

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
3 DIVISION OF CORPORATIONS, BUSINESS AND PROFESSIONAL LICENSING
4 BOARD OF BARBERS AND HAIRDRESSERS

5
6 MINUTES OF MEETING
7 January 25, 2021
8

9 By the authority of AS 08.01.070(2) and AS 08.86.030 and in compliance with the provisions of AS 44.62
10 Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held via teleconference and
11 videoconference and at State Office Bldg., 9th Floor, Conference Room A, January 25, 2021.
12

13 **THESE MINUTES MAY NOT REFLECT THE LATEST GUIDANCE ON MANDATE 16. PLEASE CHECK THE**
14 **BOARD'S WEB SITE FOR THE LATEST GUIDANCE ON COVID-19-19 REOPENING REQUIREMENTS.**
15

16 **Item 1. Call to Order/Roll Call**
17

18 The meeting of the Board of Barbers and Hairdressers was called to order by Michelle McMullin, Chair at
19 9:12 a.m. Members present were:
20

21 **Roll Call**
22

23 **Board Members Present, constituting a Quorum:**
24

25 Michelle McMullin, Nail Technician, Chairperson
26 Jennifer Lombardo, Industry License, Tattooist
27 Terriann Shell, Public Member
28 Vershawn (Shawn) Idom, Barber
29

30 **Excused from attending**
31

32 Connie Dougherty, Hairdresser/Esthetician
33 Tina Taylor, Hairdresser
34

35 **Present from the Division of Corporations, Business and Professional Licensing were:**
36

37 Wanda Whitcomb, Licensing Examiner
38 Ilsa Lund, Licensing Examiner
39

40 **Members of the Public Present:**
41

42 None
43

44 **Item 2. Review/Amend agenda**
45

46 Board Chair, Michelle McMullin, requested the board to review the agenda and provide amendments.
47 The board approved the agenda with the tabling of Item 4-C App membership.
48

49 **Item 3. Ethics Disclosure**
50

51 No ethics disclosures.

52 **Item 4. Old Business**

53
54 A. National Interstate Council Tattoo/PCC Exam Discussion

55
56 In an effort to address the reciprocity issue for incoming licensees to Alaska, the board asked for more
57 information from the NIC representative from the October 22, 2020 meeting. Katrina Albrecht from NIC
58 emailed information to the board which provided a list of all states that use the NIC Tattoo and
59 Permanent Cosmetic Coloring/Micropigmentation exam. The list reflected five other states use this
60 exam.

61
62 The board discussed the limited number of states that use this exam and the fact that the exam content
63 does not match the tattoo and permanent cosmetic coloring curriculum used to train students in Alaska.
64 The other concerns discussed were the study materials for the exam and the content of the exam that
65 emphasized procedure rather than the health and safety aspects.

66
67 The board discussed waiting for NIC to follow through with an update to the exam that had been
68 mention in the October 22nd meeting and rereview the exam after the updates had been completed.
69 Jennifer Lombardo stated that she was still willing to assist NIC in reviewing and updating their exam as
70 mentioned in the October meeting.

71
72 Chair McMullin agreed and mentioned the indigenous population tattoo techniques and that the exam
73 should encompass everyone. The board continued to discuss that focusing on the health, safety and
74 sanitation aspect includes everyone and that staying with the current exam does not exclude anyone's
75 technique.

76
77 Chair McMullin called for a roll call vote on accepting the NIC Tattoo, PCC, Micropigmentation exam.

78
79 **On a motion duly made by Terriann Shell, seconded by Jennifer Lombardo, to adopt the NIC**
80 **Tattoo, Micropigmentation, Permanent Cosmetic Coloring Exam for use in Alaska, the**
81 **motion did not carry and was not approve by a majority vote.**

82
83
84 B. Post-Secondary Education

85
86 Shawn Idom requested questions from the board for post-secondary education.

87
88 Terriann Shell reminded the board of their discussion on making an allowance for students to use some
89 of their training hours in an outside facility and how this would be an enlargement of their education.
90 Ms. Shell asked if would there be a possibility of students using part of their last 100 hours in a shop
91 under the supervision of a shop owner? This would give the students a feel for different people doing
92 the same work and could lead into a job opportunity.

93
94 The board continued to discuss the business education in schools, but it could be something that Shawn
95 could ask about. Shawn mentioned that as long as there is a licensed person in a shop, students could
96 provide shampoo and similar services as there is no license required for this. This could provide
97 students with an experience of working in a shop.

98
99 C. APP Membership

100
101 The board discussed the possibility of tabling this discussion until the board can fill the body piercer
102 position. The value of the APP organizations and the need to have more information about this was
103 discussed. We are currently using the Body Piercing exam from NIC and the only exams the board is not
104 using from NIC is the tattoo, permanent cosmetic coloring and micropigmentation exams.

105 **8. New Business (moved up in agenda)**

106 A. Proficiency Exam

107
108 Wanda Whitcomb presented an update to the board on the status of the proficiency exams. Ms.
109 Whitcomb discussed informing the schools and instructors on December 9, 2020 of all students who
110 were licensed under the COVID-19 conditions of passing the written exam without taking the practical
111 exam. She continued to discuss communicating with schools and instructors and have them provide a
112 confirmation of proficiency according to the new regulation that came into effect on December 6, 2020.

113
114 The board discussed the percentage of test takers passing the written exam since the new regulation for
115 the proficiency exam. They continued to discuss December 2020 exams and to offer a December exam.
116 The board discussed the December 2020 exam date which had been added to accommodate exam
117 cancellations in response to COVID-19 mandates.

118
119 *Recess The Board recessed at 9:54 a.m. for a short break; reconvened at 10:10 a.m.*

120
121 **5. Division and Financial Update**

122
123 A. FY20 4th Quarter Budget Report

124
125 Melissa Dumas joined the meeting to discuss the FY20 fourth quarter budget report. Ms. Dumas
126 reviewed the current budget report in comparison to the past few years' budget reports; she went over
127 each expenditure and the totals and compared to previous years. Ms. Dumas went on to discuss the
128 FY21 second quarter analysis and informed the board that total expenditures were less than this time in
129 the previous year.

130
131 Ms. Dumas continued with the fee analysis and stated at this time no fee increase was recommended.
132 The last time fees were changed in FY16 where they were increased.

133
134 The board thanked Ms. Dumas for her time.

135
136 B. COVID -19 Update

137
138 Ms. Lombardo asked the question of possible extension of student permit length of time, and how is the
139 division handling this situation? Ms. Whitcomb explained that the cases are reviewed on a case by case
140 basis. Ms. Whitcomb continued to explain that only one instance had been denied, and this was due to
141 the fact that the request was made with only just a few days left on the student permit and a file audit
142 reflected many months of missing monthly/quarterly reports.

143
144 Mr. Idom explained, from the point of view of a school and student, the impact of student's absences
145 due to illness or due to the COVID-19 impacts on the student. Ms. Whitcomb explained that not many
146 students requested an extension and most requests had been granted.

147
148 The board continued to discuss the length of time students need to complete their training due to
149 COVID-19 conditions. Many students don't have access to live models or live training to work on with
150 the current conditions.

151
152 Mr. Idom asked what are schools and instructors allowed to do as far as what is allowed according to
153 regulations? The board discussed the statutes and regulations that govern the length of student
154 training. Mr. Idom continued to explain that this year will be the year that this may come up more
155 often. Th board continued to discuss the economy, the conditions that students are training under, and
156 how to best help students complete.

8. New Business (continued)

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B. Legislative Guidance

The board discussed the legislative guidance and decided to table this until the next meeting to review with new members.

C. New Legislation

Ilsa Lund explained Sher Zinn is no longer working with regulation projects and Jun Maiquis, regulation specialist, is currently working with legislation and may be available to assist the board with their questions on moving legislation changes forward.

The Board continued to discuss the best way to train new members of the board. Mr. Idom discussed ways to create a Zoom video to assist board members feel comfortable in discussing issues and to not be uncomfortable offering insight into some of the topics discussed in the board meetings. The board is here to help the members of industry when they have questions.

The discussion continued with suggestions that the Governor's office needs to be more transparent in what it entails to be a board member. It would be great to be able to attend meetings before getting on the board. It usually takes a couple of years to begin to feel comfortable with what is expected and the responsibilities of a board member. This included the investigations part, research, communicate with legislature, open rules of communication, Robert's Rules of Order, and how to address board members. This would help the board meetings be more efficient if the new members knew what they were getting into.

Ms. Lombardo presented her Welcome to New Board Members memo. The board continued to discuss the importance and expectations of board members, and how to assist new members to become familiar with the duties.

The board also discussed the appointments of board members and the members recently resigned from the board.

The board moved on to the new legislation document submitted by Jennifer Lombardo.

- Moving hourly requirements for students and apprentices from statutes into regulations
- Removing Microneedling from the definition of tattooing
- Adding barbers and non-chemical barbers to be approved to teach hair braiding
- Updating temporary shop license
- Adding "current" to the display of license, "current issued by the State of Alaska," or "licensed according to AS 08.08"

The board continued to discuss the details of the changes in the statutes and regulations.

The board also discuss how a student can finish their training should their student permit expire. The statutes and regulations state a student can re-apply for a student permit to finish their training if they do so within a two-year period of time.

Recess The Board recessed at 12:07 p.m. for lunch; reconvened at 1:01 p.m. All board members in attendance via roll call.

8. New Business (continued)

207
208
209 C. (Continued)The board continued the discussion on changes from statutes to legislation.

210
211 The board discussed adding the following to regulation in addition to previously discussed items:

- 212
213 • Moving of duration of time for student permits from statutes into regulations. The board agreed
214 that this was not changing the amount of time for the student permit; but moving this from
215 statute to regulation so the board could change this should there be a need in the future.

216
217 The board moved on to number 4 on the legislative changes and discussed shop owner licenses for
218 temporary shop licenses.

219
220 Ms. Lombardo stated that after a review of the statutes and regulations regarding temporary shop
221 licenses, she wrote a letter to legal asking for their advice; the letter did not make it to legal as the
222 division stated the statutes and regulations are contradicting each other. The terminology really needed
223 to be cleaned up. This section applies to the body arts industry.

224
225 It needs to be allowed to include conventions and people who are working for commerce. This needs to
226 include people who come to do demonstrations and make money. This should include hairdressing,
227 barbers, esthetics and nails.

228
229 Chair McMullin stated that this needs to be updated because things will change, and people will start
230 traveling for conventions; this will allow licensees in Alaska to receive addition training without having to
231 travel and will bring education and workshops to Alaska.

232
233 The boards discussion continued with adding the word “current” and “State of Alaska” to Sec. 08.13.130
234 Display of license or permits. This suggestion was made by investigations as people are using this statute
235 as a loophole and argue that “current” as stated in the statutes and regulations does not specify a
236 current Alaskan license.

237
238 Ms. Lund suggested using the wording used in other programs by saying current license issued under AS
239 8.08. This is the professional licensing code for statutes for the State of Alaska. Chair McMullin stated
240 that this would help to clear up any gray area and that “issued by the state of Alaska in accordance with
241 AS 8.08” would help to eliminate this issue. Ms. Lombardo recommended bringing this up to the
242 regulation specialist.

243
244 Ms. Lombardo stated that she emailed several legislators about the regulation changes but had not
245 heard back from anyone at this time. The board continued to discuss the current conditions and how
246 legislators were dealing with many other issues such as COVID-19.

247
248 Chair McMullin requested a motion for the board accept the drafted changes to from statute to
249 regulation.

250
251 **On a motion duly made by Jennifer Lombard, seconded by Shawn Idom, to accept these drafted**
252 **changes for the five statute changes we discussed with the modifications also discussed still needing to**
253 **be added into the statute changes and to have this reviewed by our regulation writing specialist and**
254 **redrafted to look over at a future meeting before we move it to legislation, the motion carried and**
255 **was approved by a majority vote.**

10. Administrative Business

256
257
258
259 A. Review/Edit Meeting Minutes

261 The board reviewed the following meeting minutes and approved them with stated corrections.

262

263 **On a motion duly made by Terriann Shell, seconded by Jennifer Lombardo, the board**
264 **moved to accept the minutes of February 11 and 12, 2020 with stated corrections. The**
265 **motion carried and was approved by a majority vote.**

266

267 **On a motion duly made by Terriann Shell, seconded by Shawn Idom, the board moved**
268 **to accept the minutes of March 25, 2020 with stated corrections. The motion carried**
269 **and was approved by a majority vote.**

270

271 **On a motion duly made by Terriann Shell, seconded by Shawn Idom, the board moved**
272 **to accept the minutes of October 5 and 6, 2020 with stated corrections. The motion**
273 **carried and was approved by a majority vote.**

274

275 B. Document Signing

276

277 Ms. Lombardo discussed the need for DocuSign where documents can be signed online for approval
278 since the board is not meeting in person. Documents were normally signed in person, but due to online
279 meetings, documents will need to be signed online.

280

281 C. Correspondence

282

283 None

284

285 D. Application Review

286

287 None

288

289 Before the board moved on to the investigation section, they revisited the Association of Professional
290 Piercers membership. Ms. Lombardo reminded the board that the last discussion on the APP
291 membership was an update by Blake Thomas. Mr. Thomas stated that APP did not allow for state
292 agencies memberships, but this could change. APP did say that they could help us in the future if the
293 board needed advice for regulation projects.

294

295 *Recess The Board recessed at 1:44 p.m. for a short break; reconvened at 2:00 p.m.*

296

297 **9. Investigations**

298

299 A. Probation Report

300

301 Investigator Jaren Famularo stated that there are ten individuals being monitored on probation with
302 only one in non-compliance, Mr. Saeed McCoy. Investigator Famularo stated he is working on trying to
303 contact Mr. McCoy and will keep the board informed. As of last meeting there have been no releases.

304

305 B. Investigations Report

306

307 Investigator Michael Bowles stated that there are currently 21 open cases. Since the last meeting we
308 have closed 20 cases. There is one agenda item that concerns a fine that the board will vote on today.

309

310 The board moved to go into executive session. Ms. Lombardo recused herself from the voting.

311 **On a motion duly made by Jennifer Lombardo, seconded by Terriann Shell, and**
312 **approved unanimously by majority present, it was**
313 **RESOLVED to enter Executive Session under the authority of AS 44.62.310(C) for the**
314 **purpose of discussing (2) subjects that tend to prejudice the reputation and character or**
315 **any person, provided the person may request a public discussion. Staff to remain in**
316 **session.**

317
318 Chair McMullin polled the board, and hearing no objection, the board entered executive session.

319
320 Board entered executive session at 2:06 p.m. and returned from executive session at 2:17 p.m.

321
322 Chair McMullin requested a motion to accept the civil fine for Case #2020-000134

323
324 **On a motion duly made by Terriann Shell, seconded by Shawn Idom, and approved**
325 **unanimously by majority present, it was resolved to accept the imposition of civil fine**
326 **for Case #2020-000134 for Ashely Bacher.**

327
328 C. Investigative Training

329
330 Amber Whaley discussed with the board a brief updated investigation training in executive session and
331 agreed to present the full training during the May 2021 board meeting where new members will be
332 present.

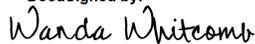
333
334 Chair McMullin requested a motion to move to executive session.

335
336 **On a motion duly made by Shawn Idom, seconded by Terriann Shell, and approved**
337 **unanimously by majority present, it was RESOLVED to enter Executive Session under the**
338 **authority of AS 44.62.310(C) for the purpose of discussing matters by law, municipal**
339 **charter, or ordinance are required to be confidential with staff to remain in session.**

340
341 Board entered executive session at 2:24 p.m. and returned from executive session at 2:52 p.m.

342
343 *The Board adjourned at 2:56 p.m.*

344
345 Respectfully submitted:

346 DocuSigned by:


347
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Wanda Whitcomb, Licensing Examiner

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350 Approved:

351 DocuSigned by:


352
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Michelle McMullin, Chairperson
Board of Barbers and Hairdressers

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355 Date: 9/30/2021