



## **Board of Barbers & Hairdressers Meeting**

Alaska Division of Corporations, Business and Professional Licensing  
October 14, 2025 at 10:00 AM AKDT to October 14, 2025 at 1:00 PM  
AKDT

**Zoom Details:** <https://us02web.zoom.us/j/89221863228>

**Meeting ID:** 892 2186 3228

**Call In:** 1-253-205-0468

### **TENTATIVE MEETING AGENDA**

*Working Groups May Occur*

**Agenda:**

- 1. 10:00 a.m.      October 14, 2025 Call to Order/Roll Call**
- 2. 10:05 a.m.      Review/Amend Agenda**
- 3. 10:10 a.m.      Ethics Disclosure**
- 4. 10:20 a.m.      Strategic Planning and Prioritization Processes**
- 5. 1:00 p.m.      Adjourn**

### III. Executive Branch Ethics

Service on a state board or commission is a public trust and members are expected to conduct the public's business in a way that preserves the integrity of the governmental process and avoids conflicts of interest. The Ethics Act (AS 39.52) doesn't forbid public officers from having opinions, interests, or professional pursuits outside of their service on boards or commissions, but it does require that members disclose certain matters so a determination can be made about whether they constitute a conflict of interest.

#### Compliance with the Executive Branch Ethics Act

All board and commission members and staff should be familiar with the procedures outlined below. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government. Additional information is available from the Alaska Department of Law at <http://law.alaska.gov/doclibrary/ethics.html>. Much of the information in this section of the manual is taken directly from this site.

#### *Misuse of Official Position (AS 39.52.120)*

Members of boards or commissions may not use their positions for personal gain or to give an unwarranted benefit or treatment to any person. For example, members may not:

- use their official positions to secure employment or contracts;
- accept compensation from anyone other than the State for performing official duties;
- use State time, equipment, property or facilities for their own personal or financial benefit or for partisan political purposes;
- take or withhold official action on a matter in which they or an immediate family member have a personal or financial interest;
- coerce subordinates for his/her personal or financial benefit, or
- attempt to influence the outcome of an administrative hearing by privately contacting the hearing officer.



Alice knew that a proposal that was before the board would harm Alice's business partner. Instead of publicly disclosing the matter and requesting recusal, Alice engaged in discussions about the proposal and voted on the proposal.



Jack serves on a board that regulates parts of the building construction industry. Wearing a nametag that identifies him as a member of the industry board, Jack goes to a contractors' trade show and sets up a booth for his consulting business, called "Building a Future in Alaska."

#### *Improper Gifts (AS 39.52.130)*

A board or commission member may not solicit or accept a gift if it could reasonably be inferred that the gift is intended to influence the member's action or judgment. "Gifts" include money, items of value, services, loans, travel, entertainment, hospitality, and employment. The division has interpreted this guidance narrowly to ensure transparency in awareness and reporting.

Travel includes any expense paid directly to the board member in conjunction with a trip connected to the member's position on the board. This type of trip must be approved through the division and all reimbursements made through the CBPL Travel Desk to avoid violating the state's rules regarding travel.

(See section on travel.) All gifts from registered lobbyists are presumed to be improper unless the giver is an immediate family member of the person receiving the gift. This restriction on gifts does not apply to lawful campaign contributions.


A gift worth more than \$150 to a board or commission member or the member's family must be reported within 30 days if:


- the board member can take official action that can affect the giver, or
- the gift is given to the board member because he or she is on a state board or commission.


The receipt of a gift worth less than \$150 may be prohibited if it could reasonably be inferred that the gift is intended to influence the board member's action or judgment. Receipt of such a gift should be disclosed.

Any gift received from another government, regardless of value, must be reported; the board or commission member will be advised as to the disposition of this gift.

A form for reporting gifts is available at [law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html) or from the board or commission staff.


 The commission is reviewing Roy's proposal for an expansion of his business. Roy invites all the board members out to dinner at an expensive restaurant. He says it will be okay since he isn't excluding any of the members.


 Sam buys a holiday gift every year for Jody. Jody was recently appointed to a board, but Sam has no business that is up before the board.

 Margie is a board member and decides to take a last-minute trip to a national conference for state board members in her industry. She is directly reimbursed by the national association for her meals, airfare, and rental car.

### ***Improper Use or Disclosure of Information (AS 39.52.140)***

No former or current member of a board or commission may use or disclose any information acquired through official duties if that use or disclosure could result in a financial or personal benefit to the board member (or a family member) unless that information has already been disseminated to the public.

 Sheila has been on the licensing board for several years. She feels she has learned a great deal of general information about how to launch a successful business venture. So, she sets up her own company helping small businesses get started and does well. She is careful not to assist in completing license applications that will be evaluated by the board on which she serves.

 Gordon is a tattoo artist and the reviewing board member for an investigation of serious potential violations of health and safety issues by a licensed shop owner. Before the board votes on the matter, he tells several people who are thinking of getting a tattoo there about the confidential matter and encourages them to come to his shop instead.


### ***Improper Influence in State Grants, Contracts, Leases or Loans (AS 39.52.150)***


A board member who can affect the award or administration of a State grant, contract, lease, or loan may not apply for, or have an interest in that State grant, contract, lease, or loan. This prohibition also applies to the board member's immediate family.

A board member (or a family member) may apply for or be a party to a *competitively solicited* State grant, contract or lease, if the board member does not serve in the same administrative unit awarding or administering the grant, contract, or lease *and* so long as the board member does not take official action in the award or administration of the grant, contract, or lease.

A board member (or a family member) may apply for and receive a State loan that is generally available to the public and has fixed eligibility standards, so long as the board member does not take (or withhold) official action affecting the award or administration of the loan.


Board members must report to the board chair any personal or financial interest (or that of a family member) in a State grant, contract, lease or loan that is awarded or administered by the agency the board member serves. A form for this purpose is available at [law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html) or from the board or commission staff.

 John sits on a board that awards state grants. John hasn't seen his daughter for nearly ten years, but he figures that it doesn't matter when her grant application comes up before the board; he votes on the grant to his daughter, without disclosing the relationship to the board. (While voting for the grant looks worse than voting against the grant, the Ethics Act prohibits deliberating or voting on the issue regardless of what position the board member takes.)

 The board wants to contract out for an analysis of the board's decisions over the last ten years. Kim bids on the contract since she has been on the board for ten years and feels she could do a good job.

### ***Improper Representation (AS 39.52.160)***

A non-salaried board or commission member may represent, advise, or assist in matters in which the member has an interest that is regulated by the member's own board or commission, if the member acts in accordance with AS 39.52.220 by disclosing the involvement in writing and on the public record, and refrains from all participation and voting on the matter. This section does not allow a board member to engage in any conduct that would violate a different section of the Ethics Act. So, the member must disclose the fact of the member's involvement in the regulated matter and abide by the board or commission's finding as to the existence of a conflict of interest.


 Delores has always coordinated continuing education opportunities for the physicians in her practice. After Delores is appointed to the State Medical Board, she discloses this role to the board and continues to coordinate these classes in her capacity as a private individual, not a board member.


### ***Restriction on Employment after Leaving State Service (AS 39.52.180)***


For two years after leaving a board, a former board member may not work on any matter on which the former member had personally and substantially participated while on the board. This prohibition applies to cases, proceedings, applications, contracts, and similar matters.


Former members of the governing boards of public corporations and former members of boards and commissions that have regulation-adoption authority, except those covered by the centralized licensing provisions of AS 08.01, may not lobby for pay for one year.

This section does not prohibit a State agency from contracting directly with a former board member. With the approval of the Attorney General, the board chair may waive this prohibition if a determination is made that the public interest is not jeopardized.

 The board has arranged for an extensive study of the effects of the department's programs. Andy, a board member, did most of the liaison work with the contractor selected by the board, including some negotiations about the scope of the study. Andy quits the board and goes to work for the contractor, working on the study of the effects of the department's programs.

 Andy takes the job, but he specifies that he will have to work on another project.

 Patrice, a licensed health care provider who is about to leave board service after eight years, is asked by a non-profit organization to work as their government relations director, which will require her to register as a lobbyist. She starts work for the organization in this capacity one week after her term on the board ends.

 Patrice accepts a clinical position with the non-profit organization instead.

### ***Aiding a Violation Prohibited (AS 39.52.190)***

Aiding another public officer to violate this chapter is prohibited.

### ***Agency Policies (AS 39.52.920)***

Subject to the Attorney General's review, a board may adopt additional written policies further limiting personal or financial interests of board members.

### ***Disclosure Procedures (AS 39.52.220-250)***

All board and commission members and staff should be familiar with the Executive Branch Ethics Act procedures outlined below.

### ***Who Is My Designated Ethics Supervisor (DES)?***

Every board or commission subject to the Ethics Act has several ethics supervisors designated by statute. The Act covers a board, commission, authority, or board of directors of a public or quasi-public corporation, established by statute in the executive branch of state government.

- The chair serves as DES for board or commission members.
- The chair serves as DES for the executive director. This does not apply to professional licensing boards and commissions, whose staff are employees for the Department, not the board.
- The Department of Commerce, Community, and Economic Development has assigned a Special Assistant to serve as DES for staff.
- The governor is the DES for a chair. The governor has delegated the DES responsibility to the Director of Administrative Services in the Office of Governor.

### ***What Do I Have to Disclose?***

The Ethics Act requires members of boards and commissions to disclose:

- Any matter that is a potential conflict of interest with actions that the member may take when serving on the board or commission.
- Any circumstance that may result in a violation of the Ethics Act.
- Any personal or financial interest (or that of an immediate family member) in a state grant, contract, lease, or loan that is awarded or administered by the member's board or commission.
- The receipt of certain gifts.

The staff of a board or commission, as state employees, must also disclose:

- Compensated outside employment or services.
- Volunteer service, if any compensation, including travel and meals, is paid or there is a potential conflict with state duties.

For more information regarding the types of matters that may result in violations of the Ethics Act, board or commission members should refer to the guide, *"Ethics Information for Members of Boards and Commissions."* Staff should refer to the guide, *Ethics Information for Public Employees."*

Both guides and disclosure forms may be found on the Department of Law's ethics website:

<http://law.alaska.gov/doclibrary/ethics.html>.

#### ***How Do I Avoid Violations of the Ethics Act?***

- When in doubt, disclose and seek advice from division staff or the department Boards and Regulations Advisor.
- Make timely disclosures.
- Follow required procedures.
- Provide all information necessary to a correct evaluation of the matter. You may supplement the disclosure form with other written explanation as necessary. Your signature on a disclosure certifies that, to the best of your knowledge, the statements made are true, correct and complete. False statements are punishable.
- Follow the advice of your DES.

#### ***What Are The Disclosure Procedures for Board and Commission Members?***

The procedural requirements for disclosures by members are set out in AS 39.52.220 and 9 AAC 52.120.

One goal of these provisions is to help members avoid violations of the Ethics Act. The procedures provide the opportunity for members to seek review of matters in advance of taking action to ensure that actions taken will be consistent with the Act.

#### ***Procedures for Declaring Actual or Potential Conflicts***

Members must declare potential conflicts and other matters that may violate the Ethics Act in writing to the chair. Public disclosure may take the place of a written disclosure if the meeting is recorded, a tape or transcript of the meeting is preserved, and there is a method for identifying the declaration in the record.

- Notice of Violation or Request for Determination forms should be filed with the Designated Ethics Supervisor (the board chair) as soon as known.
- If a determination on whether a conflict exists on a matter pending before the board, it is ideal for the conflict to be submitted to the chair with enough time for the determination to be made—usually several weeks.
- If the matter is before the board before a determination has been made, the member must

refrain from voting, deliberations or other participation on it. In most, but not all, situations, refraining from participation ensures that a violation of the Ethics Act does not occur. Abstention does not cure a conflict with respect to a significant direct personal or financial interest in a state grant, contract, lease, or loan because the Ethics Act prohibition applies whether or not the public officer actually takes official action.

- If a member is uncertain whether participation would result in a violation of the Act, the member should disclose the circumstances and seek a determination from the chair before the meeting.

*Confidential disclosure in advance of public meeting.* Potential conflicts may be partially addressed in advance of a board or commission's public meeting.

- A member identifying a conflict or potential conflict may submit a Notice of Potential Violation to the chair, as DES, in advance of the public meeting.
- This written disclosure is considered confidential. No one may discuss or disclose this information.
- The chair may contact staff to seek advice from the Attorney General. Staff and the AAG will walk the chair through the process.
- The chair makes a written determination, also confidential, whether the disclosed matter represents a conflict that will result in a violation of the Ethics Act if the member participates in official action addressing the matter. The chair must give a copy of the written determination to the disclosing member. There is a determination form available on the Department of Law's ethics web page. The ethics supervisor may also write a separate memorandum.
- If the chair determines that the member would violate the Ethics Act by taking official action, the chair directs the member to refrain from participating in the matter that is the subject of the disclosure.
- A general oral report of the notice of potential violation and the determination that the member must refrain from participating is put on the record at a public meeting. In this manner, a member's detailed personal and financial information may be protected from public disclosure.

*Determinations at the public meeting.* When a potential conflict is declared by a member for the public record, the following procedure must be followed:

- The member must declare she or he has a potential conflict regarding a matter before the board.
- The chair states his or her determination regarding whether the member may participate. This ruling must be consistent with Attorney General advice and statute/regulation.
- Any member may then object to the chair's determination.
- If an objection is made, the members present, excluding the member who made the disclosure, vote on the matter.
- Exception: A chair's determination that is made consistent with advice provided by the Attorney General may not be overruled.
- If the chair, or the members by majority vote, determines that a violation will exist if the disclosing member continues to participate, the member must refrain from voting, deliberating, or participating in the matter. When a matter of particular sensitivity is raised and the ramifications of continuing without an advisory opinion from the Attorney General may affect the validity of the board or commission's action, the members should consider tabling the matter so that an opinion may be obtained.

*If the chair identifies a potential conflict of his or her own, the same procedures are followed. If*

possible, the chair should forward a confidential written notice of potential violation through staff to the Office of the Governor for a determination in advance of the board or commission meeting. If the declaration is first made at the public meeting during which the matter will be addressed, the members present, except for the chair, vote on the matter. If a majority determines that a violation of the Ethics Act will occur if the chair continues to participate, the chair shall refrain from voting, deliberating, or participating in the matter. A written disclosure or copy of the public record regarding the oral disclosure should be forwarded by staff to the Office of the Governor for review by the chair's Designated Ethics Supervisor (DES).

### ***Procedures for Other Member Disclosures***

A member's interest in a state grant, contract, lease or loan and receipt of gifts are disclosed by filling out the appropriate disclosure form and submitting the form to the DES for approval. The disclosure forms are found on the Department of Law's ethics website: [law.alaska.gov/doclibrary/ethics.html](http://law.alaska.gov/doclibrary/ethics.html).

### ***How Are Third Party Reports of Potential Violations or Complaints Handled?***

Any person may report a potential violation of the Ethics Act by a board or commission member or its staff to the appropriate DES or file a complaint alleging actual violations with the Attorney General.

- Notices of potential violations and complaints must be submitted in writing and under oath.
- Notices of potential violations are investigated by the appropriate DES who makes a written determination whether a violation may exist. The DES provides a copy of the notice to the employee or board/commission member who is the subject of the notice and may seek input from the employee or board/commission member, his or her supervisor and others. The DES may seek advice from the Attorney General.
- A copy of the DES' written determination is provided to the subject employee or board/commission member and the complaining party. The DES submits a copy of both the notice and the determination to the Attorney General for review as part of the DES' quarterly report. If feasible, the DES shall reassign duties to cure a potential violation or direct divestiture or removal by the employee or board/commission member of the personal or financial interests giving rise to the potential violation.
- Complaints are addressed by the Attorney General under separate procedures outlined in the Ethics Act.
- These matters are confidential unless the subject waives confidentiality or the matter results in a public accusation.

### ***What Are the Procedures for Quarterly Reports?***

Generally, Designated Ethics Supervisors must submit copies of notices of potential violations received and the corresponding determinations to the Attorney General for review by the state ethics attorney as part of the quarterly report required by the Ethics Act. In this division, staff compile any disclosures received during a meeting or outside of a meeting via the chair, then forward them on a quarterly basis to the Division Director, who send them to the department DES.

If the state ethics attorney disagrees with a reported determination, the attorney will advise the DES of that finding. If the ethics attorney finds that there was a violation, the member who committed the violation is not liable if he or she fully disclosed all relevant facts reasonably necessary to the ethics supervisor's or commission's determination and acted consistent with the determination.



### ***How Does A DES or Board or Commission Get Ethics Advice?***

A DES or board or commission may make a written request to the Attorney General for an opinion regarding the application of the Ethics Act. In practice, the Attorney General, through the state ethics attorney, also provides advice by phone or e-mail to designated ethics supervisors, especially when time constraints prevent the preparation of timely written opinions.

- A request for advice and the advisory opinion are confidential.
- The ethics attorney endeavors to provide prompt assistance, although that may not always be possible.
- The DES must make his or her determination addressing the potential violation based on the opinion provided.

### ***Complaints, Hearings, and Enforcement (AS 39.52.310-370, AS 32.52.410-460)***

Any person may file a complaint with the Attorney General about the conduct of a current or former board member. Complaints must be written and signed under oath. The Attorney General may also initiate complaints from information provided by a board. A copy of the complaint will be sent to the board member who is the subject of the complaint and to the Personnel Board.

All complaints are reviewed by the Attorney General. If the Attorney General determines that the complaint does not warrant investigation, the complainant and the board member will be notified of the dismissal.

The Attorney General may refer a complaint to the board member's chair for resolution. After investigation, the Attorney General may dismiss a complaint for lack of probable cause to believe a violation occurred. The complainant and board member will be promptly notified of this decision.

Alternatively, if probable cause exists, the Attorney General may initiate a formal proceeding by serving the board or commission member with an accusation alleging a violation of the Ethics Act. An accusation may result in a hearing.

When the Personnel Board determines a board member has violated the Ethics Act, the member must refrain from voting, deliberating, or participating in the matter. The Personnel Board may order restitution and may recommend that the board member be removed from the board or commission. If a recommendation of removal is made, the appointing authority will immediately remove the member. If the Personnel Board finds that a former board member violated the Ethics Act, the Personnel Board will issue a public statement about the case and will ask the Attorney General to pursue appropriate additional legal remedies.

### ***Conflict of Interest and Ex Parte Communication***

Conflicts outside of the Executive Branch Ethics Act may arise due to improper communication with a stakeholder. "Improper communication" can be any communication with an interested party where the communication is about something on which the board has authority to act, and which comes outside of a publicly-noticed meeting. A familiar example is the contact that a member of a jury could have with people or even news stories that could bias their opinion unfairly. Sometimes it is impossible for juries in high-profile cases to avoid hearing information that is inadmissible in court, so they are sequestered in hotel rooms with no television or public contact.

Board and commission members are not likely to be treated to such extremes, but they must take care not to discuss matters with others or among each other outside of appropriate meeting channels.

### ***Ex-Parte Contact***

The foundation of due process is that each side in a dispute has the opportunity to be heard. If one side has the opportunity to make an argument, the other side must have the opportunity to respond. It is sometimes tempting for an applicant, licensee, or attorney to attempt to circumvent the usual application decisionmaking procedures, to seek information on a pending application, to discuss a pending disciplinary action, or to seek to influence an individual's decision by directly contacting one of the board members. Such communications are called "ex parte" communications.

**Ex parte communications are improper. The result of such a communication is that the board member so contacted may be unable to discuss, participate in, or vote on the application or disciplinary action.**

The risk to the applicant or licensee who attempts such communication is that a board member who might have been favorably disposed to their license application or disciplinary case may not be able to participate in the decision or vote.

**Ex parte communication must be disclosed.** Should any individual attempt to contact you to discuss a license application or disciplinary case, please refer them to a staff member (licensing examiner, investigator, or executive administrator) for response.

Should you experience an ex parte communication, alert the chair about the contact in writing before the meeting and on the record at the beginning of the meeting so he or she can determine whether it is appropriate that you be recused from the discussion, deliberation, and vote. As the DES for the board, the chair is required to declare any conflict on the record.

If you are unsure about the nature and extent of the contact, please contact the board's staff for guidance.

### ***Conflict Due to Market Interest***

Another interesting conflict of interest issue that is gaining awareness is that of the potential for disproportionate influence of "active market participants" on boards. An active market participant is defined as someone who is currently engaged in the profession that the board regulates—or, licensees.

By nature, all licensed members of a board have an inherent market interest. However, determining whether a conflict exists goes a little deeper. Questions board members may ask to evaluate whether there is a possibility of running afoul of AS 39.52.120 (Misuse of Official Position):

- Does the matter involve an individual or business that is a direct competitor?
- Will ruling on this matter have a meaningful or measurable financial outcome for me, my family, or my business?
- Is there a *perception* that either of these answers are "yes"?
- A licensee wishes to utilize a new, cutting-edge health care technology and is seeking the

board's "thumbs up" in approving it for practice in Alaska. A member of the board is an investor in this technology and is considering utilizing it in his practice. The board member discloses this financial interest and asks to be recused from deliberation and vote. The chair recuses him, and he does not participate.

Market conflicts can extend to entire boards, as well. A 2015 United States Supreme Court decision ([\*North Carolina Board of Dental Examiners v. Federal Trade Commission\*](#)) resulted in a ruling that stripped the board of its immunity when addressing what might have seemed like a routine matter: The board violated the Sherman Act when it directed staff to send cease-and-desist letters to unlicensed teeth whiteners. Under North Carolina law, the teeth whitening companies posed a direct financial threat to dentists. By instructing them to close, they deprived the businesses of due process—as well as an income. The board did not work through their attorney or follow the standard investigative process when directing these individuals to close their businesses.

The case is complex, yet under Alaska law, the takeaway for professional licensing boards is straightforward:

- Ensure that the division's investigative standard operating procedures are followed.
- Adhere to the Administrative Procedure Act when taking action against anyone, licensed or unlicensed.
- Invite the department Boards and Regulations Advisor to assist with decisionmaking processes.
- Ask staff to invite an agency attorney to advise in policymaking that may restrict those outside the profession from engaging in business practices.
- Hold all deliberations in public view and invite the public to actively observe and comment.

Regarding matters involving ethics or potential real or perceived conflicts of interest, always ask for help well ahead of a meeting on the matter. Obtaining proper advice and following it will ensure everyone's rights are protected and that the most appropriate process is followed.

### **Board Members and Public Records**

As officers of the state, board members are compelled to adhere to state standards of documents and information shared with them. This may mean maintaining strict confidentiality, which could require saving on an unshared computer or storing in a locked cabinet. Confidential documents should always be transmitted via OnBoard, ZendTo, or using email encryption.

All emails, documents, handwritten notes, texts, and other means of communicating state business are discoverable. Many board members set up separate email addresses to ensure their state business is separate from work accounts or their personal lives. If communication on a legal matter were to be subpoenaed, it is possible that deep entanglement could require confiscation of a personal cell phone or computer. Board members are advised to become familiar with the standards and take steps to separate accounts, documents, and other information containing state business.

## Ethics Disclosure Form

### CONFIDENTIAL REQUEST FOR ETHICS DETERMINATION

TO: \_\_\_\_\_, Designated Ethics Supervisor

\_\_\_\_\_  
(Identify Your Department, Agency, Public Corporation, Board, Commission)

I request advice regarding the application of the Executive Branch Ethics Act (AS 39.52.010 - .960) to my situation. The situation involves the following:

☐ I have provided additional information in the attached document(s).

I believe the following provisions of the Ethics Act may apply to my situation:

- ☐ AS 39.52.120, Misuse of Official Position
- ☐ AS 39.52.130, Improper Gifts
- ☐ AS 39.52.140, Improper Use or Disclosure of Information
- ☐ AS 39.52.150, Improper Influence in State Grants, Contracts, Leases or Loans
- ☐ AS 39.52.160, Improper Representation
- ☐ AS 39.52.170, Outside Employment Restricted
- ☐ AS 39.52.180, Restrictions on Employment after Leaving State Service
- ☐ AS 39.52.190, Aiding a Violation Prohibited

**I understand that I should refrain from taking any official action relating to this matter until I receive your advice.** If the circumstances I described above may result in a violation of AS 39.52.110 - .190, I intend that this request serve as my disclosure of the matter in accordance with AS 39.52.210 or AS 39.52.220.

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Division, Board, Commission)

\_\_\_\_\_  
(Position Title)

\_\_\_\_\_  
(Location)

*Designated Ethics Supervisor: Provide a copy of your written determination to the employee advising whether action is necessary under AS 39.52.210 or AS 39.52.220, and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

## Ethics Disclosure Form

### Receipt of Gift

TO: \_\_\_\_\_, Designated Ethics Supervisor, \_\_\_\_\_  
(Agency, Public Corporation, Board,  
Commission or Council)

This disclosure reports receipt of a gift with value in excess of \$150.00 by me or my immediate family member, as required by AS 39.52.130(b) or (f).

1. Is the gift connected to my position as a state officer, employee or member of a state board or commission?

☐ Yes ☐ No

2. Can I take or withhold official action that may affect the person or entity that gave me the gift?

☐ Yes ☐ No

*(If you answer "No" to both questions, you do not need to report this gift. If the answer to either question is "Yes," or if you are not sure, you must complete this form and provide it to your designated ethics supervisor.)*

The gift is \_\_\_\_\_

Identify gift giver by full name, title, and organization or relationship, if any:

Describe event or occasion when gift was received or other circumstance explaining the reason for the gift:

My estimate of its value is \$ \_\_\_\_\_ The date of receipt was \_\_\_\_\_

☐ The gift was received by a member of my family. Who? \_\_\_\_\_

*If you checked "Yes" to question 2 above, explain the official action you may take that affects the giver (attach additional page, if necessary):*

I certify to the best of my knowledge that my statement is true, correct, and complete. In addition to any other penalty or punishment that may apply, the submission of a false statement is punishable under AS 11.56.200 - AS 11.56.240.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Division)

\_\_\_\_\_  
(Position Title)

\_\_\_\_\_  
(Location)

Ethics Supervisor Determination: ☐ Approve ☐ Disapproved

\_\_\_\_\_  
Designated Ethics Supervisor\*

\_\_\_\_\_  
(Date)

*\*Designated Ethics Supervisor: Provide a copy of the approval or disapproval to the employee. If action is necessary under AS 39.52.210 or AS 39.52.220, attach a determination stating the reasons and send a copy of the determination and disclosure to the attorney general with your quarterly report.*

Citation	Rationale/Notes	Priority Level & Explanation	What strategic goal does this meet?
Devise method of periodically reviewing stats and regs	Administrative/non-policy review and clean-up; likely to happen along with other regulatory reviews or as a fine-tune after policy changes are made	1	Board Development
Review statutes and regs to eliminate other outdated language (i.e. send only by fax)		3	Board Development
Improve application training (develop videos, other aids)		2 or 3	Education and Outreach
Review tattoo training requirements and how they align with existing forms	Form requires “remaining hours” to be in a certain category (theory/practical)—change form or S&R	3	Education and Outreach
Update tattoo exam	Discussed in August and is on November agenda	In progress	Education and Outreach
Update Fine Schedule/Matrix	Board started to work on this in August. May require a regulations project. On November agenda--again.	In progress	Enforcement
AS 08.13.160: Add “A person licensed under this chapter to practice barbering or nonchemical barbering is considered to be licensed to practice hair braiding under the same license.”	Regulation needs to be updated 12 AAC 09.1AS 08 and 12 AAC 09.109	1 “no brainer”	Legislation
AS 08.13.080: Add hair braiding to barbering and non-chemical barbering (practice and teaching)		1 “no brainer”	Legislation
AS 08.13.130: Add “current Alaska license”		1 “no brainer”	Legislation
AS 08.13.183: Remove – no reason to have this.		1 “no brainer”	Legislation
AS 08.13.220(10): Remove (B)(i).		1 “no brainer”	Legislation
AS 08.13.220(16): Remove “microneedling” from definition of tattooing	Legislative error	1 “no brainer”	Legislation
Create a tiered esthetician license; Review any additional Medical Spa-related needs/changes	Based on Medical Spa Services Work Group discussion and recommendation	1	Legislation
AS 08.13.080: Remove ALL license requirements from this section and add regulation reference. Remove (d). (Eliminate specifics from statute and move to regs)	Subsection (d) limits testing for body arts and may block the board from adopting NIC Tattooing and PCC theory written exams.	2	Legislation
AS 08.13.082: Allow for apprenticeship hours and other specifications of apprenticeships to be in regulations rather than statute so they can be regulated more responsive to industry.		2	Legislation
AS 08.13.082: Include apprenticeship for advanced manicuring.		2	Legislation
AS 08.13.082: Remove ALL training requirements from this section and add regulation reference. Including removal of training timeline.	Schools can complete under 3 months, why not apprenticeship? Estheticians in school OR apprenticeship should have same timeline to complete.	2	Legislation
AS 08.13.120: Update this section, cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary shop licenses, and the allowance of conventions.	Dept of Law letter reinforcing concerns about this section. Conventions have changed. Board previously drafted legislative changes, lots of discussion.	2	Legislation

AS 08.13.160(d)(2): Update with specific definition of “licensed health care professional.”	Many massage therapists are stating they are “health care professionals” so they should be allowed to provide services regulated by BAH board. Can this be defined in regulation?	2	Legislation
AS 08.13.180: Correct “student permit” to reflect Apprentice for beauty services and Trainee for body arts.	These are all referenced in regulation as Student, Apprentice, and Trainee—they should match.	3	Legislation
Allow hot tools to be used by unlicensed personnel	Former member Tenaya Miramontes drafted legislation to accomplish this.	4	Legislation
Board review and issue of licenses		In progress	Legislation
Add regulation to request removal of a board member if they miss a certain number of meetings/unexcused absences	Will help keep board filled with participating members. Without this, the governor’s office is unlikely to remove due to nonparticipation.	2	Regulations
12 AAC 09.020: Remove	This was needed when the division/board administered examinations (practical and written). Prov does not have these requirements.	1 “no brainer”	Regulations
12 AAC 09.025: Remove	This was needed when the division/board administered examinations (practical and written). Prov does not have these requirements.	1 “no brainer”	Regulations
12 AAC 09.106: Need to add Non-Chemical Barber.		1 “no brainer”	Regulations
12 AAC 09.127: Remove	This was only created by the board 15+ years ago to accommodate UAF – Tanana Valley Campus. This facility was open maybe 12-months then closed due to not having “clients” for students to work on practical operations.	1 “no brainer”	Regulations



12 AAC 09.162(3) remove “sanex strips”		1 “no brainer”	Regulations
12 AAC 09.162(11) Update to reflect changes with the definition of “appliances” NEW reg 12 AAC 09.990(b)(1)		1 “no brainer”	Regulations
12 AAC 09.130: remove (c), (e), and (f) OR completely revamp subsections to reflect submission of training docs by student(s) and remove all timeline requirements.	The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to streamline.	2 “no brainer”	Regulations
12 AAC 09.185: Remove (e), (g), (h) OR completely revamp subsections to reflect the submission of training docs by trainee(s) and remove all timeline requirements.	The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to	2 “no brainer”	Regulations
12 AAC 09.190: Remove (i), (j), (k) OR completely revamp subsections to reflect submission of training docs by apprentice(s) and remove timeline requirements.	The board does not enforce training documentation submissions. This has been demonstrated numerous times via case referrals to Inv Unit. Possibly group together with other license types to streamline.	2 “no brainer”	Regulations
12 AAC 09.002: Remove.	This is an incredibly cumbersome regulation that just keeps getting larger and larger – currently 3 pages. Why is this needed? Can it be streamlined or even removed since all subsections referenced have separate regulations. This may have been introduced as the mechanism for staff approval of applications in lieu of a board vote.	2	Regulations
12 AAC 09.112: add subsection which clearly addresses multiple event locations; rewrite section to be clearer	Multiple event locations currently require separate temporary shop owner licenses (one license will not cover multiple events/event locations)	2	Regulations
12 AAC 09.125 (I) Remove square footage requirements for 12-hour course since it is book-only and doesn’t require physical operations.		2	Regulations
Work with Department of Environmental Conservation to update the inspection standards in 18 AAC 23.240.	Standards are outdated. Since DEC is no longer performing these statutorily-required inspections for most regulated industries, the board has considered how to take them on, possibly move to division, make them easier, address rural needs/strategies. Body art regulations are outdated and revisions were submitted in 2020 with no response from DEC. Public health risk.	3	Regulations
12 AAC 09.990(7): Edit for clarity.	Could be reworted to better reflect that a nail technician in another state is considered to have training that qualifies them as a manicurist in Alaska. Maybe move this to the licensing requirements section?	4: combine with other nail tech topics	Regulations
12 AAC 09.004: Remove (e) and (f)	Since it was created, no courtesy hairdresser license has been issued.	4: Not hurting to keep it in	Regulations
Examine tattoo school requirements		? – Talk to Kevin for more details	



Body Art Courtesy License(s) for Alaska Shops

Cover absences, fill in at permanent Alaska shops for short term vacancies

? – Talk to Kevin for more details

Add details from 2023 minutes re: statute changes

Needs clarification: Mae mentioned during strategic planning meeting

?--Mae will report back

Require that tattooists are licensed for more than one year before taking on an apprentice, possible instructor license changes

?--Needs more discussion

AS 08.13.130: Recommend the Legislature pass legislation to raise the hour requirement for manicurists from 12 hours to 250 hours of training, plus passage of a written examination, to be eligible for licensure with allowance for grandfathering.

This has a dramatic legislative history that should be discussed. A related item on the “wish list,” below is clarifying that the 12-hour license is for “natural nails,” which appears to likely have been the original legislative intent based on the curriculum requirements. It is possible that could be accomplished in regulation. However, the board has allowed more advanced procedures for so long that this would have a detrimental, cascading impact on businesses and meet with a lot of pushback—especially since there is a lack of evidence that this is a public safety concern.

?--Needs more discussion

Strategic Planning Worksheet: Board “Mini” Strategic Plan

Time frame: FY2026-2029

Department of Commerce, Community, and Economic Development Mission:  
Promote a healthy economy, strong communities, and protect consumers in Alaska.

Division of Corporations, Business and Professional Licensing Mission:  
Inspire public confidence through balanced regulation of competent professional & business services.

Board of Barbers and Hairdressers Mission:  
Ensure the health and safety of Alaska consumers by promoting the highest level of professional standards and by enforcing the laws of the barbering, hairdresser, tattooing, and esthetics industry.

Board of Barbers and Hairdressers Vision:  
The Board of Barbers and Hairdressers cultivates an environment where consumers obtain barbering, hairdressing, tattooing, and esthetics services with the confidence and security that their health and safety are protected.

INITIATIVE #1. LEGISLATION			
Goal 1.A	Strategies	Implementation Details	Timeline
Address immediate needs for updates that have an impact on economic viability or public safety (‘no brainers’)	Propose legislation to allow staff to issue licenses	Board approve proposal and chair to seek legislative sponsor	August 2025
		Legislature adopt the proposed changes	May 2026
	AS 08.13.160: Add “A person licensed under this chapter to practice barbering or nonchemical barbering is considered to be licensed to practice hair braiding under the same license.”		

	AS 08.13.080: Add hair braiding to barbering and non-chemical barbering (practice and teaching)		
	AS 08.13.130: Add “current Alaska license”		
	AS 08.13.183: Remove – no reason to have this.		
	AS 08.13.220(10): Remove (B)(i).		
	AS 08.13.220(16): Remove “microneedling” from definition of tattooing		
Goal 1.B	Strategies	Implementation Details	Timeline
Implement a tiered esthetics licensing program and additional medical spa changes to legislation or regulation within the board’s purview	Research existing model legislation from the Esthetics Council and other states		
	Review NIC study materials		
	Review Medical Spa Services Work Group materials, discussions, and recommendations		
	Draft legislation and seek sponsorship		
Goal 1.C	Strategies	Implementation Details	Timeline

Address statutory changes that do not pose an immediate need but will improve the program	AS 08.13.080: Remove ALL license requirements from this section and add regulation reference. Remove (d). (Eliminate specifics from statute and move to regs)		
	AS 08.13.082: Allow for apprenticeship hours and other specifications of apprenticeships to be in regulations rather than statute so they can be regulated more responsive to industry.		
	AS 08.13.082: Include apprenticeship for advanced manicuring.		
	AS 08.13.082: Remove ALL training requirements from this section and add regulation reference. Including removal of training timeline.		
	AS 08.13.120: Update this section, cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary shop licenses, and the allowance of conventions.		
	AS 08.13.160(d)(2): Update with specific definition of “licensed health care professional.”		
	AS 08.13.180: Correct “student permit” to reflect Apprentice for beauty services and Trainee for body arts.		

	Allow hot tools to be used by unlicensed personnel		
<b>INITIATIVE #2. REGULATIONS</b>			
<b>Goal 2.A</b>	<b>Strategies</b>	<b>Implementation Details</b>	<b>Timeline</b>
Address immediate needs for updates that have an impact on economic viability or public safety ('no brainers')	12 AAC 09.130: remove (c), (e), and (f) OR completely revamp subsections to reflect submission of training docs by student(s) and remove all timeline requirements.		
	12 AAC 09.185: Remove (e), (g), (h) OR completely revamp subsections to reflect the submission of training docs by trainee(s) and remove all timeline requirements.		
	12 AAC 09.190: Remove (i), (j), (k) OR completely revamp subsections to reflect submission of training docs by apprentice(s) and remove timeline requirements.		
<b>Goal 2.B</b>	<b>Strategies</b>	<b>Implementation Details</b>	<b>Timeline</b>
Address regulations changes that do not pose an immediate need but will improve the program	12 AAC 09.002: Remove.		
	12 AAC 09.112: add subsection which clearly addresses multiple event locations; rewrite section to be clearer		
	12 AAC 09.125 (l) Remove square footage requirements for 12-hour course since it is book-only and doesn't require physical operations.		
	Work with Department of Environmental Conservation to update the inspection standards in 18 AAC 23.240.		

	12 AAC 09.990(7): Edit for clarity.		
	12 AAC 09.004: Remove (e) and (f)		
<b>INITIATIVE #3. ENFORCEMENT</b>			
Goal 3.A	Strategies	Implementation Details	Timeline
Ensure enforcement standards are up-to-date and appropriately adopted	Revise disciplinary fine/fee matrix	Scheduled for November agenda	2025
	Request review by agency attorney to ensure matrix is adopted and used appropriately		2025
<b>INITIATIVE #4. BOARD DEVELOPMENT</b>			
Goal 4.A	Strategies	Implementation Details	Timeline
Create systems to ensure the board regularly reviews its activities for alignment with the strategic plan, vision, and mission	Review statutes and regulations to eliminate other outdated language (i.e. send only by fax)		
	Develop a method of periodically reviewing statutes and regulations		
<b>INITIATIVE #5. EDUCATION AND OUTREACH</b>			
Goal 5.A	Strategies	Implementation Details	Timeline
Improve training on how to successfully complete applications	Develop videos, other aids		

Ensure training requirements are accurately reflected on application and reporting forms	Review tattoo training requirements and how they align with existing forms		
Ensure exam content is up-to-date	Update tattoo exam		

# PRIORITIZATION MATRIX

Board: *Barbers and Hairdressers*

Date Updated: **September 29, 2025**

**Part I: Types of Projects:** List the various projects on the board's radar according to category. Add or edit categories or projects as needed.

	1	2	3	4	5	6
	Legislation	Regulations	Enforcement	Board Development	Education and Outreach	Other Initiatives
<b>A.1</b>	Propose legislation to allow staff to issue licenses	12 AAC 09.130: remove (c), (e), and (f) OR completely revamp subsections to reflect submission of training docs by student(s) and remove all timeline requirements.	Revise disciplinary fine/fee matrix	Review statutes and regulations to eliminate other outdated language (i.e. send only by fax)	Develop videos, other aids	
<b>A.2</b>	AS 08.13.160: Add "A person licensed under this chapter to practice barbering or nonchemical barbering is considered to be licensed to practice hair braiding under the same license."	12 AAC 09.185: Remove (e), (g), (h) OR completely revamp subsections to reflect the submission of training docs by trainee(s) and remove all timeline requirements.	Request review by agency attorney to ensure matrix is adopted and used appropriately	Develop a method of periodically reviewing statutes and regulations	Review tattoo training requirements and how they align with existing forms	
<b>A.3</b>	AS 08.13.080: Add hair braiding to barbering and non-chemical barbering (practice and teaching)	12 AAC 09.190: Remove (i), (j), (k) OR completely revamp subsections to reflect submission of training docs by apprentice(s) and remove timeline requirements.	Revise disciplinary fine/fee matrix		Update tattoo exam	
<b>A.4</b>	AS 08.13.130: Add "current Alaska license"	-				
<b>A.5</b>	AS 08.13.183: Remove – no reason to have this.	-				



<b>A.6</b>	AS 08.13.220(10): Remove (B)(i).	-				
<b>A.7</b>	AS 08.13.220(16): Remove “microneedling” from definition of tattooing	-				
<b>B.1</b>	Research existing model legislation from the Esthetics Council and other states	12 AAC 09.002: Remove.				
<b>B.2</b>	Review NIC study materials	12 AAC 09.112: add subsection which clearly addresses multiple event locations; rewrite section to be clearer				
<b>B.3</b>	Review Medical Spa Services Work Group materials, discussions, and recommendations	12 AAC 09.125 (I) Remove square footage requirements for 12-hour course since it is book-only and doesn’t require physical operations.				
<b>B.4</b>	Draft legislation and seek sponsorship	Work with Department of Environmental Conservation to update the inspection standards in 18 AAC 23.240.				
<b>B.5</b>	-	12 AAC 09.990(7): Edit for clarity.				
<b>B.6</b>	-	12 AAC 09.004: Remove (e) and (f)				
<b>C.1</b>	AS 08.13.080: Remove ALL license requirements from this section and add regulation reference. Remove (d). (Eliminate specifics from statute and move to regs)					
<b>C.2</b>	AS 08.13.082: Allow for apprenticeship hours and other specifications of apprenticeships to be in					

	regulations rather than statute so they can be regulated more responsive to industry.					
<b>C.3</b>	AS 08.13.082: Include apprenticeship for advanced manicuring.					
<b>C.4</b>	AS 08.13.082: Remove ALL training requirements from this section and add regulation reference. Including removal of training timeline.					
<b>C.5</b>	AS 08.13.120: Update this section, cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary shop licenses, and the allowance of conventions.					
<b>C.6</b>	AS 08.13.160(d)(2): Update with specific definition of "licensed health care professional."					
<b>C.7</b>	AS 08.13.180: Correct "student permit" to reflect Apprentice for beauty services and Trainee for body arts.					
<b>C.8</b>	Allow hot tools to be used by unlicensed personnel					

**Part II: Project Information:** Enter crucial details about the projects to help prioritize the board’s time, effort, and resources.

	Project	Authority?	Urgency to Reduce/Prevent Public Harm?	Urgency to Meet Licensee-Related Deadline?	Resources Required?	Priority Ranking and Rationale?
		Does the board have full control over this issue? If not, is another agency appropriate to lead?	Is this necessary to reduce or prevent harm to the public?	Is a renewal or exam coming up? State or federal deadlines? Industry-related seasons?	Which board member will take the lead? Is staff needed? Anticipated expenses? Other stakeholders necessary? Public engagement?	Looking at all the information, how should this rank on the timeline of board priorities? <b>Urgent (U):</b> Take immediate steps to complete <b>Scheduled (S):</b> Others more important; can happen as we get to it <b>Postponed (P):</b> Not our issue or not a “must have”
1.A.1	Propose legislation to allow staff to issue licenses	State Legislature	Yes	No	<ul style="list-style-type: none"> <li>• Kevin McKinley</li> <li>• Licensee support, especially schools</li> </ul>	U
1.A.2	AS 08.13.160: Add “A person licensed under this chapter to practice barbering or nonchemical barbering is considered to be licensed to practice hair braiding under the same license.”					
1.A.3	AS 08.13.080: Add hair braiding to barbering and non-chemical barbering (practice and teaching)					
1.A.4	AS 08.13.130: Add “current Alaska license”					
1.A.5	AS 08.13.183: Remove – no reason to have this.					
1.A.6	AS 08.13.220(10): Remove (B)(i).					
1.A.7	AS 08.13.220(16): Remove “microneedling” from definition of tattooing					

<b>1.B.1</b>	Research existing model legislation from the Esthetics Council and other states					
<b>1.B.2</b>	Review NIC study materials					
<b>1.B.3</b>	Review Medical Spa Services Work Group materials, discussions, and recommendations					
<b>1.B.4</b>	Draft legislation and seek sponsorship					
<b>1.B.5</b>	-					
<b>1.B.6</b>	-					
<b>1.C.1</b>	AS 08.13.080: Remove ALL license requirements from this section and add regulation reference. Remove (d). (Eliminate specifics from statute and move to regs)					
<b>1.C.2</b>	AS 08.13.082: Allow for apprenticeship hours and other specifications of apprenticeships to be in regulations rather than statute so they can be regulated more responsive to industry.					
<b>1.C.3</b>	AS 08.13.082: Include apprenticeship for advanced manicuring.					
<b>1.C.4</b>	AS 08.13.082: Remove ALL training requirements from this section and add regulation reference. Including removal of training timeline.					
<b>1.C.5</b>	AS 08.13.120: Update this section, cleaning up language that is confusing, outdated, and contradictory for temporary licenses, temporary					

	shop licenses, and the allowance of conventions.					
<b>1.C.6</b>	AS 08.13.160(d)(2): Update with specific definition of “licensed health care professional.”					
<b>1.C.7</b>	AS 08.13.180: Correct “student permit” to reflect Apprentice for beauty services and Trainee for body arts.					
<b>1.C.8</b>	Allow hot tools to be used by unlicensed personnel					
<b>2.A.1</b>	12 AAC 09.130: remove (c), (e), and (f) OR completely revamp subsections to reflect submission of training docs by student(s) and remove all timeline requirements.					
<b>2.A.2</b>	12 AAC 09.185: Remove (e), (g), (h) OR completely revamp subsections to reflect the submission of training docs by trainee(s) and remove all timeline requirements.					
<b>2.A.3</b>	12 AAC 09.190: Remove (i), (j), (k) OR completely revamp subsections to reflect submission of training docs by apprentice(s) and remove timeline requirements.					
<b>3.A.1</b>	Revise disciplinary fine/fee matrix					
<b>3.A.2</b>	Request review by agency attorney to ensure matrix is adopted and used appropriately					
<b>3.A.3</b>	Revise disciplinary fine/fee matrix					

<b>4.A.1</b>	Review statutes and regulations to eliminate other outdated language (i.e. send only by fax)					
<b>4.A.2</b>	Develop a method of periodically reviewing statutes and regulations					
<b>5.A.1</b>	Develop videos, other aids					
<b>5.A.2</b>	Review tattoo training requirements and how they align with existing forms					
<b>5.A.3</b>	Update tattoo exam					

**Part III: Next Steps:** Using the information in Part II, list the *urgent* (U) and *scheduled* (S) projects in order of priority. Include details that support timelines and accountability. Omit postponed projects until they rise to a higher priority and keep track of them above. Update at every board meeting.

Priority Assigned	Project	Target Effective Date of Project	Person Responsible for Project Success	Staff Needed to Help Complete Project	Additional Resources, Outreach, Elements	Next Step to Move Forward	Due Date for Next Step
<i>Example:</i>	1.A.1 Regulation XYZ	11-1-23	Board Member A	Board Staff, Regs Specialist, Board Advisor	Additional outreach to large private landowners and native corporations	Board Member A will draft a letter for staff to send to stakeholders and include list of recipients. Announce public forum scheduled for 5-15-23.	Letter to staff by 4-1-23 Sent by 4-5-23
<b>U1</b>	1.A.1 Propose legislation to allow staff to issue licenses	May 2026	Kevin McKinley	Periodic contact with staff to track legislation and hearings		Circulate sponsor letter and make phone calls.	11-1-25
<b>U2</b>							
<b>U3</b>							

S1							
S2							
S3							