licensee still has the opportunity to request and extension.

Mr. Harlan stated that the current CA already signed by the licensee was the result of negotiations with the licensee during which there had been time for changes and time for the licensee to submit a request for an extension, none of which had been requested or received. Mr. Harlan went on to state that if the Board wanted to make changes to the existing CA now would be the time, however the Board should be aware that the licensee had and still has time to submit a request for an extension. Mr. Paff informed the Board that they could amend the time frame now without rejecting the current CA as the Board is discussing extending the time not shorting.

Ms. Ledford asked if any further discussion was needed; hearing none Ms. Ledford asked for a roll call vote.

#### **Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		

#### **THE MOTION PASSED BY A MAJORITY VOTE.**

The Board thanked Investigative Staff for their time and assistance.

Ms. Ledford stated the Board was ahead of schedule and could either take a lunch break or move onto another item. The Board agreed to continue with another agenda item.

#### **Item 10. Application Review (Spencer)**

The Board broke into three groups to facilitate the review process; Deanna Pruhs & Derrick Slaughter; Darae Crews & Jeannine Jabaay; Glenda Ledford & Kevin McKinley.

- Johanna Javier, Hairdresser: out of country training, training in New Jersey, NJ license, no examination

Deanna Pruhs and Derrick Slaughter reviewed the application file of Ms. Javier.

Ms. Pruhs reviewed the file and informed the Board that the application had previously been denied during the October 7, 2013 as Ms. Javier did not meet the requirements of AS 08.13.100(d) and 12 AAC 09.095(a)(3). Ms. Pruhs went on to state that since the October 2013 meeting Ms. Javier had provided additional training earned in New Jersey and translated copies of her training earned at Academia de Belleza, Dominican Republic and additional training earned at Fiance Beauty School, NJ. Ms. Pruhs also stated that Ms. Javier still must take and pass a practical and written examination to qualify for an Alaska license.

**On a motion duly made by Deanna Pruhs, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to accept previous training earned in the Dominican Republic and New Jersey and issue a hairdresser license after passing the Alaska State Board practical and National Cosmetology written examinations for Johanna Javier.**

Ms. Ledford asked the Board if they would like any discussion on this motion.

The Board asked Ms. Pruhs if exams had been required for Ms. Javier’s New Jersey license. Ms. Pruhs and Mr. Slaughter both stated no examinations had been required.

Ms. Ledford asked the Board if they would like further discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		

- Norma Ramirez, Hairdresser, out of county training, no US license

Darae Crews and Jeannine Jabaay reviewed the application file of Ms. Ramirez.

**On a motion duly made by Darae Crews, seconded by Jeannine Jabaay, and approved unanimously, it was**

**RESOLVED to accept all previous training earned at School of Beauty & Specialties “Vero’s International” and Internship at Ana’s**

**Distributor of Professional Products & Beauty Shop and issue a hairdresser license after passing the Alaska State Board practical and National Cosmetology written examinations for Norma A. Ramirez.**

Ms. Crews informed the Board that the training earned by Ms. Ramirez was equivalent to 12 AAC 09.160

Ms. Ledford asked the Board if they would like any discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Kevin McKinley</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

- Ljavid Nazifi, Barber, out of county training, no US license, no exams

Deanna Pruhs and Derrick Slaughter reviewed the application file of Mr. Nazifi.

Ms. Pruhs reviewed the file with the Board and reminded Board members that this application had been sent to the Board via mail vote which resulted in a vote to table. Ms. Pruhs informed the Board that Mr. Nazifi had many hours of training and work experience however the training was not itemized like Alaska's requires. Ms. Pruhs went on to state she and Mr. Slaughter felt the requirements of 12 AAC 09.160 had been met and that if Mr. Nazifi could pass the Board's practical and written examinations, he should be granted a license.

**On a motion duly made by Deanna Pruhs, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to accept the training earned in Macedonia as meeting the requirements of 12 AAC 09.160 and issue a barber license after passing the Alaska State Board practical and National Cosmetology written examinations for Ljavid Nazifi**

Ms. Ledford asked the Board if they would like any discussion on this motion.

Mr. McKinley asked if Mr. Nazifi had taken examinations anywhere else. Mr. Slaughter responded that exams may have been required for his Macedonia license but the file indicates no license to practice barbering had been issued in the United States.

Ms. Ledford asked the Board if they would like any further discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Deanna Pruhs</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		

- David Knox. Tattoo/PC out of State training, licensed in IN, no exam.

Kevin McKinley and Glenda Ledford reviewed the application file of Mr. Knox.

Mr. McKinley review the file with the Board and stated that Mr. Knox met the training requirements of 12 AAC 09.169, however as Mr. Knox does not hold a license issued through the State of Indiana rather a permit issued through the Dept. of Health; he would need to take and pass the Alaska State Board written examination to qualify for a license

**On a motion duly made by Kevin McKinley, seconded by Darae Crews, and approved unanimously, it was**

**RESOLVED to accept the out of state training and issue a tattoo/permanent cosmetic colorist license after passing the Alaska State Board written examination for David R. Knox.**

Ms. Ledford asked the Board if they would like any discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Glenda Ledford</b>	<b>X</b>		
<b>Derrick Slaughter</b>			
<b>K. Darae Crews</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

- Rachel Gonzalez, Tattoo/PC out of State training, Licensed in HI by examination

Kevin McKinley and Glenda Ledford reviewed the application file of Ms. Gonzalez.

Mr. McKinley reviewed the file with the Board and stated that the training earned by Ms. Gonzalez met the training requirements of 12 AAC 09.163 and the examination administered by the Hawaii Board exceeded the examination administered by the Alaska Board.

**On a motion duly made by Kevin McKinley, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to accept the out of state training, examination administered by the Hawaii Board and issue a tattoo/permanent cosmetic colorist license for Rachel Gonzalez.**

Ms. Ledford asked the Board if they would like any discussion on this motion.

Ms. Jabaay asked if a person took an examination in another State the Board would accept it. Mr. McKinley responded the Board would accept the examination. Ms. Spencer stated the Board would accept an examination if it was a minimum of equivalent to those examinations administered by this Board. Ms. Spencer went on to state that the examination administered to Ms. Gonzalez exceeded the examination administered by this Board in content.

Ms. Jabaay asked how the Board could determine the Hawaii exam was at least equivalent to the Alaska exam. Ms. Spencer informed the Board that Hawaii had emailed a copy of their examination for review and it was located in the application file if the Board would like to review it.

Mr. McKinley informed the Board gave a brief history of the licensing of body modification industry by Hawaii; Mr. McKinley stated that Hawaii was one of the first States to require licensing of the body modification industry and their training and examination requirements have been at the highest standards and requirements in the Nation since licensing began. Mr. McKinley also stated that when Alaska began regulating the industry Alaska had tried coordinating with Hawaii to adopt their requirements.

Ms. Spencer informed the Board that after review the Hawaii examination with her Supervisor, Sher Zinn; the question arose would the Board consider setting

up a subcommittee to re-write the Alaska examination using material and references from the Hawaii exam. The Board responded that this would be a good idea.

Ms. Ledford asked the Board if they would like any further discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Kevin McKinley</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Glenda Ledford</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

- Vershawn Idom d/b/a Hair Science, School

Darae Crews and Jeannine Jabaay reviewed the application file of Hair Science.

Ms. Jabaay reviewed the file with the Board; Ms. Jabaay stated that she and Ms. Crew's found no problems with the application; the school had passed two inspections one by the Dept. of Environmental Conservation and the required Board member inspection and had received approval from Alaska Postsecondary Education.

**On a motion duly made by Jeannine Jabaay, seconded by Darae Crews, and approved unanimously, it was**

**RESOLVED to approve the school application of Vershawn A. Idom d/b/a Hair Science.**

Ms. Ledford asked the Board if they would like any further discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

<b>NAME</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>
<b>Deanna Pruhs</b>	<b>X</b>		
<b>Kevin McKinley</b>	<b>X</b>		
<b>Jeannine Jabaay</b>	<b>X</b>		
<b>K. Darae Crews</b>	<b>X</b>		
<b>Derrick Slaughter</b>	<b>X</b>		

**THE MOTION PASSED BY A MAJORITY VOTE.**

Ms. Spencer asked the Board if they could review a request from Alaska Nail Academy, Aaron Boutsomsi who was asking if the Board would approve a school location, only be offering the 12-hour manicuring course, in a private residence.

After reviewing the email the Board stated that if Mr. Boutsomsi felt he could meet the requirements of 12 AAC 09.125(a) and (i) and the requirements of 18 AAC 23.010 then Mr. Boutsomsi should submit an application or location change.

Ms. Ledford asked the Board if they wanted to break for 30 minutes or continue. Ms. Spencer informed the Board that the only agenda item that they were locked into for time was the public comment due to begin at 1:00p.m.

The Board decided to start on agenda Item 9

**Item 9. Board Business/Discussion Continued**

❖ Board election – Secretary (AS 08.01.020)

Ms. Spencer informed the Board that this secretarial issue had come about through the audits conducted by Legislative Audit this year. Legislative Audit had found that many Boards only had a Chairperson and/or Vice Chairperson and none had Secretaries; the statute states "...unless otherwise provided, officers of a board are the chair and the secretary...." Ms. Spencer went on to state that Legislative Audit had suggested boards without a secretary elect one, however it is not required. Ms. Spencer also informed the Board that the secretary would be the individual who liaised with other Departments, State Agencies, etc., and would also be able to run Board meetings, however due to the makeup of this board, it only makes sense to have Mr. McKinley be the liaison to Dept. of Environmental Conservation, Ms. Jabaay had been appointed as the liaison for budget issues and questions with this Division, etc..

Mr. McKinley asked if a Secretary would be able to delegate responsibilities. Ms. Spencer stated that other Boards she had worked with all had a chair and vice chair; these Boards typically delegated responsibilities, tasks, etc., to other Board members and themselves.

Mr. McKinley asked the Board if anyone was interested in the Secretary position. Board members responded in the negative.

Ms. Ledford asked for a motion to elect a secretary. The Board asked if no one was interested why was a motion needed. Ms. Ledford informed

the Board the correct way to let this subject die was to make a motion and then if no second was received, the motion would die.

**Deanna Pruhs made a motion to elect a secretary for the Board.**

**Since there was no second; the motion failed.**

❖ Practical Examination – Non-verbal for Barbers & Hairdressers

Ms. Spencer reminded the Board that several discussions had occurred at several different meetings suggesting that the Board adopt the National practical exam standard and move to a non-verbal administration of the examination; however since the discussions began and Ms. Spencer's failure to move forward with research, Board approval and implementation; the number of candidate complaints about the administration of the practical exam had dropped significantly which suggests the candidate problems were due to other issues than feeling picked on or feelings of being treated unfairly during exams.

The Board was pleased with this information and agreed that this topic would not need to be addressed again unless the number of complaints increased again.

*Recess The Board recessed at 12:30p.m. for lunch; reconvened at 12:50 p.m.*

❖ Edit Examination Instruction Cards, Barber, Hairdresser & Esthetician

The Board reviewed the current practical examination instruction cards for barbers, hairdressers, and estheticians.

Ms. Spencer informed the Board that several examination proctors have relayed concerns with the current cards as some of the instructions are confusing to them and the exam candidates.

The Board invited Michelle Black to join them as she is one of the proctors.

The Board and Ms. Black began reviewing the barber instruction cards. All parties agreed that the "permanent waving section", number 2 should be amended to read; "Section **nine (9) section parting**" for full permanent waving."

Mr. Slaughter asked Ms. Black if as a proctor, she noticed candidates not being prepared for their examinations. Ms. Black responded that not being prepared is a problem for a large number of candidates.

Mr. Slaughter asked if the Board had any recourse to address this issue. Ms. Spencer informed the Board that she is working with Kierke Kussart with Postsecondary Education by providing monthly examination pass/fail information

and other examination information on a regular basis and not as it had been conducted by only providing the information at the end of the Division's Fiscal Year. Ms. Spencer went on to state that she has been working with Ms. Kussart as one of Postsecondary Education concerns is that schools must maintain standards and due to the lack of communication between licensing staff with this Board this issue had been put on hold; due to recent contacts between Ms. Kussart and Ms. Spencer, issues are being addressed by the appropriate Offices and Ms. Spencer is hopeful that more issues will be addressed once she has had the opportunity to get current with current workloads and issues.

Ms. Black requested a change to the "virgin tint" barber instruction card, number 4; Ms. Black requested a re-wording of number 4 as proctors were having problems with candidates understanding the instructions. The Board agreed and agreed to the following change, **"In front of examiner, apply material as directed by examiner (Light or Dark)."**

Ms. Black requested a change to the "bleach touch-up & highlighting" card number 4 to be amended similarly to the changes on the "virgin tint" card. The Board agreed to change number 4 to read, **"In front of examiner apply bleach touch-up to left side of mannequin head."**

Ms. Black also stated that question 2 and 4 are very confusing to the candidates as more than half of candidates believe they must wait for the examiner before applying their foil due to number 4 which currently reads..."mannequin's LEFT side,...". The Board decided leave number 2 as written due to the changes made to number 4. The Board believes the edit to number 4 will make number 2 more understandable.

Ms. Ledford asked Ms. Spencer to make identical edits to the hairdresser cards as the instructions are the same for these sections. Ms. Spencer stated she would make identical changes.

The Board invited Christine VanVliet, who had just arrived at the meeting, to join them as she is one of the proctors.

Ms. Spencer read changes to the barber and hairdresser instruction cards the Board has agreed to.

Ms. Ledford informed the Board that it was 1:00p.m. and time for public comment.

### **Item 8. Public Comment**

Michelle Black, Instructor, examination proctor and shop owner

Ms. Black stated that she feels examination proctors are being blamed for practical exam candidates that fail; Ms. Black went on to state that she feels the blame for candidates who fail should be put on the school, trainer,

and candidates. Ms. Black went on to state that by the end of an examination proctors can tell there are issues with the training candidates receive due to the quality of their exam product and their lack of knowledge of the basic exam requirements. Ms. Black also stated that exam proctors have received grief from some schools who feel that their students are being singled out and asked questions that do not relate to the examination; for example, a candidate drips dye, bleach, etc., onto their mannequin's eye, Ms. Black will ask what do you (candidate) do now to assist the client. Ms. Black went on to state that during her time as an examination proctor she has never been party to or has seen other exam proctors single out a specific schools student.

The Board thanked Ms. Black for her time and participation.

Christine VanVliet, Hairdresser and examination proctor

Ms. VanVliet asked the Board if they had been receiving complaints from schools, instructors, and candidates. Ms. VanVliet went on to state that she believed that from discussions during several meetings, proctors were not to be asking questions of examination candidates except for estheticians, which when testing, proctors must ask questions.

Ms. Spencer informed Ms. VanVliet that during several meetings there had been discussion about adopting the National examination standard for the administration of the practical examination, specifically extremely limited verbal interaction with candidates; however the change had not been implemented. Ms. Spencer went on to state that since the beginning of the discussions, the number of complaints had dropped significantly.

Ms. Spencer also reminded proctors that during the practical examination candidates are being tested on their practical abilities; the written examination specifically covers the theoretical portions of the industry so exam proctors must be very aware of what types of questions are being asked during the practical exam and that proctors should stick the examination cards and instructions while administering the exam.

Ms. Jabaay asked in reference to the verbal question Ms. Black asked a candidate; are exam proctors allowed to ask that type of question.

The Board briefly discussed the question type and stated that that type of question should not be asked and examination proctors should only be asking those questions on the examination cards and score sheets.

Ms. Jabaay asked about the esthetician practical examination as during the times she was able to observe the practical examinations, she didn't observe proctors asking those types of questions to the barber and hairdresser candidates, but similar questions were begin asked of

esthetician. The Board responded that the esthetician examination was different than the barber and hairdresser exams and that those types of questions were on the exam cards and score sheets.

The Board thanked Ms. VanVliet for her time and participation.

Heather Picard, Hairdresser and Shop Owner

Ms. Picard agreed with Ms. Black's statements about improperly or poorly trained students; as a shop owner she hires examination candidates who are applying for their temporary student license & newly licensed individuals; she finds that most of those she hires have no or very poor practical and theoretical skills. Ms. Picard went on to state that most of the students she had hired informed her that their Instructor had pre-cut haircuts for them and had not taught any of the basis haircutting skills.

Ms. Picard also stated that she feels continuing education is something the Board should require of all licensees.

Ms. Picard informed the Board that she felt that just because a licensee was eligible for and could pass the Instructors examinations; that didn't mean they should be teaching.

Ms. Crews stated that after listening to public comments; she had realized that every one of her employees that had been educated and taken exams in Alaska had to be taught how to cut a man's hair. Ms. Crews went on to elaborate; the practical examination is mostly focused on a woman's haircuts and not men's, Ms. Crews asked if there was something the Board could do to improve this problem.

Ms. Slaughter responded that the Board should remember that these are adults and that at some point these individuals must take some initiative and be held accountable for themselves. Mr. Slaughter also stated that for those candidates who continually fail examination; the school or Instructor should shoulder blame, but at some point the candidate must take responsibility. The Board agreed with Mr. Slaughter.

The Board thanked Ms. Picard for her time and participation.

Mae Canady, Instructor, and Shop Owner

Ms. Canady expressed her dismay at the training being received by students through schools. Ms. Canady went on to state that she felt schools should be held accountable for the training their student are receiving and that the schools should not just be going after the money student generate.

Ms. Canady also suggested some sort of continuing education should be required.

Ms. Pruhs reiterated Mr. Slaughter's comments regarding adults taking responsibility and having initiative.

The Board thanked Ms. Canady for her time and participation.

### **Item 9. Board Business/Discussion Continued**

- ❖ Edit Examination Instruction Cards, Barber, Hairdresser & Esthetician, continued

Ms. Black, Ms. VanVliet, and Ms. Canady joined the Board to assist with edits to the examination cards.

The Board broke into groups with examination proctors to review examination cards.

Ms. VanVliet suggested combining portions of the esthetician examination. Charlette Lushin, Barber and examination proctor, pointed out the reason the esthetician examination was broken in to its current sections was for grading and point purposes. The Board agreed to keep the esthetician examination sections separate.

Ms. Lushin also suggested clarification was needed for the Barber Haircut card addressing the use of razor's or clippers. Ms. Lushin also suggested the Board allow the use of "mock razors" due to candidates being nervous and the lack of proper training.

The Board briefly discussed allowing the use of "mock razor" for the Barber Haircut examination section.

The Board agreed to change number 4 on the Barber Haircut card to read, "**neck or outline shave should be done with a razor or clippers.**"

The Board reviewed and discussed the esthetician examination cards.

The Board decided to make the following change to Hairdresser exam cards, haircut, blow drying & iron curling, number 9, "**tweeze three (3) hairs in front of examiner.**"

The Board reviewed and discussed the Hairdresser examination cards.

The Board decided to make the following change to Esthetician exam cards, waxing & hair removal number 3, "**perform three different techniques for the curing iron, then hold up hand.**"

The Board thanked the examination proctors for their input.

The Board reviewed the remaining items on their agenda while waiting for Sara Chambers, Director, to discuss the budget report.

The Board reviewed provided previous year annual report while waiting for Ms. Chambers. The Board reviewed proposed statute amendments drafted by Ms. Ledford.

Ms. Ledford informed the Board that they would break into the following subcommittee groups; Ms. Pruhs & Mr. Slaughter, Ms. Crews & Ms. Jabaay, Ms. Ledford & Mr. McKinley.

*Recess The Board recessed at 2:04 p.m.; reconvened at 2:09 p.m.*

❖ Budget Report

Sara Chambers, Director joined the Board via telephone at 2:09 p.m.

Ms. Chambers greeted the Board. Ms. Chambers informed the Board that she had been in contact with Ms. Ledford about a few items which she would review after the budget report.

Ms. Chambers reviewed the budget report with the Board and reported that the Board was in a strong financial position; do have surplus and is doing very well.

Ms. Chambers reported that at the Board's request from last year, she had spoken with the Dept. of Environmental Conservation, Health & Sanitation (DEC), regarding the inspections of body art shops and shops not located within the boundaries covered by the Municipality of Anchorage. DEC reported that for the last three years the cost of the inspections was between \$9,000 and \$11.5, 000 due to fee increases and increases in the number of shops that DEC needed to inspect; Ms. Chambers informed the Board that part of DEC's expense was covered by the State/Board at \$5,000. Ms. Chambers reported that DEC had requested the State/Board cover the difference in funds this year and consider an increase in fees paid to DEC for next year (Fiscal year 15) at an estimated amount of \$15,000. Ms. Chambers asked for the Boards input.

Mr. Slaughter asked for confirmation that for this year DEC would like the Board to cover the difference and increase payment next year. Ms. Chambers responded that was correct; the Board would cover the difference for Fiscal Year 2014, which will end June 30, 2014, at a cost of \$4,000 and increase to \$10,000 for Fiscal Year 2015. Ms. Chambers went on to state that if the full amount is not used during FY 15, then the Board would not pay the full amount, just fees for services rendered; however the Boar should be aware that historically it costs DEC \$9,000 to over \$11,00 per year to conduct inspections.

Ms. Ledford asked what would happen if the Board doesn't agree to an increase in fees. Ms. Chambers responded that this is a good question; Ms. Chambers informed the Board that DEC is willing to use their General Fund to cover the difference this year but if the Board decides not to approve an increase the inspections done by DEC may become an unfunded mandate and the number of inspections would decrease.

The Board asked what effect this type of fee increase would have on licensees. Ms. Chambers responded that the budget analysis was taking into account the current \$5,000 contract with DEC but for the next analysis, if the Board agrees to the increase, \$10,000 would be figured into the budget which may lead to an increase in license/permit fees.

Ms. Pruhs expressed concern with a license fee increase as the Board had just lowered fees due to having a surplus. Ms. Ledford and Mr. McKinley pointed out that without the inspection a shop would not be able to be issued a license and that the inspections done for body art shops were mandated to happen once a year due to the blood borne pathogen issues. Ms. Ledford informed the Board that with this Board's requirements she did not see how a denial of a fee increase for DEC could occur.

Mr. McKinley stated that during the last few years DEC had fallen behind their scheduled yearly inspections and had begun to issue "temporary" certificates for a specific amount of time that would be replaced once the full DEC inspection occurred. Mr. McKinley asked if this would become more common. Ms. Chambers replied that this was a question the Board had asked last year and that she would again ask for information about the scheduling and temporary certificates. Ms. Chambers also asked Mr. McKinley if there were any other questions or concerns relating to the inspections, to please email her specific information and she would include it when she spoke with DEC. Mr. McKinley thanked Ms. Chambers and stated that he would appreciate her finding the information as with this increase in fee, he would like to see DEC get back on track and get back on schedule with annual inspections as currently an annual inspection could mean one year or two years. Ms. Chambers thanked Mr. McKinley for the information.

Ms. Chambers stated she would get a report from DEC on what they have accomplished within the last two years and pass it along to Ms. Spencer for distribution to the Board.

Ms. Chambers asked the Board if they will support a \$10,000 RSA to be paid for inspections conducted by DEC. The Board stated they support the increase

Ms. Chambers stated she wanted to follow up on some concerns that Ms. Ledford and she had previously discussed. Ms. Chambers state that a concern had been

expressed regarding body waxing and that different staff was interpreting the body waxing statutes covered under Alaska Statute 08.12.220, esthetics, differently which was causing confusion; at the request of Ms. Ledford an opinion of the interpretation was requested from the Dept. of Law. Ms. Chambers informed the Board that the Dept. of Law had reviewed the statutes and stated that their interpretation is that a person does not need a license to wax below the neck and that the current statutes clearly reflect waxing from the neck up is allowed with an esthetician license.

Ms. Ledford asked Ms. Chambers is this was something the Board should address by creating or amending statutes which would be occurring later in the meeting. Ms. Chambers responded that the Board would need to determine this course of action; if the Board felt there was a public safety concern and in the best interest of the public to require licensing to wax below the neck. Ms. Chambers assured the Board that at this time with the current statutes, information had been disseminated to licensing and investigative staff so all parties were on the same page and no unnecessary enforcement actions would be taken.

Ms. Chambers stated she would like to acknowledge concerns expressed with Ms. Spencer's workload; Ms. Chambers assured the Board that she and Sher Zinn, Supervisor, were aware of the issues and have been working on solutions some of which were short term and some long term. Ms. Chambers asked to Board to let her know if they received any complaints or had issues with not receiving timely responses from Ms. Spencer.

The Board thanked Ms. Chambers for her time and assistance.

#### ❖ FY 2014 Annual Report and Proposed Statute Changes

The Board briefly reviewed with Mr. Slaughter the background of the request for interpretation from Dept. of Law and briefly discussed the need for regulating waxing from the neck down.

Ms. Ledford asked the Board to review AS 08.160(d)(4); Ms. Ledford informed the Board that a licensed CNA could provide services regulated by this Board without holding a license issued by the Board. Ms. Ledford asked the Board if they felt this should be addressed in the proposed statute changes. The Board agreed that changes were needed. Ms. Spencer suggested that the Board draft changes and present them to the Medical and Nursing Boards for their input before getting to the public notice phase of the project.

Ms. Ledford verified the Board had the proposed statutory changes that had been emailed to Board members and provided in their packets. The Board confirmed they had the information.

The Board went off record for the purpose of breaking into subcommittees to work on statutes and the Annual Report.

*Recess The Board went off the record at 2:43p.m.; reconvened at 3:32 p.m. for the purposes of breaking into subcommittees.*

The Board asked Ms. Spencer the best way to move forward with the proposed changes. Ms. Spencer informed the Board that the Board should read all the proposed changes on the record and then make a motion to approve all changes “as read into the record” in one motion.

*Recess The Board recessed at 3:37p.m.; reconvened at 3:40 p.m.*

Ms. Jabaay and Ms. Crews reviewed proposed statute changes 08.13.070(4), 08.13.070(8). Ms. Jabaay read the following changes to the Board.

AS 08.13.070(4) License Required. A person may not: (4) teach **or permit an employee or other person being supervised to teach in a school of barbers, hairdressing, manicuring, or esthetics or supervise an apprentice in barbering, hairdressing, manicuring or esthetics without an Instructors license.**

Ms. Jabaay stated she was not completely certain why the change was needed. Ms. Ledford informed the Board that most of the changes being proposed were strictly for clarification purposes which would allow, if needed, amendments to Regulations.

The Board concurred and noted that during a previous meeting an issue has arisen that a school had allowed individual(s) who was licensed but not holding an Instructor license to teach; the change would allow the Board to hold the School or apprenticeship program responsible and not just the individual.

Ms. Crews read the following proposed changes to 08.13.070(8)

AS 08.13.070(8) License Required. Reword to read “obtain, attempt to obtain, or **assist** to obtain...”

Ms. Jabaay read the new proposed subsection to AS 08.13.070.

Addition of a new subsection to AS 08.13.070**(9) provide false or inaccurate information to a representative of the Board in an attempt to obtain a license.**

Ms. Crews and Ms. Jabaay stated the changes would encourage applicants and other from providing false information used to obtain a license.

Mr. Slaughter and Ms. Pruhs reviewed proposed statute changes 08.13.220(5), 08.13.160(d)(4).

Mr. Slaughter read the following changes to the Board.

AS 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;

Mr. Slaughter state that by providing clarifying language defining superfluous hair to provide clear direction on what types of hair removal can be provided by Estheticians under limited esthetics in subsection (8). Superfluous hair would be defined as head to toe, not limited to neck and face.

Ms. Pruhs stated that a proposal to repeal the current exemption for a licensed health care professional to be exempt from the Boards statutes and regulations should be presented to the Medical and Nursing Boards for their input and approval. Ms. Pruhs went on to state that if the Medical and Nursing Boards did not want to support the changes then the following changes should be made to the existing statute by changing the existing exemption to limit health care professionals to only **piercing of the neck and above** so no other services regulated by this Board would be allowed to be provided by health care professionals.

The Board expressed concerns that if the exemption was not repealed the proposed change would still allow for body piercing to be provided. Ms. Spencer stated that before the Board made any dramatic changes, information would be sent to the Medical and Nursing Boards for review and consideration; the Board must remain aware that they must be careful not to overstep their authority by attempting to change another Board's requirements. Ms. Spencer went on to state that once information had been received from the other Boards it would be presented back to this Board and if further changes, etc., were needed they could address them at that time.

Ms. Ledford and Mr. McKinley reviewed proposed statute changes 08.13.160(d)(5), 08.13.190(a),

Mr. McKinley read the following changes to AS 08.13.160(d)(5).

AS 08.13.160(d)(2)(5) A person licensed by another licensing jurisdiction in a field of practice licensed by this chapter while demonstrating techniques or products to persons **who hold a current license in the same or equivalent field of practice as the demonstrator.**

Mr. McKinley informed the Board this would clarify that the demonstrator not only must have a license in the field being demonstrating but that the license must be current.

Ms. Jabaay asked for clarification on the use of “similar”. Mr. McKinley and Ms. Ledford state that as many states have cosmetologist licenses whereas Alaska split that license type in to esthetics and hairdressing, it would clarify a licensed cosmetologist could demonstrate esthetics and hairdressing. Ms. Jabaay asked if using “equivalent” would be a better option. Ms. Ledford stated that using equivalent wouldn’t work as a cosmetologist license is not equal to a hairdressing or esthetician license. Ms. Jabaay suggested using “substantially equivalent”. The Board discussed terminology. Ms. Spencer pointed out that what was being presented and included in the Annual Report would go through revisions by Senators, Legislators, and Representatives before any type of finalizations were made. The Board agreed and decided to use “**equivalent**” for now.

Ms. Ledford read the proposed changes to AS 08.190

AS 08.13.190(a) A person who practices barbering, hairdressing, esthetics, tattooing and permanent cosmetic coloring or body piercing or operates a shop, or operates a school of barbering, hairdressing, esthetics, **or manicuring**, or **teaches barbering, hairdressing, esthetics, tattooing and permanent cosmetic coloring or body piercing** without a license, temporary permit, temporary license, or student permit and who is not exempt under AS 08.13.120 or under AS 08.13.160(d) is guilty of a class B misdemeanor.

**On a motion duly made by Kevin McKinley, seconded by Derrick Slaughter, and approved unanimously, it was**

**RESOLVED to submit for the Fiscal Year 2014 Annual Report the proposed changes for AS 08.13.070(4), AS 08.13.070(8), 08.13.070(9), and 08.13.220(5), 08.13.160(d)(5), and 08.13.190(a) as read into the record for submission in the Annual Report for Fiscal Year 2014 and to be included with the submission of proposed manicuring legislation.**

Ms. Ledford asked for a roll call vote.

#### Roll Call Vote

NAME	YES	NO	ABSTAIN
Kevin McKinley	X		
Darae Crews	X		
Deanna Pruhs	X		
Glenda Ledford	X		

Jeannine Jabaay      X  
Derrick Slaughter    X

### THE MOTION PASSED BY A MAJORITY VOTE

The Board asked Ms. Spencer to submit to Dept. of Law for interpretation 12 AAC 09.110 as currently the Division will not issue a shop owner licensed until all paperwork, included the inspection from DEC is submitted; 12 AAC 09.110(7) seems to provide a window where the license could be issued so long as the inspection occurs within 90 days before or 90 days after the inspection takes place.

Ms. Ledford asked the Board for a motion to propose a regulation change to 12 AAC 09.106(b). Ms. Ledford reviewed the proposed changes with the Board which would amend the current regulation to read (b) A person licensed as an instructor is limited to instructing only in those fields in which the instructor holds a valid Alaska practitioner license **at the time of application.**

Ms. Jabaay asked for clarification on what the change would benefit. The Board reviewed the current regulation.

Ms. Spencer gave the Board an example; currently a licensed Instructor authorized to teach and practice hairdressing had also applied and received an esthetic license; the individual had now reached the requirements to apply for an instructor license by working for three years and now wanted to be able to add esthetics to the current Instructor license. Ms. Spencer elaborated that as the individual already had met requirements by testing for the current instructor license, to have esthetics added, they would need to submit the instructor application, required documentation, and \$80 application fee to have esthetics added, but would not be required to test as that had already been done to qualify for the instructor license allowing them to provide hairdressing.

Ms. Jabaay stated that the change still didn't make sense. Ms. Ledford clarified that the applicant must hold a valid practitioner license before submitting an Instructor application. Ms. Jabaay clarified that "time of application" still didn't make sense. Ms. Pruhs stated that the purpose of the change was to ensure the individual had the individual license before application. Ms. Jabaay responded that the current regulation makes more sense as is and not with the proposed change.

Ms. Spencer reminded the Board that once an instructor license was issued the individual was not required to keep the individual license.

The Board reviewed regulations and discussed the proposed change.

On a motion duly made by Jeannine Jabaay, seconded by Derrick Slaughter, and approved unanimously, it was

**RESOLVED to draft a proposed change to 12 AAC 09.106(b) to amend (b) to read (b) once a person is licensed as an instructor they will be limited to instructing only in those fields in which the instructor held a valid Alaska practitioner license at the time of their initial application.**

Ms. Ledford asked the Board if they would like any further discussion on this motion; hearing none Ms. Ledford asked for a roll call vote.

**Roll Call Vote**

NAME	YES	NO	ABSTAIN
Glenda Ledford	X		
Derrick Slaughter			
Darae Crews	X		
Jeannine Jabaay	X		
Kevin McKinley	X		
Deanna Pruhs	X		

**THE MOTION PASSED BY A MAJORITY VOTE**

Ms. Ledford asked Board members if they had reviewed the proposed changes to the fine schedule.

Ms. Pruhs stated she felt all shops should have the same fines. The Board agreed with Ms. Pruhs. The Board decided that more review was needed before moving forward with any decisions and requested this topic be added to the October 2014 meeting agenda.

**Item 11. Division Business**

Ms. Spencer reviewed and collected the Annual Report information from the Board.

Ms. Ledford informed the Board that during the Spring NIC meeting there had been discussions about Beauty Schools having to pay students. Ms. Ledford stated a company called American Justice had started a movement which would require schools to pay their students. Ms. Ledford went on to state that this movement is currently happening in Florida; had been through Arizona and Wyoming, and would probably reach Alaska sometime soon. Ms. Ledford informed the Board that at this time there was nothing the Board could do about it and that the first line that this must cross would be Postsecondary Education and the Dept. of Labor. The Board briefly discussed this topic.

The Board began to work on the Goals & Objective for the FY 14 Annual Report.

Mr. McKinley left the meeting at 5:04p.m.

Ms. Ledford informed the Board that due to lack of support from other States, the NIC 2015 conference would not be held in Alaska. The Board asked why this had happened. Ms. Ledford state that the change was due to the costs of travel, lodging, etc., in Alaska.

Ms. Spencer collected travel reimbursement documentation.

*The Board adjourned at 5:19 p.m.*

Respectfully submitted:



Cynthia Spencer, Licensing Examiner

Approved:



Glenda Ledford, Chairperson  
Board of Barbers and Hairdressers

Date: 10-6-14