

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

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15 The meeting of the Board of Barbers and Hairdressers was called to order by Michelle McMullin, Chair at
16 9:14 a.m. Members present were:
17

18 **Roll Call**

19
20 **Board Members Present, constituting a Quorum:**

21
22 Michelle McMullin, Nail Technician, Chairperson
23 Holly Andrews, Esthetician
24 Vershawn (Shawn) Idom, Barber
25 Khitsana Sypakanphay, Tattoo/Permanent Cosmetic Colorist
26 Tina Taylor, Hairdresser
27 Vacant, Public Member
28

29 **Excused from attending**

30
31 Connie Dougherty, Hairdresser/Esthetician
32

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

34
35 Cynthia Spencer, Records and Licensing Supervisor
36 Wanda Whitcomb, Licensing Examiner
37 Sara Chambers, Division Director
38 Melissa Dumas, Administrative Operations Manager
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 changes and provide
47 amendments.
48

49 The board approved the agenda with no amendments.
50

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

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Item 3. Ethics Disclosure

No ethics disclosures.

Item 4. Public Comment

No members of the public in attendance

Item 5. Old Business

A. Covid-19 Follow-up

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

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

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

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

B. Proficiency Exam Discussion

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

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

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

Holly Andrews stated the issue is the board is trusting the schools to administer the proficiency exams 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.

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

107
108 The board went on to discuss the issue of students who graduated while the practical exams were
109 suspended and in the gap of time before the proficiency exams were adopted into regulation. Ms.
110 Whitcomb stated these applicants had to go back to their school to have a new completion of training
111 form submitted showing that the proficiency exam had been administered. The new issue is there are
112 applicants who graduated in 2020 or prior to the new regulation coming into effect who had not taken a
113 practical exam or had not passed the practical exam, are now trying to complete their license
114 application. Ms. Whitcomb stated these applicants are being required to contact their school to have a
115 new completion of training submitted to the state showing the date proficiency was met.

116
117 Ms. Spencer continued that many applicants who completed training prior to the new regulation have
118 gone back to their school or instructor for proficiency verification. Ms. Spencer stated the school or
119 instructor is certifying on the new completion of training form the date they provided the proficiency
120 examination to the person. For anyone who has training beginning 2021 definitely must complete the
121 proficiency exam as they are in the program from start to finish; we have seen more consistency on the
122 trainer's side with the proficiency exam.

123
124 The board continued to discuss the current state of the proficiency exam, schools completing students
125 who are not properly trained, the industry's self-regulation as students enroll in schools who are known
126 in the community for having higher standards, and the board's ability to create a proficiency exam if
127 needed.

128
129 Ms. Spencer reported the current pass/fail rates of the written exam has stayed the same.

130
131 Chair McMullin encouraged board members to attend the National Center for Interstate Compacts –
132 Cosmetology and Barbering Kickoff meeting scheduled for May 18 and discussed the issue of esthetician
133 training and that training requirements in Alaska should be brought up to industry standards. Chair
134 McMullin stated the Compact agreement between states will make more of a national standard and will
135 open up the industry to more people.

136
137 Ms. Whitcomb discussed with the board applicants who have completed training several years ago and
138 are now applying for exams. Ms. Whitcomb stated the current requirement is the applicant must either
139 go back to the school or apprenticeship program to complete a proficiency exam. The school or
140 instructor submits a new completion of training showing a proficiency exam was completed.

141
142 Chair McMullin stated that this falls under the Right Touch regulation where it is left up to the applicant
143 and school to handle this. This leave it up to the applicant to ensure they have everything they need to
144 meet the requirements needed before they can sit for the exam.

145
146 *Recess The Board recessed at 10:05 a.m. for a short break; reconvened at 10:25 a.m.*

147
148 C. Post-Secondary Education Update

149
150 Vershawn Idom stated that there are no updates for post-secondary education except that his school
151 has taken on a new course for instructors. Mr. Idom continued that there is a new contact at Post-
152 Secondary Education, Tyler Eggen, whom he has been in contact with. Ms. Whitcomb stated Mr. Eggen
153 had contact with her as well regarding questions about licensing regulations. Mr. Idom stated that
154 these questions or inquiries from Post-Secondary Education could be forward to him.

155 B. Proficiency Exam Discussion (Continued)

156
157 Chair McMullin reviewed the previous discussion of Right Touch Regulation and the previous regulations
158 in regard to the gap in applicants who completed prior to the proficiency exam regulation. Chair
159 McMullin continued with a question on how to address student who are incoming from out-of-state and

160 have no proficiency exam or practical exam; will schools offer an enrollment for completion of the
161 proficiency exam?

162

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

167

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

173

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

178

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

184

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

194

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

198

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

201

202 The board discussed the Compact Meeting scheduled for May 18, 2021; this would allow for smoother
203 transfer of license between states and may bring some of our licenses up to industry standards. Chair
204 McMullin stated that during this meeting the board is there just to listen. Chair McMullin and Mr. Idom
205 went on to discuss with the new board members how to be mindful on not speaking for board and be
206 aware of this when speaking with the public.

207

Item 6. Division Business

208

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

210

211 A. Proposed Statute Changes

212

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

219
220 Director Chambers explained the background on this change; during 2018, Senate Bill 4 was a rewrite of
221 a bill that didn't make it back to the board for review. Director Chambers informed the board that
222 happened very quickly and was missed which caused the term microneedling to be applied incorrectly.
223 Director Chambers state there wasn't an intention for this to be allowed and was put in inadvertently.

224
225 Chair McMullin informed the board that hair braiding services were also inadvertently removed from
226 barbers, non-chemical barbers and associated instructor license. They can offer these services and
227 should be allowed to teach hair braiding as well.

228
229 Chair McMullin stated that the board wanted to move forward with moving the esthetician curriculum
230 from statute to regulation so that the board can adjust the curriculum as needed with industry changes.
231 Chair McMullin informed the board that this would save time; changes to regulations take a matter of
232 months rather than years as changes in statutes can take.

233
234 Chair McMullin continued with updates to temporary shop licenses and stated that current statutes and
235 regulations do not complement each other in any way that would allow conventions to come to Alaska
236 to host participants. Chair McMullin stated that there are not many of these types of events besides Ink
237 Masters which is a body art event, however for the future, it would be good to have consistency for hair
238 or barber event which could provide continue education/training opportunities for licensees.

239
240 Chair McMullin went on to discuss the need to add "current" to Sec. 08.13.130 that states that all
241 licensees under the board must have a license displayed in a visible area for clients and customers to see
242 that you are properly licensed in Alaska.

243
244 Director Chambers suggested another area that the board might want to consider is the-addition of an
245 exemption for native tattoo demonstrations; the Governors Licensing Reform Bill that was proposed last
246 year, has some language that could be added to this. The board can think about if they want to
247 continue recognizing indigenous types of tattoo services. Director Chambers went on to state there
248 have been discussions with the board as to whether indigenous artists need a license or not for cultural
249 demonstrations; current licensure is not required, however there have been some questions and
250 concerns about this. Director Chambers stated indigenous tattoo artists are not providing tattoo services
251 commercially

252
253 Chair McMullin stated the board did vote against adding the NIC tattoo exam because of the indigenous
254 population; as the indigenous tattoo artists don't do regular tattooing, the board felt the NIC exams did
255 not take into consideration this population. Chair McMullin stated for indigenous people, which are a
256 decent portion of our tattoo artists, it is important for them to have an exam that allows them to
257 continue their art and not have to worry about what other tattoo artists are doing.

258
259 Chair McMullin agreed to review the discussion with Governor Dunleavy regarding indigenous tattoo
260 artists and stated she is open to further discussion. Chair McMullin emphasized that-indigenous
261 tattooing still requires putting ink in skin; however, this is something that will be discussed further with
262 the board.

263
264 Director Chambers discussed the difficulties in making changes in the statutes, and stated that the board
265 is heading in the right direction to have changes made. Director Chambers stated when a board has
266 restrictive statutes, it is very difficult to effect change. Legislators don't always see licensing boards as

267 very important in comparison to other issues they have to consider. Director Chambers stated that from
268 an economic and clarity standpoint it is important that the board has statutes and regulations that are
269 consistent with practice.

270

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

275

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

279

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

283

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

286

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

289

290 B. FY21 3rd Quarter Report

291

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

293

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

296

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

302

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

306

307 C. Right Touch Regulation Review

308

309 Director Chambers provided an overview of the Right Touch Regulation with a visual presentation for
310 new board members

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

313

314 **Item 8. New Business**

315

316 A. FY21 Annual Report

317

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

320

321 i. Required Board Submissions

322
323 a. Narrative Statement

324
325 Chair McMullin read the FY20 narrative statement as a review for new board members and discussed
326 the updates to each of the points in the narrative.

327
328 Chair McMullin continued to review the FY20 narrative statement to update information for FY21. Chair
329 McMullin went on to state currently the board has held two meetings; should more meetings need to be
330 added, the board will be given a two-week notice.

331
332 Chair McMullin went on to review the need to bring all statutes and regulations into alignment for the
333 long-term benefit of the board. However, changes have been in discussion for several years and are
334 needed to allow estheticians and other licensees be able to offer services at industry standards. Chair
335 McMullin went on to state once the Compact meeting has taken place, there will be more information
336 to share.

337
338 Ms. Whitcomb returned back to the discussion of online application submission and informed the board
339 that online application submission is not in place yet but is still in the works.

340
341 Chair McMullin informed the board that the esthetics curriculum will tie into the compact between
342 licensing agencies across states; this may give us the push that is needed, depending on the outcome of
343 the meeting, with the Department of Defense (DOD) and Department of Law (DOL). Chair McMullin
344 went on to state she personally has wanted to see this move forward for the esthetics curriculum that
345 expands students' abilities and allows them to provide services current in the market that are not
346 allowed in Alaska.

347
348 Chair McMullin moved on to the length of time a tattoo artist must be licensed before taking on an
349 apprentice; it is currently one year, but the board would like this to be a three-year minimum before
350 taking on an apprentice due to health and safety concerns. Chair McMullin went on to state that this
351 should stay in the narrative.

352
353 Chair McMullin and Mr. Idom briefly discussed the differences between changing statutes and
354 regulation for new board members.

355
356 Chair McMullin requested that the Crazy Hair statement letter be put back on the webpage. The board
357 discussed the background of the statement letter and why this was posted on the website. The board
358 continued with teeth whitening machines that were being used in salons and shops. Chair McMullin
359 stated that licensees under the board are not dentists. The board went on to discuss how the
360 investigators see these kinds of things in their job.

361
362 The board went on to review memberships in organizations such as National Interstate Council of State
363 Boards of Cosmetology (NIC), that there are no fee increases at this time, that the matrix for the
364 disciplinary fine schedule was updated, and that this should be included in the resources in OnBoard for
365 the board members to access. Chair McMullin stated that the shop inspection information will be
366 brought up during the investigations portion of the meeting on day two.

367
368 Ms. Spencer stated that the board's Sunset Audit came back with no issues or recommendations and the
369 board's next legislative audit will not be until 2027.

370
371 Chair McMullin asked that board member Khitsana Sypakanphay suggest new study materials for
372 examinees taking the tattoo and permanent cosmetic coloring exams. Ms. Sypakanphay stated that the
373 NIC study materials are outdated and include materials from books that are not currently being used.
374 Chair McMullin stated NIC is in the process of updating all of their materials and that a former board

375 member is working with them to update these materials. Chair McMullin continued to explain that
376 every question on an NIC exam costs about \$10,000, it's a very time-consuming process, and takes a
377 great amount of time to update the questions. Chair McMullin informed the board once the exam is
378 updated, the board will ask to review the materials and all board members will need to sign a non-
379 disclosure agreement beforehand.

380
381 Chair McMullin requested that representatives of the board be approved to attend the NIC convention.
382

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

387
388 The board continued to review the narrative statement points for shop and salon inspection reports.
389 They emphasized the health and safety standards. They continued with the discussion on out-of-state
390 tattoo and PCC training, tattoo instructor licenses, and online education. Ms. Spencer stated that due to
391 the regulation changes, licensing examiners are allowed to evaluate out-of-state standards. The
392 discussion continued with the out-of-state training for PCC and how Alaska requirements are generous
393 when this procedure deals with a sensitive part of the body. Moving on, the board decided that
394 regulation training will remain in the narrative.

395
396 Ms. Spencer suggested that the board might want to add a statement in the Narrative that the board
397 would like to add a January meeting in Juneau to coincide with the legislature. Chair McMullin agreed
398 and stated that she would like to leave the statements about the town hall meeting just in case this is
399 needed due to statue changes that might be happening.

400
401 The board discussed the events opening such as Ink Masters and local fairs. Ms. Spencer stated that a
402 new request for temporary shop license recently where an applicant stated the location of where the
403 event would happen, but the location owner contacted Barbers and Hairdressers to state that location
404 had not approved it. The division does not require confirmation of the location owner's approval, but
405 maybe it could be worked in so that it ties in the event location approval to go along with the
406 application. Currently all the division needs is a verification that DEC has an inspection plan in the works.

407
408 Chair McMullin stated that this falls into Right Touch regulation because this would be between the
409 temporary shop license applicant and the location. Ms. Spencer stated that this could be included in the
410 DEC part of the process. Mr. Idom asked why the board is interested in this and how does this affect the
411 board. Ms. Spencer explained the current requirements for a temporary shop license, and how the
412 application must include where the DEC had been contacted. There is a certification form that DEC must
413 stamp stating they are aware of the event and that there is a plan between the applicant and DEC. She
414 suggested that this could include a similar requirement for location owners where they can say they are
415 working with the applicant. Chair McMullin suggested that there could be a similar signed verification
416 for the location owners stating the applicant has this spot reserved. Ms. Spencer stated this is just food
417 for thought. Mr. Idom continued as to why this is necessary. Chair McMullin stated it could be an issue
418 if the applicant is stating the event is to happen at one location but is later moved to a different
419 location.

420
421 Mr. Idom continued to ask how the board should be involved in this? Ms. McMullin asked if it is
422 possible for the event to have a new location approved? Ms. Spencer explained how these changes
423 have been handled in the past. It is normally handled case by case. Mr. Idom stated that he wanted to
424 be sure that the board makes sure that it is necessary to be involved. He continued that this is free
425 market and it happens with events like this. It where the applicant is building up an event but doesn't
426 have a place to do it. It seems like this may not be anything where the board should be involved. Chair
427 McMullin stated that she would check with the DEC about this as well and find out how they handle
428 location changes and their timeline.

429

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

433

434 b. Budget Recommendations

435

436 The board reviewed the FY20 budget recommendations and discussed current and projected needs for
437 FY2021.

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

442

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

446

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

450

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

453

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

458

459 c. Regulatory Statement

460

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

463

464 d. Proposed Legislative Recommendations

465

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

471

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

473

474 e. Goals and Objectives

475

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

479

480 Chair McMullin read over the goals and objectives with added notations on changes to be made. Ms.
481 Spencer suggested to add a statement on how the board stepped up to the plate during the pandemic
482 by having a town hall meeting, sending out directives and advisement on following the mandates that

483 were set forth. Ms. Spencer continued that the Alaska Board of Barbers and Hairdressers was the first
484 board nation-wide to address the Covid-19 and to give licensees guidance on conditions during the
485 pandemic. Other states reached out to us to see how our state and board was handling such a difficult
486 situation.

487
488 The board continued to review the goals and objectives and noting changes to update each. Chair
489 McMullin noted the big change from practical exams to proficiency exams as she read through the goals
490 and objectives. She continued to read each one goal and objective with special notations or comments
491 on how each was met or how they need to be rolled over to the new annual report.

492
493 *Recess The board recessed at 3:45 p.m. until May 4, 2021 at 9:00 a.m.*

494
495 The May 4, 2021 meeting of the Board of Barbers and Hairdressers were called to order by Michelle
496 McMullin, Chair at 9:02 a.m.

497
498 **Board Members Present, constituting a Quorum:**

- 499
500 Michelle McMullin, Nail Technician, Chairperson
501 Holly Andrews, Esthetician
502 Vershawn (Shawn) Idom, Barber
503 Khitsana Sypakanphay, Tattoo/Permanent Cosmetic Colorist
504 Tina Taylor, Hairdresser
505 Vacant, Public Member

506
507 **Excused from attending:**

- 508
509 Connie Dougherty, Hairdresser/Esthetician

510
511 **Present from the Division of Corporations, Business and Professional Licensing were:**

- 512
513 Cynthia Spencer, Records & Licensing Supervisor
514 Wanda Whitcomb, Licensing Examiner
515 Amber Whaley, Senior Investigator
516 Shauna Muraco, Investigator
517 Michele Hearn, Probation Monitor

518
519 **Members of the Public Present**

- 520
521 No members of the public present

522
523 **Item 8. New Business (continued)**

524
525 Chair McMullin moved on to reviewing the parts of the annual report from day one of the meeting. The
526 board read over the goals and objectives and the narrative statement for the annual report. Shawn
527 Idom asked if the board will be requesting more investigators. Chair McMullin stated that the board will
528 continue to recommend more licensing examiners and investigators.

- 529
530 A. Review/Approve January 25, 2021 Meeting Minutes

531
532 The board reviewed meeting minutes from the January 25, 2021 minutes.

533

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

537

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

542

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

544

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

548

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

553

554 The board decided to set 2021 meeting dates now but hold off in setting exam dates until the October
555 2021 meeting. The following dates will be set for 2022 board meetings: January 24 and 25, 2022; May 9
556 and 10, 2022; October 3 and 4, 2022.

557

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

562

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

566

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

572

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

577

578 **Item 11. Public Comment**

579

580 No members of the public in attendance.

581

582 **Item 12. Investigations**

583

584 A. Investigative Training

585

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

590

591 The board greeted Investigators Muraco and Hearn.

592

593 B. Investigative Memo

594

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

598

599 C. Probation Report

600

601 Michelle Hearn presented the probation report. There were no questions from the board concerning
602 the probation report.

603

604 A. Investigative Training Continued

605

606 Ms. Whaley asked Ms. Muraco to provide public investigative training. Ms. Muraco provided training for
607 the investigative process overview for the public.

608

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

610

611 Chair McMullin called for a motion to move to executive session.

612

613 **On a motion duly made by Tina Taylor, seconded by Shawn Idom, and approved**
614 **unanimously by majority present, it was RESOLVED to enter Executive Session under the**
615 **authority of AS 44.62.310(C) and Alaska Constitutional Right to Privacy Provisions, for**
616 **the purpose of discussing matters by law, municipal charter, or ordinance are required**
617 **to be confidential with staff to remain in session.**

618

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

620

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

624

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

629

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

633

634 *The Board adjourned at 12:04 p.m.*

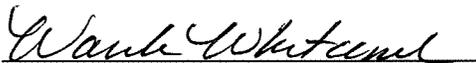
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636

Respectfully submitted:

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Wanda Whitcomb, Licensing Examiner

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Approved:



Michelle McMullin, Chairperson
Board of Barbers and Hairdressers

Date: Jan 24, 2022