

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 May 3 and 4, 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 are DRAFT minutes prepared by the staff of the Division of Corporation, Business and**
14 **Professional Licensing. These minutes have not been reviewed or approved by the board.**
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 9:14 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 Holly Andrews, Esthetician
27 Vershawn (Shawn) Idom, Barber
28 Khitsana Sypakanphay, Tattoo/Permanent Cosmetic Colorist
29 Tina Taylor, Hairdresser
30 Vacant, Public Member
31

32 **Excused from attending**
33

34 Connie Dougherty, Hairdresser/Esthetician
35

36 **Present from the Division of Corporations, Business and Professional Licensing were:**
37

38 Cynthia Spencer, Records and Licensing Supervisor
39 Wanda Whitcomb, Licensing Examiner
40

41 **Members of the Public Present:**
42

43 None
44

45 **Item 2. Review/Amend agenda**
46

47 Board Chair, Michelle McMullin, requested the board to review the agenda changes and provide
48 amendments.
49

50 The board approved the agenda with no amendments.
51

52 With new board members in attendance, Chair McMullin requested that all members of the board and
53 division staff introduce themselves.

54

55 **Item 3. Ethics Disclosure**

56

57 No ethics disclosures.

58

59 **Item 4. Public Comment**

60

61 No members of the public in attendance

62

63 **Item 5. Old Business**

64

65 A. Covid-19 Follow-up

66

67 The board discussed the lifting of restrictions in most areas of Alaska. Wanda Whitcomb stated licensees
68 are continuing to call inquiring about state mandates for Covid-19. Ms. Whitcomb further stated the
69 board's response to these inquiries regarding state mandates is that the state has no Covid-19 mandates
70 at this time, but individuals in the industry should be aware of any local mandates in their municipalities.

71

72 Michelle McMullin stated she had been contacted by members of the public asking about reporting
73 failure to follow the mandates. Chair McMullin stated that would inform the member of the public that
74 this would fall under the purview of the investigations unit and provides the email address for the
75 investigation unit.

76

77 Ms. Spencer stated that this is the standard for all professions regulated by this office; any mask or
78 Covid-19 violations or issues are being sent to the investigative office. If there is merit to the report, it is
79 moved on through the investigative office. Ms. Spencer informed the board that should any complaints
80 advance to the investigation's unit, a consent agreement, or a probation packet would be presented to
81 the board. Ms. Spencer informed the board that none had been presented.

82

83 The board continued to discuss the mandates in areas particular to the board members and the
84 conditions since Covid-19 restrictions have been loosened.

85

86 B. Proficiency Exam Discussion

87

88 Ms. Whitcomb reviewed the regulation changes pertaining to the proficiency exam for the consideration
89 of the new board members. Tina Taylor asked how the grading of the exam and the relationship
90 between the instructor and the student being graded on the exam affect the results of the exam?

91

92 The board and division staff discussed the deficiencies of the practical exams; they discussed how the
93 practical exam scoring was at time, subjective and not reliable. They went on to discuss the school's
94 curriculum in training and that there was no standard exam, but that the schools and instructors must
95 during the training of the student test the student on the practical operations listed in the curriculum.

96

97 Ms. Whitcomb and Ms. Spencer discussed the issues in how the practical exams were scored in the past;
98 there were many discrepancies in the scores between test administrators and even after many efforts
99 on behalf of the division to resolve the issues, there were still many areas in the scoring that caused
100 questions to be raised.

101

102 Holly Andrews stated the issue is the board is trusting the schools to administer the proficiency exams
103 and some schools are not actually administering an exam. Ms. Andrews continued that the scoring gap
made sense and that it is an opinion and a fine line of what operations are important.

104
105 Ms. Spencer reviewed the Right Touch Regulations set forth by Governor Dunleavy; the practical exam
106 was a barrier to people being licensed, and there were many applicants who were prevented from being
107 licensed because they continued to fail the practical exam by a nominal margin. It could be a proctor
108 having a bad day, which would be reflected in the scores given by the proctor for the day.
109

110 The board went on to discuss the issue of students who graduated while the practical exams were
111 suspended and in the gap of time before the proficiency exams were adopted into regulation. Ms.
112 Whitcomb stated these applicants had to go back to their school to have a new completion of training
113 form submitted showing that the proficiency exam had been administered. The new issue is there are
114 applicants who graduated in 2020 or prior to the new regulation coming into effect who had not taken a
115 practical exam or had not passed the practical exam, are now trying to complete their license
116 application. Ms. Whitcomb stated these applicants are being required to contact their school to have a
117 new completion of training submitted to the state showing the date proficiency was met.
118

119 Ms. Spencer continued that many applicants who completed training prior to the new regulation have
120 gone back to their school or instructor for proficiency verification. Ms. Spencer stated the school or
121 instructor is certifying on the new completion of training form the date they provided the proficiency
122 examination to the person. For anyone who has training beginning 2021 definitely must complete the
123 proficiency exam as they are in the program from start to finish; we have seen more consistency on the
124 trainer's side with the proficiency exam.
125

126 The board continued to discuss the current state of the proficiency exam, schools completing students
127 who are not properly trained, the industry's self-regulation as students enroll in schools who are known
128 in the community for having higher standards, and the board's ability to create a proficiency exam if
129 needed.
130

131 Ms. Spencer reported the current pass/fail rates of the written exam has stayed the same.
132

133 Chair McMullin encouraged board members to attend the National Center for Interstate Compacts –
134 Cosmetology and Barbering Kickoff meeting scheduled for May 18 and discussed the issue of esthetician
135 training and that training requirements in Alaska should be brought up to industry standards. Chair
136 McMullin stated the Compact agreement between states will make more of a national standard and will
137 open up the industry to more people.
138

139 Ms. Whitcomb discussed with the board applicants who have completed training several years ago and
140 are now applying for exams. Ms. Whitcomb stated the current requirement is the applicant must either
141 go back to the school or apprenticeship program to complete a proficiency exam. The school or
142 instructor submits a new completion of training showing a proficiency exam was completed.
143

144 Chair McMullin stated that this falls under the Right Touch regulation where it is left up to the applicant
145 and school to handle this. This leave it up to the applicant to ensure they have everything they need to
146 meet the requirements needed before they can sit for the exam.
147

148 *Recess The Board recessed at 10:05 a.m. for a short break; reconvened at 10:25 a.m.*
149

150 C. Post-Secondary Education Update 151

152 Vershawn Idom stated that there are no updates for post-secondary education except that his school
153 has taken on a new course for instructors. Mr. Idom continued that there is a new contact at Post-
154 Secondary Education, Tyler Eggen, whom he has been in contact with. Ms. Whitcomb stated Mr. Eggen

155 had contact with her as well regarding questions about licensing regulations. Mr. Idom stated that
156 these questions or inquiries from Post-Secondary Education could be forward to him.

157 B. Proficiency Exam Discussion (Continued)

158
159 Chair McMullin reviewed the previous discussion of Right Touch Regulation and the previous regulations
160 in regard to the gap in applicants who completed prior to the proficiency exam regulation. Chair
161 McMullin continued with a question on how to address student who are incoming from out-of-state and
162 have no proficiency exam or practical exam; will schools offer an enrollment for completion of the
163 proficiency exam?

164
165 Mr. Idom stated the reason for the regulation change was to open things up for the applicant to obtain
166 licensure. dealing with an applicant who does not have a proficiency exam reflected in the transcript or
167 has not completed a practical or proficiency exam, the schools/instructors need to work with that
168 applicant to ensure they have met requirements.

169
170 The board continued to discuss the proficiency and how that exam should be administered for students
171 who completed prior to the new regulation. Ms. Spencer informed the board if this situation arises and
172 the applicant is unable to contact their school/instructor or proof of proficiency, they must enroll with a
173 school or as an apprentice just for the purposes of completing the demonstration of proficiency on the
174 required curriculum.

175
176 The board discussed the method of administering the proficiency exam. Ms. Whitcomb stated that
177 currently schools are either administering a proficiency exam at the end or they are marking or checking
178 students off as they go through the different curriculum topics. Ms. Whitcomb stated there is nothing in
179 regulation that states the method used to administer a proficiency exam.

180
181 Chair McMullin stated for students that may not have been with a particular school or instructor, but
182 need the proficiency to be signed off on, taking into consideration Right Touch Regulations, the board
183 needs to be aware of being more restrictive than necessary. Chair McMullin went on to state that she
184 would like to see where the applicant can say they are proficient, and this instructor signed me off on
185 the proficiency. Chair McMullin asked licensing staff how would this be done?

186
187 Ms. Spencer stated that the regulation 12 AAC 09.050 (b) states “after the student or apprentice
188 completes a course of study in a school or in an apprenticeship program: A student or apprentice must
189 show proficiency...”. Ms. Spencer went on to state for someone who has completed their course of
190 study before the proficiency exam, they will have to go back to their school or instructor or re-enroll to
191 do this as the proficiency exam is considered part of training process, a student or apprentice must be
192 successfully enrolled in a training program. Ms. Spencer clarified this is like when an applicant has to go
193 back for 50 hours of training to take the exam again; they must enroll in a program to receive those 50
194 hours of training. This is like instruction, and we can’t accept instructor unless the person is enrolled as a
195 student in that program.

196
197 Ms. Spencer went on to state, in the last year or so she had not seen any schools or instructors that have
198 let their license lapse. These schools and instructors should still be available for the applicant to connect
199 with them for proof of proficiency examination.

200
201 The board and Ms. Spencer clarified that the proficiency is based on the curriculum, and in these
202 instances, applicants must show proficiency in the areas listed in their particular curriculum .

203
204 The board discussed the Compact Meeting scheduled for May 18, 2021; this would allow for smoother
205 transfer of license between states and may bring some of our licenses up to industry standards. Chair
206 McMullin stated that during this meeting the board is there just to listen. Chair McMullin and Mr. Idom

207 went on to discuss with the new board members how to be mindful on not speaking for board and be
208 aware of this when speaking with the public.

209

210

Item 6. Division Business

211

212 Division Director Sara Chambers joined the meeting and reviewed her role with the board.

213

A. Proposed Statute Changes

214

215

216 Chair McMullin gave a review of the proposed legislative changes; microneedling had been put under
217 the permanent cosmetic coloring license but was not intended to be under this license and is currently
218 This under the definition of tattooing. The board is working toward removing microneedling from this
219 license; microneedling is a skin care technique that is not offered under the esthetician license in our
220 state because this service type is at the nurse's level. Chair McMullin went on to state unless licensees
221 are also a nurse, they cannot offer this.

222

223 Director Chambers explained the background on this change; during 2018, Senate Bill 4 was a rewrite of
224 a bill that didn't make it back to the board for review. Director Chambers informed the board that
225 happened very quickly and was missed which caused the term microneedling to be applied incorrectly.
226 Director Chambers state there wasn't an intention for this to be allowed and was put in inadvertently.

227

228 Chair McMullin informed the board that hair braiding services were also inadvertently removed from
229 barbers, non-chemical barbers and associated instructor license. They can offer these services and
230 should be allowed to teach hair braiding as well.

231

232 Chair McMullin stated that the board wanted to move forward with moving the esthetician curriculum
233 from statute to regulation so that the board can adjust the curriculum as needed with industry changes.
234 Chair McMullin informed the board that this would save time; changes to regulations take a matter of
235 months rather than years as changes in statutes can take.

236

237 Chair McMullin continued with updates to temporary shop licenses and stated that current statutes and
238 regulations do not complement each other in any way that would allow conventions to come to Alaska
239 to host participants. Chair McMullin stated that there are not many of these types of events besides Ink
240 Masters which is a body art event, however for the future, it would be good to have consistency for hair
241 or barber event which could provide continue education/training opportunities for licensees.

242

243 Chair McMullin went on to discuss the need to add "current" to Sec. 08.13.130 that states that all
244 licensees under the board must have a license displayed in a visible area for clients and customers to see
245 that you are properly licensed in Alaska.

246

247 Director Chambers suggested another area that the board might want to consider is the-addition of an
248 exemption for native tattoo demonstrations; the Governors Licensing Reform Bill that was proposed last
249 year, has some language that could be added to this. The board can think about if they want to
250 continue recognizing indigenous types of tattoo services. Director Chambers went on to state there
251 have been discussions with the board as to whether indigenous artists need a license or not for cultural
252 demonstrations; current licensure is not required, however there have been some questions and
253 concerns about this. Director Chambers stated indigenous tattoo artists are not providing tattoo services
254 commercially

255

256 Chair McMullin stated the board did vote against adding the NIC tattoo exam because of the indigenous
257 population; as the indigenous tattoo artists don't do regular tattooing, the board felt the NIC exams did
258 not take into consideration this population. Chair McMullin stated for indigenous people, which are a

259 decent portion of our tattoo artists, it is important for them to have an exam that allows them to
260 continue their art and not have to worry about what other tattoo artists are doing.

261
262 Chair McMullin agreed to review the discussion with Governor Dunleavy regarding indigenous tattoo
263 artists and stated she is open to further discussion. Chair McMullin emphasized that indigenous
264 tattooing still requires putting ink in skin; however, this is something that will be discussed further with
265 the board.

266
267 Director Chambers discussed the difficulties in making changes in the statutes, and stated that the board
268 is heading in the right direction to have changes made. Director Chambers stated when a board has
269 restrictive statutes, it is very difficult to effect change. Legislators don't always see licensing boards as
270 very important in comparison to other issues they have to consider. Director Chambers stated that from
271 an economic and clarity standpoint it is important that the board has statutes and regulations that are
272 consistent with practice.

273
274 Director Chambers went on to state that if the statutes are out of date five, ten or 20 years, then newly
275 educated practitioners are coming in right out of training with new ideas and new techniques but some
276 of the outdated things are still required in statute. Director Chambers stated applicants still have to
277 follow statutes and regulations.

278
279 Director Chambers reviewed the process of making contact with legislators and introduce the board
280 approved change requests; there is no cost for the board to work with legislators unless our law
281 department is involved in the wording of the new statutes.

282
283 Chair McMullin reported to the board that there is a legislator interested in helping with this legislation.
284 Representative Snyder has looked over the changes and has responded that there are some needed
285 changes in verbiage to match what tattooing had done in regulation.

286
287 Director Chambers stated that at this point it would be good to send the recommended changes to her.
288 This may need a regulation specialist or Director Chambers to read over for correct wording.

289
290 Director Chambers and the board continued to discuss best practices for working with the legislature
291 and to include all of the board indecisions to make changes to statutes.

292
293 B. FY21 3rd Quarter Report

294
295 Director Chambers asked to move this section to the first topic under Division Business.

296
297 Director Chambers reviewed the 3rd Quarter Annual report with the board. Director Chambers gave an
298 overview of how and when the reports are usually published for the board.

299
300 Director Chambers gave a walkthrough of each of the sections of the 3rd Quarter Financial Report for the
301 Board of Barbers and Hairdressers. Director Chambers stressed in state law, there is a separation of
302 duties between staff and board members. Director Chambers stated the licensing boards do not set
303 financial budgets, and continued with the review of each section of 3rd Quarter Report and how this
304 report relates to past years and the overall financial status of the board.

305
306 Chair McMullin inquired if the state of the board's financial health would affect new legislation the
307 board is working to have passed. Director Chambers asked to touch on that during the section for
308 proposed statute changes.

309
310 C. Right Touch Regulation Review

311
312 Director Chambers provided an overview of the Right Touch Regulation with a visual presentation for
313 new board members
314

315 *Recess* *The board recessed at 12:36 p.m. for lunch; reconvened at 1:37 p.m. Five board*
316 *members in attendance via roll call.*

317
318 **Item 8. New Business**

319
320 A. FY21 Annual Report

321
322 Chair McMullin reviewed the board plan for the day regarding work on the annual report and what will
323 be completed by division staff.

324
325 i. Required Board Submissions

326
327 a. Narrative Statement

328
329 Chair McMullin read the FY20 narrative statement as a review for new board members and discussed
330 the updates to each of the points in the narrative.

331
332 Chair McMullin continued to review the FY20 narrative statement to update information for FY21. Chair
333 McMullin went on to state currently the board has held two meetings; should more meetings need to be
334 added, the board will be given a two-week notice.

335
336 Chair McMullin went on to review the need to bring all statutes and regulations into alignment for the
337 long-term benefit of the board. However, changes have been in discussion for several years and are
338 needed to allow estheticians and other licensees be able to offer services at industry standards. Chair
339 McMullin went on to state once the Compact meeting has taken place, there will be more information
340 to share.

341
342 Ms. Whitcomb returned back to the discussion of online application submission and informed the board
343 that online application submission is not in place yet but is still in the works.

344
345 Chair McMullin informed the board that the esthetics curriculum will tie into the compact between
346 licensing agencies across states; this may give us the push that is needed, depending on the outcome of
347 the meeting, with the Department of Defense (DOD) and Department of Law (DOL). Chair McMullin
348 went on to state she personally has wanted to see this move forward for the esthetics curriculum that
349 expands students' abilities and allows them to provide services current in the market that are not
350 allowed in Alaska.

351
352 Chair McMullin moved on to the length of time a tattoo artist must be licensed before taking on an
353 apprentice; It is currently one year, but the board would like this to be a three-year minimum before
354 taking on an apprentice due to health and safety concerns. Chair McMullin went on to state that this
355 should stay in the narrative.

356
357 Chair McMullin and Mr. Idom briefly discussed the differences between changing statutes and
358 regulation for new board members.

359
360 Chair McMullin requested that the Crazy Hair statement letter be put back on the webpage. The board
361 discussed the background of the statement letter and why this was posted on the website. The board
362 continued with teeth whitening machines that were being used in salons and shops. Chair McMullin

363 stated that licensees under the board are not dentists. The board went on to discuss how the
364 investigators see these kinds of things in their job.

365
366 The board went on to review memberships in organizations such as National Interstate Council of State
367 Boards of Cosmetology (NIC), that there are no fee increases at this time, that the matrix for the
368 disciplinary fine schedule was updated, and that this should be included in the resources in OnBoard for
369 the board members to access. Chair McMullin stated that the shop inspection information will be
370 brought up during the investigations portion of the meeting on day two.

371
372 Ms. Spencer stated that the board's Sunset Audit came back with no issues or recommendations and the
373 board's next legislative audit will not be until 2027.

374
375 Chair McMullin asked that board member Khitsana Sypakanphay suggest new study materials for
376 examinees taking the tattoo and permanent cosmetic coloring exams. Ms. Sypakanphay stated that the
377 NIC study materials are outdated and include materials from books that are not currently being used.
378 Chair McMullin stated NIC is in the process of updating all of their materials and that a former board
379 member is working with them to update these materials. Chair McMullin continued to explain that
380 every question on an NIC exam costs about \$10,000, it's a very time-consuming process, and takes a
381 great amount of time to update the questions. Chair McMullin informed the board once the exam is
382 updated, the board will ask to review the materials and all board members will need to sign a non-
383 disclosure agreement beforehand.

384
385 Chair McMullen requested that representatives of the board be approved to attend the NIC convention.

386
387 No fee changes are recommended by the board. Ms. Spencer explained that due to the Anchorage
388 exams being proctored by staff and no practical exams being given, the board is showing a financial
389 savings at this point. There may be a need to look for additional locations for exams in Fairbanks in the
390 future.

391
392 The board continued to review the narrative statement points for shop and salon inspection reports.
393 They emphasized the health and safety standards. They continued with the discussion on out-of-state
394 tattoo and PCC training, tattoo instructor licenses, and online education. Ms. Spencer stated that due to
395 the regulation changes, licensing examiners are allowed to evaluate out-of-state standards. The
396 discussion continued with the out-of-state training for PCC and how Alaska requirements are generous
397 when this procedure deals with a sensitive part of the body. Moving on, the board decided that
398 regulation training will remain in the narrative.

399
400 Ms. Spencer suggested that the board might want to add a statement in the Narrative that the board
401 would like to add a January meeting in Juneau to coincide with the legislature. Chair McMullin agreed
402 and stated that she would like to leave the statements about the town hall meeting just in case this is
403 needed due to statue changes that might be happening.

404
405 The board discussed the events opening such as Ink Masters and local fairs. Ms. Spencer stated that a
406 new request for temporary shop license recently where an applicant stated the location of where the
407 event would happen, but the location owner contacted Barbers and Hairdressers to state that location
408 had not approved it. The division does not require confirmation of the location owner's approval, but
409 maybe it could be worked in so that it ties in the event location approval to go along with the
410 application. Currently all the division needs is a verification that DEC has an inspection plan in the works.

411
412 Chair McMullin stated that this falls into Right Touch regulation because this would be between the
413 temporary shop license applicant and the location. Ms. Spencer stated that this could be included in the
414 DEC part of the process. Mr. Idom asked why the board is interested in this and how does this affect the

415 board. Ms. Spencer explained the current requirements for a temporary shop license, and how the
416 application must include where the DEC had been contacted. There is a certification form that DEC must
417 stamp stating they are aware of the event and that there is a plan between the applicant and DEC. She
418 suggested that this could include a similar requirement for location owners where they can say they are
419 working with the applicant. Chair McMullin suggested that there could be a similar signed verification
420 for the location owners stating the applicant has this spot reserved. Ms. Spencer stated this is just food
421 for thought. Mr. Idom continued as to why this is necessary. Chair McMullin stated it could be an issue
422 if the applicant is stating the event is to happen at one location but is later moved to a different
423 location.

424

425 Mr. Idom continued to ask how the board should be involved in this? Ms. McMullin asked if it is
426 possible for the event to have a new location approved? Ms. Spencer explained how these changes
427 have been handled in the past. It is normally handled case by case. Mr. Idom stated that he wanted to
428 be sure that the board makes sure that it is necessary to be involved. He continued that this is free
429 market and it happens with events like this. It where the applicant is building up an event but doesn't
430 have a place to do it. It seems like this may not be anything where the board should be involved. Chair
431 McMullin stated that she would check with the DEC about this as well and find out how they handle
432 location changes and their timeline.

433

434 Ms. Spencer stated that in the past she knew the DEC has people walking through the last Ink Masters
435 event almost daily, and the DEC had even asked for changes to be made at the event such as more hand
436 washing stations.

437

438 b. Budget Recommendations

439

440 The board reviewed the FY20 budget recommendations and discussed current and projected needs for
441 FY2021.

442 Ms. Spencer stated that if the board recommended travel for the October 2021 meeting that she and
443 Ms. Whitcomb would work on estimating the costs for mileage, flights, and other expenses. But what
444 needs to be stated right now is when does the board want to request travel. October is the next
445 meeting scheduled, and the board set the dates for meetings after October.

446

447 NIC has a couple of tentative meetings planned, but it's not clear if the meetings are in person or virtual.
448 Ms. Spencer stated that the board needed to rank their travel needs. Chair McMullin stated that she'd
449 prefer the NIC administrative meeting since this will give division staff some excellent training.

450

451 Ms. Spencer gave an overview of the board's current association memberships and reasons that the
452 board decided to discontinue the NABBA membership. The board would be open to adding this
453 membership if NABBA agendas would be more in line with the board's goals.

454

455 The board continued to discuss the possible future plans for travel. This usually includes one board
456 member and one staff.

457

458 Board continued to discuss the board budget, cost of exams and proctors, and possible changes to exam
459 administration. The board continued to discuss how adding computer-based testing for the written
460 exam would open up more opportunities for applicants who currently live in the more remote area and
461 need to fly to the three testing sites currently available.

462

463 c. Regulatory Statement

464

465 The board discussed wording for the regulatory statement to show the continued work on regulations as
466 needed.

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d. Proposed Legislative Recommendations

The board discussed the ongoing need for changes to statutes. The reviewed the process of changing statues and the time involved in changes to statues. The board discussed the process of working on the changes to statutes and how it takes years and not months. Chair McMullin reviewed the current status of the statute changes that are in process. She stated that they are working on the wording of the statute changes before moving to the next phase.

Chair McMullin gave the new board members a brief overview of the process of making statue changes.

e. Goals and Objectives

Ms. Spencer reviewed the process of using the current goals and objectives from FY20 but adding a statement of how they were met or carry them forward to the new goals and objectives for the annual report.

Chair McMullin read over the goals and objectives with added notations on changes to be made. Ms. Spencer suggested to add a statement on how the board stepped up to the plate during the pandemic by having a town hall meeting, sending out directives and advisement on following the mandates that were set forth. Ms. Spencer continued that the Alaska Board of Barbers and Hairdressers was the first board nation-wide to address the Covid-19 and to give licensees guidance on conditions during the pandemic. Other states reached out to us to see how our state and board was handling such a difficult situation.

The board continued to review the goals and objectives and noting changes to update each. Chair McMullin noted the big change from practical exams to proficiency exams as she read through the goals and objectives. She continued to read each one goal and objective with special notations or comments on how each was met or how they need to be rolled over to the new annual report.

Recess The board recessed at 3:45 p.m. until May 4, 2021 at 9:00 a.m.

The May 4, 2021 meeting of the Board of Barbers and Hairdressers were called to order by Michelle McMullin, Chair at 9:02 a.m.

Board Members Present, constituting a Quorum:

- Michelle McMullin, Nail Technician, Chairperson
- Holly Andrews, Esthetician
- Vershawn (Shawn) Idom, Barber
- Khitsana Sypakanphay, Tattoo/Permanent Cosmetic Colorist
- Tina Taylor, Hairdresser
- Vacant, Public Member

Excused from attending:

- Connie Dougherty, Hairdresser/Esthetician

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

518 Cynthia Spencer, Records & Licensing Supervisor
519 Wanda Whitcomb, Licensing Examiner
520 Amber Whaley, Senior Investigator
521 Shauna Muraco, Investigator
522

523 **Members of the Public Present**

524
525 No members of the public present
526

527 **Item 8. New Business (continued)**

528
529 Chair McMullin moved on to reviewing the parts of the annual report from day one of the meeting. The
530 board read over the goals and objectives and the narrative statement for the annual report. Shawn
531 Idom asked if the board will be requesting more investigators. Chair McMullin stated that the board will
532 continue to recommend more licensing examiners and investigators.
533

534 A. Review/Approve January 25, 2021 Meeting Minutes
535

536 The board reviewed meeting minutes from the January 25, 2021 minutes.
537

538 Mr. Idom reviewed the process of making a motion for the new board members and how each board
539 member has to option to vote to not accept the motion and state the opinion. This is where the
540 discussion happens.
541

542 Chair McMullin clarified for the new members that the board didn't want to vote until they are sure of
543 where the board members stand on the topic. Once there is a motion set in place it is messy to change
544 it. Ms. Spencer suggested that once a motion has been made to open it up for discussion and discuss if
545 there are any amendments.
546

547 Chair McMullin requested a motion to accept the January 25, 2021 meeting minutes.
548

549 **On a motion duly made by Shawn Idom, seconded by Holly Andrews and approved**
550 **unanimously by roll call vote, the board approved January 25, 2021 meeting minutes**
551 **as written.**
552

553 The board moved on to note that the next board meeting is scheduled for October 5 and 6. The board
554 discussed the possibility of having an in-person meeting, but due to the Zoom meetings being so
555 successful, the meeting will likely be a videoconference. Ms. Spencer continued that upcoming
556 meetings requests will be submitted with a travel request.
557

558 The board decided to set 2021 meeting dates now but hold off in setting exam dates until the October
559 2021 meeting. The following dates will be set for 2022 board meetings: January 24 and 25, 2022; May 9
560 and 10, 2022; October 3 and 4, 2022.
561

562 Chair McMullin stated that for the January 2022 meeting dates, the board will request travel to Juneau
563 with the May and October meetings in Anchorage. She also requested to have a speaker to discuss how
564 to speak with legislators. Ms. Spencer stated that there is guidance for this session and will email that to
565 the board members.
566

567 Ms. Taylor asked with the Governor signing HB76, did this not free up Juneau? Ms. Spencer stated that
568 there are still social distancing and mask requirements in place in Juneau. There are still mandates and
569 restrictions for cities and municipalities.
570

571 Chair McMullin stated that once there is movement on the bill that is currently being worked on, the
572 board may request another meeting to discuss the status. It would be easier to discuss this in a meeting
573 a put a motion in rather than try to email everyone. Chair McMullin continued that she needs a
574 volunteer to spearhead the DEC investigator connection for review of the DEC guidelines. Ms.
575 Sypakanphay stated that she could work on this if someone would help.
576

577 Ms. Taylor requested where she could find a copy of the regulations. Chair McMullin stated that this is
578 located in OnBoard, and Ms. Spencer stated that she would email the new members a copy. She went
579 on to state that in this email to the board she would include the 2020 Legislative Guidance, the Barber
580 and Hairdresser Statutes and Regulations, and the Centralized Statutes and Regulations.
581

582 **Item 11. Public Comment**

583
584 No members of the public in attendance.
585

586 **Item 12. Investigations**

587 588 A. Investigative Training

589 Amber Whaley introduced two new investigators, Shauna Muraco, Investigator III, who will be
590 presenting the investigation memo and Investigator II, Michelle Hearn, probation monitor who will
591 present the probation report.
592

593
594 The board greeted Investigators Muraco and Hearn.
595

596 B. Investigative Memo

597
598 Shauna Muraco presented the Investigative Report from January 11, 2021 to April 20, 2021. This report
599 contains investigations, complaints and intake reports since the last report. There are currently 28 open
600 cases and 11 closed cases. The board had no questions about the investigative report.
601

602 C. Probation Report

603
604 Michelle Hearn presented the probation report. There were no questions from the board concerning
605 the probation report.
606

607 A. Investigative Training Continued

608
609 Ms. Whaley asked Ms. Muraco to provide public investigative training. Ms. Muraco provided training for
610 the investigative process overview for the public.
611

612 The board had no questions concerning the investigative process for the public.
613

614 Chair McMullin called for a motion to move to executive session.
615

616 **On a motion duly made by Tina Taylor, seconded by Shawn Idom, and approved**
617 **unanimously by majority present, it was RESOLVED to enter Executive Session under the**
618 **authority of AS 44.62.310(C) and Alaska Constitutional Right to Privacy Provisions, for**

619 **the purpose of discussing matters by law, municipal charter, or ordinance are required**
620 **to be confidential with staff to remain in session.**

621
622 Board entered executive session at 10:31 a.m. and returned from executive session at 11:33 a.m.

623
624 Chair McMullin addressed the board and division staff with a question about shop owner's licenses and
625 booth renters. Chair McMullin explained that the booth renter has a valid license and is renting a chair
626 in a shop; should a booth renter be held responsible if the shop owner's license has lapsed?

627
628 The Board continued to discuss the ramifications and how the discipline matrix for investigators has an
629 initial step to send the licensee an advisement letter. The board continued to discuss corporation
630 licenses that are non-compliant. Ms. Spencer informed the board that business licenses are not under
631 the purview of the Board of Barbers and Hairdressers.

632
633 The board continued to discuss the responsibilities of chair or booth renters as licensed practitioners
634 under the board's statutes and regulations, shop owner's responsibilities, and how investigations
635 disciplinary steps work.

636
637 *The Board adjourned at 12:04 p.m.*

638
639 Respectfully submitted:

640 _____
641 Wanda Whitcomb, Licensing Examiner

642
643
644 Approved:

645 _____
646 Michelle McMullin, Chairperson
647 Board of Barbers and Hairdressers

648
649 Date: _____
650