



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

CONDENSED MINUTES OF THE MEETING HELD August 13, 2025

By the authority of AS. 08.01.070(2) and AS08.86.030 and in compliance with the provisions of AS 44.64, Article 6, a scheduled board meeting was held via teleconference/Zoom, August 13, 2025.

These are DRAFT minutes prepared by the staff of the Division of Corporation, Business and Professional Licensing. These minutes have not been reviewed or approved by the board.

August 13, 2025:

Attendance

Members Present: Chair Kevin McKinley, Willie Mae Canady, Jessica Pestrikoff, Jenn Lombardo, Shannon Thompson

Members Not in Attendance: Danielle Desare Hager – Unexcused Absence

Staff Present: Cynthia Spencer, Barbara Denney, and Damen Bennett Licensing Examiners, Sara Chambers, Boards and Regulations Advisor, Investigators Jenni Summers, Joy Hartlieb, and Dannie Kerfeld

Guest Presenters: Susan Colard, NIC Executive Director/Government Relations, Angie Printz, NIC National Exam Program Manager, and Henry Sorensen, Ph.D., President, Prov, Inc.

Special Attendee: Susanne Schmaling, LME, CLT, Medical Spa Services Work Group

Public Present via Zoom: There were 2 members of the public attending. (Rachel Laesen and Tyler Eggen)

1. Call to Order/Roll Call

The board was called to order at 9:00 a.m.

2. Review Agenda

Chair Kevin McKinley asked if there were any amendments to the agenda; hearing none he requested a roll call vote.

Agenda approved by roll call

3. Ethics Disclosure

Chair McKinley stated board member Shannon Thompson works out of his Anchorage 5th Avenue shop as a “booth renter”; Chair McKinley clearly stated Ms. Thompson is not an employee.

No other board member in attendance had any ethics violations to report.

4. Examination Review – NIC and Prov (Executive Session)

Suan Colard, Angie Printz, and Dr. Henry Sorensen greeted the board and introduced themselves.

Chair McKinley asked LE Spencer to refresh the board regarding this examination review.

LE Spencer stated the board requested to review theory written examinations for Advanced Practice Esthetics/Combined Esthetics, Advanced Micropigmentation, Permanent Cosmetics/Micropigmentation, and Tattooing. She stated the board may consider adopting the Tattooing and Permanent Cosmetics/Micropigmentation to replace the current State Board theory written examination for these license types. LE Spencer stated that during previous meetings, in conjunction with discussions of updating the current esthetician curriculum and creating a tiered or advanced esthetician license, the board had requested to review these examinations to ensure curriculums would provide adequate training covering topics within the theory written examinations.

Motion to enter executive session: 1st Jenn Lombardo - 2nd Mae Canady.

Alaska State Board of Barbers and Hairdressers enter executive session in accordance with AS 44.62.610(c) and Alaska constitutional right to privacy provisions, for the purpose of discussing matters which by law, municipal charter, or ordinance are required to be confidential; Board staff to remain during the session.

Approved by majority.

Board entered executive session at 9:05 a.m. and returned from executive session at 11:05 a.m. Quorum of board confirmed by roll call.

The board thanked Ms. Colard, M. Printz, and Dr. Sorensen for attending and allowing them to review examinations.

Chair McKinley asked board members for their thoughts on the examinations.

Shannon Thompson raised concerns about the overlap between permanent cosmetics and fine-line tattoos. She noted a trend of artists performing tiny tattoos under the permanent cosmetics license, which may blur legal boundaries.

LE Spencer clarified that statutes clearly define the difference between tattooing and permanent cosmetic coloring; performing services outside the scope of one's license is illegal. LE Spencer suggested enforcement and education as necessary steps to address this issue.

Ms. Thompson questioned whether current tests reflect the evolving practices in the industry and whether study materials are adequate.

Mae Canady noted that the advanced aesthetics curriculum may offer insights into future testing needs.

Jenn Lombardo confirmed that her inquiry to NIC focused on tattooing and micropigmentation, and that study materials were not clearly defined.

LE Spencer shared the NIC's reference materials for permanent cosmetic coloring, including:

- Milady
- Epidermal Cell Therapy Skills Book
- Fundamentals of Permanent Cosmetics
- Foundation of Fundamental Application, Tips and Techniques

LE Spencer informed the board that these exams are available in multiple languages, unlike the sanitation exam for tattooing, which is only in English.

The board briefly discussed the inclusion of Alaska statutes and regulations in current exams.

LE Spencer noted that while training requires review of state laws, there is no formal state law or jurisprudence exam.

The board and staff discussed incorporating a state law exam into NIC/PROV-administered exams and creating a jurisprudence exam as part of the application process.

Ms. Canady and Ms. Lombardo supported the idea of including state-specific content in exams to ensure compliance and understanding.

Recess The Board recessed at 11:17 a.m. for a short break; reconvened at 11:25 a.m. Majority of the board confirmed by roll call

6. Administrative Business

A. Strategic Planning Report (J Pestrikoff)

- i. Homework Check In

Chair McKinley asked Jessica Pestrikoff for an update on strategic planning.

Jessica responded that she does not have an update yet but plans to work on it this week.

Ms. Chambers greeted the board and confirmed that the strategic planning materials were sent to all board members on July 22nd. She emphasized the importance of completing the two homework assignments and submitting them to her by noon on August 18th. Sara noted she is on personal leave and will be compiling responses in her own time. If responses are not submitted, board members will need to present their work at the meeting. She reminded everyone that the next strategic planning meeting is on August 20th, followed by another on September 10th. The homework includes two color-coded worksheets and instructions. Questions should be submitted by tomorrow due to her upcoming leave. Participation in the homework is optional but encouraged to maintain progress.

Ms. Chambers urged board members to complete and submit strategic planning homework to her by August 18th at noon and to direct any question to her by August 16th.

Chair McKinley shared his initial reaction to the homework, noting it seemed daunting at first but became manageable once he started. He encouraged others not to be intimidated and suggested starting with small steps. Chair McKinley stated he found the 1–3 rating worksheet particularly helpful and noted it sparked deeper thinking and potential for discussion.

Ms. Lombardo asked for clarification on how the upcoming two-hour meeting would be structured.

Ms. Chambers outlined the plan:

- Review compiled responses and updated documents.
- Begin forming a mission statement and vision statement based on board input.
- Discuss the activity list and identify any additional items.
- Begin grouping activities into strategic initiatives (e.g., licensing, enforcement, exams, scope of practice).
- The goal is to finalize the list of activities and begin organizing them into initiatives for prioritization at the September 10th meeting.

Chair McKinley asked if brief responses were acceptable.

Ms. Chambers confirmed that short, high-level thoughts are perfectly fine. She stated the goal is to get board members thinking and contributing ideas, not to write in-depth essays; even brief phrases or bullet points are helpful for discussion and planning. She emphasized, don't let perfect be the enemy of good enough. Ms. Chambers stated board members are encouraged to share honest opinions, even if critical or brief, and both long-serving and newer members bring valuable perspectives.

Chair McKinley asked if there were any other questions or concerns.

Ms. Chambers confirmed that all questions had been addressed, and the board is on track for the August 20th meeting.

Susanne Schmaling, LME, CLT Medical Spa Workgroup joined the board. Board members and Ms. Chambers greeted Ms. Schmaling and thanked her for attending the meeting.

B. Medical Spa's Multi-Board Workgroup Report (S Thompson)

i. Medical Spa Services Frequently Asked Questions

Ms. Thompson stated she was having technical difficulties. Chair McKinley asked Ms. Chambers to provide an update on the Workgroup.

Ms. Chambers introduced the topic and invited Ms. Thompson to provide an overview of the Med Spa Workgroup's recent efforts.

Ms. Thompson deferred to Ms. Chambers to begin the summary while she located her notes.

Ms. Chambers commended Ms. Thompson for her active participation and also thanked Chair McKinley and Ms. Canady for their involvement in the Workgroup meetings.

Ms. Chambers stated the Med Spa Workgroup last met in June or July; during that meeting, they reviewed a draft Frequently Asked Questions (FAQ) document created by her, based on previous workgroup discussions, relevant statutes and regulations, and input from the Department of Law. She stated the FAQ document clarified terms such as medical director and medical spa, noting these are primarily medical and nursing terms, not directly tied to licensees unless they are working under a medical director. She emphasized that “licensure” refers to Alaska state licensure, not product certifications (e.g., hydrofacial machine training).

Ms. Chambers outlined what services may be delegated by physicians and physician assistants. This section is pending review by the Medical Board, which is meeting soon. She highlighted the role of professional judgment in delegation decisions, particularly for medical directors. She noted that RNs cannot delegate these services by law; only APRNs may serve as medical directors under the Board of Nursing. Ms. Chambers stated that EMTs and Paramedics cannot work in med spas. She reviewed the esthetics section and stated this section is relevant to this board and requires review. Ms. Chambers stated the board is asked to provide corrective language and suggestions or vote to support the section as written.

Ms. Chambers provided an overview of the FAQ’s and stated the FAQ aims to clarify what services Alaska-licensed estheticians may legally provide under their license, referencing statutes and regulations. She stated the document is designed to direct licensees to the appropriate legal sources for scope-of-practice questions. She emphasized holding a manufacturer’s certification (e.g., for a device like a hydrofacial machine) does not equate to state licensure; this distinction is critical, as many estheticians mistakenly believe product training grants legal authority to perform certain services. Estheticians must refer to Alaska State law to determine what services fall within their license. She stated the FAQ includes a new definition of “appliances”, recently adopted by the board, which helps clarify permitted tools and procedures. The FAQ outlines what limited esthetic services hairdressers may perform under current statutes.

Ms. Chambers informed the board that Advanced Esthetic services are not defined under Alaska law; the term is used to describe services outside the esthetician’s licensed scope. In such cases, estheticians must consult with a medical director or the Board of Nursing to determine if delegation is permissible. She stated the FAQ includes a special note referencing guidance from the Medical Board. The FAQ also includes a section addressing Healthcare Practices & IV Hydration; the practice of medicine and nursing, to help clarify jurisdictional boundaries. IV hydration, which is not within this board’s scope, as it involves prescription delivery and falls under medical regulation.

Ms. Chambers stated according to the Alaska Board of Barbers and Hairdressers, statute 08.13.220 esthetics is defined as “The use of the hands, appliances, cosmetic preparations, antiseptics, or lotions in massaging, cleansing, stimulating, or similar work on the scalp, face, or neck, including skin care, make-up, and temporary removal of superfluous hair, for cosmetic purposes for a fee.” She stated this definition is critical in determining what services fall within the scope of an esthetician’s license. Services involving other areas of the body (e.g., body contouring) may fall outside this scope and could be considered advanced aesthetic services, which are not currently defined in Alaska law and may require delegation under medical or nursing oversight.

Ms. Chambers invited board members to ask questions or propose edits to the aesthetics section of the FAQ.

Board members confirmed they had read the section in advance.

Suzanne Schmalting raised a concern about the ambiguity of “advanced aesthetic services,” particularly in relation to services like body contouring. She noted that while many devices may fall under the new appliance rule, the area of application (e.g., body vs. face/neck/scalp) may place the

service outside the esthetician's legal scope. She suggested this may require clarification or legislative change to resolve.

Ms. Chambers agreed, noting the issue is ongoing and tied to the board's strategic planning discussions about a potential second-tier license and without statutory changes, services outside the esthetician license fall under delegated medical practice, requiring oversight from the Medical Board or Board of Nursing. She stated the Board of Nursing has already endorsed the FAQ; and the Medical Board will review it at their August 22nd, 2025, meeting.

Ms. Chambers informed the board that services applied to areas outside the scalp, face, or neck (e.g., inner thighs, abdomen, arms) are not included in the esthetician's defined scope. These may fall under "advanced aesthetic services", which are not currently defined in Alaska law and may require medical delegation. She stated even if a device falls under the new "appliance" definition, its application area matters. If used on the body (not face/scalp/neck), it may exceed the esthetician's scope. She emphasized that estheticians seeking to perform services beyond their scope must work under a medical director (physician, PA, or APRN); the Medical Board and Board of Nursing have their own delegation rules, which must be followed.

Ms. Lombardo asked if estheticians are able to practice those services under a physician, or would the services only be able to be provided by a physician

Ms. Chambers noted the FAQ could be more explicit in directing estheticians to consult with a medical director when considering services outside their licensed scope. She suggested adding "If a service or procedure falls outside the scope of an Alaska esthetician license, consult with a licensed medical director (physician, PA, or APRN) to determine whether it may be legally delegated under their supervision."

Ms. Schmaling offered to compile a list of services that fall under basic esthetics, based on the current scope of practice and the new appliance rule and advanced esthetic services, which may require medical delegation. She used microneedling as an example, noting that microneedling to a depth of 1 mm remains within the epidermis and may be permissible under current law. However, the area of application (e.g., face vs. body) and device classification are key factors.

Chair McKinley supported the idea and asked for input from the work group and Sara Chambers.

Ms. Chambers agreed and suggested Ms. Schmaling could build on the color-coded chart previously developed for the December meeting.

Chair McKinley stated collaboration with Ms. Schmaling, Ms. Thompson, and Ms. Chambers would ensure accuracy and alignment with current regulations.

Ms. Chambers stated the updated chart could be reviewed by the Department of Law under Administrative Order 360, which now requires legal review of all guidance documents. She stated the goal is to bring the refined chart back to the board for review and ratification at a future meeting.

Ms. Thompson confirmed her availability and enthusiasm to participate

Ms. Chambers reviewed the next steps in this process, Ms. Schmaling, Ms. Thompson and she will collaborate over the coming weeks to refine the chart. The draft will be reviewed by the Department of Law and presented to the board for approval.

Ms. Canady expressed interest in receiving materials from the Medical Board related to esthetician scope discussions, given her role as the esthetician representative on the board.

Ms. Thompson and Chair McKinley supported Mae's involvement. Ms. Chambers agreed and noted that if a workgroup is formed with multiple board members, it will need to be publicly noticed and conducted in view of the public, per open meetings requirements.

Ms. Chambers stated she and LE Spencer will coordinate logistics. She offered to assist with formatting and finalizing the chart once the workgroup completes its review.

Ms. Schmaling reiterated her willingness to contribute, noting her experience offering training to state inspectors and the value of clarifying common questions.

Ms. Chambers requested a formal board decision to endorse the aesthetics section of the FAQ. She noted the Board of Nursing has already endorsed it; this board's endorsement will allow the FAQ to move forward for public posting and cross-board alignment.

Chair McKinley asked for a volunteer to make a motion to endorse the esthetics section of the FAQ.

Motion: 1st Jenn Lombardo – 2nd Mae Canady

Accept the esthetics portion of the presented Frequently Asked Questions worksheet.

Chair McKinley asked if board members had any questions or would like to discuss the motion; hearing none, he asked for a roll call vote.

Motion Approved by roll call vote.

Ms. Chambers thanked the board and stated she appreciates the board and is looking forward to the next steps with this document and the other document that had also been discussed.

The board thanked Ms. Chambers and briefly reviewed the remainder of their agenda.

Recess The Board recessed at 12:10 p.m. for a lunch break; reconvened at 12:30 p.m. Majority of the board confirmed by roll call.

8. Administrative Business, Cont.

A. Review/Edit/Approve Meeting Minutes

- i. May 15, 2025, Meeting
- ii. July 10, 2025, Strategic Planning Meeting

Chair McKinley asked if board members had reviewed the meeting minutes and if they had any edits or would like a few minutes to read through them. Hearing no requests, Chair McKinley asked for a motion to approve the minutes.

Motion: 1st Mae Canady – 2nd Shannon Thompson

Approve May 15, 2025, and July 10, 2025, meeting minutes as presented.

Approved by majority roll call vote.

Ms. Lombardo requested LE Spencer confirm with Ms. Chambers that their September 10, 2025, strategic planning meeting was scheduled from 10:00 a.m. – Noon and not later in the day. LE Spencer stated she would reach out to Ms. Chambers

B. Military Licensing – SCRA Delegation from Boards to Division

The board and LE Spencer discussed a request from the Military Licensing Program to delegate the authority to issue licenses under the Servicemembers Civil Relief Act (SCRA) to the Division, rather than requiring board review of each application.

LE Spencer stated the SCRA Military Licensing Program facilitates license portability for military service members and their spouses/partners transferring to Alaska. She stated the program allows for expedited licensing without requiring full board review, provided applicants meet federal and state criteria. LE Spencer informed the board that they currently lack statutory authority to delegate general licensing decisions to staff and the SCRA program is requesting explicit board approval to allow the Division to issue licenses for applicants who qualify under SCRA. She emphasized that without this delegation, the board would need to review each SCRA application individually via OnBoard.

The board briefly discussed licenses are required only for off-base work; on-base activities are federally governed and do not require Alaska licensure.

Ms. Lombardo and Ms. Canady requested a simplified explanation, which was provided by LE Spencer and others.

Ms. Thomson asked whether applicants must meet Alaska's licensing requirements. It was clarified that while they don't need to meet all initial qualifications, they must hold a valid license and comply with Alaska law once licensed.

LE Spencer provided application clarification. LE Spencer stated that applicants must hold unencumbered, active licenses in another jurisdiction; once issued, the license is subject to Alaska's statutes, regulations, and renewal cycles. She stated the program is federally mandated and applies across multiple professions. She also informed the board that prior briefings on this topic by Director Sylvan Robb and Deputy Director Glenn Saviers.

Motion: 1st Jenn Lombardo – 2nd Shannon Thompson

Licenses applied for under the Federal Servicemembers Civil Relief Act's (or "SCRA") licensure portability laws be reviewed, approved, and issued by the division, rather than by the board, in order to comply with federal law requiring expediency and due to the fact that the board's authority and requirement to approve and issue licenses is under Alaska Statute Title 8, rather than federal law. Once licensed is issued pursuant to the SCRA, these licensees will be subject to the requirements of Title 8 of Alaska Statutes and subject to the board's authority, same as all other Alaska professional licensees under the board's jurisdiction.

Chair McKinley asked if the board had any additional comments or questions; hearing none, Chair McKinley requested a roll call vote.

Motion Approved by roll call vote

Ms. Thompson thanked LE Spencer for clarification on this matter.

C. Schedule Additional Strategic Planning Meetings

LE Spencer stated this item was added just in case and asked the board if they would like to table this item until the September 10, 2025, strategic planning meeting.

Chair McKinley agreed and stated that they would also check with Ms. Chambers if any additional scheduling additional strategic planning meetings needed to be scheduled when she rejoined the board for Item 10.

Chair McKinley noted the board was ahead of schedule and asked LE Spencer to see if Investigators would be able to join the meeting now.

The board briefly discussed the NIC tattooing theory written examination.

Ms. Lombardo raised a question about the tattoo exam, noting the board hadn't had a chance to fully discuss it during the meeting.

Chair McKinley shared that he's generally okay with the exam but expressed uncertainty about how to handle the statutes and regulations portion. He acknowledged Cynthia had suggested some possible approaches.

Ms. Lombardo agreed, stating that both the current and proposed exams contain outdated content. She noted:

- The NIC exam focuses more on procedural questions and less on health and safety.
- The availability of the NIC exam in multiple languages is a benefit.
- If other industries are not requiring statutes and regulations testing, it may not be necessary here either.

Chair McKinley and Ms. Thompson commented on the exam's references to coil tattoo machines, which are now largely outdated in favor of rotary machines.

Ms. Canady asked whether NIC is planning to revise all exams this year.

Ms. Lombardo responded that she had heard that intention mentioned but noted it had been said before.

LE Spencer informed the board NIC typically updates all theory exams every few years, not just those related to body arts.

9. Investigations

Investigators Joy Hartlieb and Dannie Kerfeld greeted the board. Senior Investigator Jenni Summers greeted the board and introduced Inv Kerfeld, a new probation monitor for non-healthcare programs.

Ms. Lombardo asked why they were going through investigative training again.

LE Spencer stated that this training would be a yearly event and may also be done several times a year depending on when new board members were appointed. LE Spencer emphasized investigative processes may change and to ensure all board members were current with investigative processes, this training would occur at minimum, yearly.

A. Investigative Process Training Schedule Amendment – Training Documentation Submission Issues

i. Investigative Process

Inv Hartlieb reviewed the Investigative Process Training materials with the board and asked if board members had any questions.

Board members had no questions and thanked Inv Hartlieb and agreed to complete reviewing investigative documentation that could be done outside of executive session.

B. Investigative Memo

Inv Hartlieb reviewed the Investigative Memo with the board. Inv Hartlieb reported for the period April 15, 2025 – July 31, 2025, there are 31 open cases and 40 closed cases.

Chair McKinley asked what "litigation initiated" means?

Inv Summers explained an accusation is currently being drafted; once completed, the case will proceed through the Office of Administrative Hearings in coordination with the Attorney General's Office.

C. Investigative Probation Report

Inv Kerfeld reviewed the Probation Report with the board. Inv Kerfeld reported for the period May 10 – July 29, 2025, there are currently 6 licensees on probation and no licensee released from probation.

Ms. Lombardo asked what happens when individuals on probation fail to come into compliance with their consent agreements.

Inv Kerfeld responded, if a licensee violates their consent agreement, it is already codified that this could lead to license suspension. She also stated that the board would be notified of non-compliance and would determine any disciplinary action.

Inv Summers added the probation auditor first attempts to bring the licensee into compliance by reaching out and offering a reasonable timeframe; if the issue remains unresolved, the Division may move forward with license suspension. She also informed the board that of the six individuals currently listed as on probation, two cases involve both an individual and their associated business *Eden Chase and Vanity Lash* (one case) and *Sarah Grocott and Cedar LLC* (one case).

Ms. Lombardo followed up, asking how long the Division typically waits before escalating non-compliance to the board.

Inv Kerfeld explained that the timeline is circumstantial, for example, unpaid civil fines may warrant more leniency to allow for budgeting or payment plans. She also stated other types of violations may require faster action depending on severity.

Chair McKinley asked if board members had any questions. Hearing none, Chair McKinley requested a motion be made to adjourn into executive session for the remaining training and case reviews.

Motion to enter executive session: 1st Shannon Thompson - 2nd Jenn Lombardo.
Alaska State Board of Barbers and Hairdressers enter executive session in accordance with AS 44.62.610(c) and Alaska constitutional right to privacy provisions, for the purpose of discussing subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and matters involving consideration of government records that by law are not subject to public disclosure. Board staff to remain during the session.

Approved by majority.

*Board entered executive session at 1:17 p.m. and returned from executive session at 2:26 p.m.
Quorum of board confirmed by roll call.*

Motion: 1st Jenn Lombardo – 2nd Mae Canady
Adopt Consent Agreement for Case 2022-000291, Jordan Curren, as presented.

Chair McKinley asked if the board had any additional comments or questions; hearing none, Chair McKinley requested a roll call vote.

Motion Approved by roll call vote

*Board entered executive session without Chair McKinley to review case 2022-000808 at 2:31 p.m.
and returned from executive session at 2:35 p.m. Quorum of board confirmed by roll call.*

Motion: 1st Jenn Lombardo – 2nd Shannon Thompson
Adopt Consent Agreement for Case 2022-000808, Darren Sanger, as presented.

Chair McKinley asked if the board had any additional comments or questions; hearing none, Chair McKinley requested a roll call vote.

Roll Call Vote

NAME	YES	NO	Recuse
Shannon Thompson	X		
Kevin McKinley			X – Reviewing Board Member
Jessica Pestrikoff	X		
W. Mae Canady	X		
Jenn Lombardo	X		

THE MOTION PASSED BY A MAJORITY VOTE.

Board entered executive session without Shannon Thompson to review case 2024-000751 at 2:37 p.m. and returned from executive session at 2:43 p.m. Quorum of board confirmed by roll call.

Motion: 1st Jenn Lombardo – 2nd Mae Canady

Adopt the Voluntary Surrender of License for Case 2024-000751, Vincent Almanza Sanger, as presented.

Chair McKinley asked if the board had any additional comments or questions; hearing none, Chair McKinley requested a roll call vote.

Roll Call Vote

NAME	YES	NO	Recuse
Kevin McKinley	X		
Jessica Pestrikoff	X		
Jenn Lombardo	X		
W. Mae Canady	X		
Shannon Thompson			X – Reviewing Board Member

THE MOTION PASSED BY A MAJORITY VOTE.

The board thanked Investigators Hartlieb, Kerfeld, and Summers for their time and assistance.

10. Administrative Business, Cont.

A. Board Member Training (Chambers)

Sara Chambers introduced herself to the board stating she is the Boards and Regulations Advisor for the Department; it is her job to help board members with understanding their roles and responsibilities through training and education.

Ms. Chambers informed the board that the purpose of this training was to provide a refresher and orientation on board member responsibilities, resources, and tools, with a focus on the Board Member Handbook and Welcome Packet.

Ms. Chambers thanked board members for their time and dedication, acknowledging the significant workload and volunteer nature of their roles.

Ms. Chambers provided a Board Member Handbook Overview titled “guide to excellence in regulation.” She stated that these materials are available in meeting packets, email, and on the board’s website under “Board Member Resources.” She encouraged members to read it regularly, especially before bed for light reading.

Ms. Chambers informed board members that this would be provided to new board members upon appointment, this includes a Quick Start Guide, Checklist, and links to key resources. She detailed the checklist including liaison contacts, Governor’s Code of Conduct and Oath, statutes and regulations, and website and training resources.

Ms. Chambers mentioned several training videos created to support different learning styles. She encouraged members to watch them during downtime (e.g., while doing chores); videos cover key board member responsibilities and regulatory concepts.

Ms. Chambers highlighted the importance of knowing key personnel such as Jenni Summers, Senior Investigator, Cynthia Spencer, Licensing Examiner, and noted that contact roles may change over time.

Ms. Chambers directed board members to review the Board Member Handbook and Welcome Packet, complete any outstanding training videos, use the checklist to ensure all onboarding steps are completed and to reach out to LE Spencer with any questions or for additional support.

Ms. Chambers reminded the board that they are quasi-judicial decision-makers. She stated board member responsibilities include determining scope of practice (e.g., aesthetics, med spa

procedures), issuing disciplinary actions, including fines or license revocation, and making decisions that can impact careers and public safety. She emphasized the seriousness of the role and the power held by professional licensing boards.

Ms. Chambers stated that proper procedure is essential to avoid legal and financial complications and key procedural elements are making motions correctly, ensuring quorum, and adhering to the Executive Branch Ethics Act. She stated members are encouraged to lean on staff (LE Spencer, PC Derr, or Director Robb) for guidance and support.

Ms. Chambers reviewed board composition and collaboration as the board includes subject matter experts and public members that offer critical perspectives that balance professional viewpoints. Ms. Chambers stated board members are encouraged to collaborate and rely on each other's expertise, especially in a multidisciplinary board setting.

Ms. Chambers stated board work is ongoing, not limited to quarterly meetings and members should be scheduling time to review materials and prepare for meetings, choosing a preparation style that works best for them (e.g., early review vs. just-in-time), and communicate with LE Spencer if life circumstances affect their ability to complete board work.

Ms. Chambers stated board members must be familiar with centralized statutes and regulations, Code of Conduct, Open Meetings Act (ensures transparency and public access), and Executive Branch Ethics Act. Ms. Chambers stated ethics training is strongly recommended, especially for the board chair, who serves as the designated ethics supervisor. She informed the board that members must disclose any potential conflicts of interest, including financial or personal relationships with applicants or licensees. Ms. Chambers noted that past criticism of the board for lack of disclosure was noted as a cautionary reminder.

Ms. Chambers emphasized the importance of intentional, statute-based decision-making. She encouraged members to read the handbook in small, manageable segments, and use the decision-making flowcharts to guide regulatory and disciplinary actions. Ms. Chambers stated that members should always begin with statutory authority before forming conclusions or issuing guidance. She clarified the difference between regulation and policy, and the importance of grounding board actions in law. She also addressed common challenges such as defining scope of practice and avoiding overreach.

Ms. Chambers emphasized the importance of making proper motion, ensuring a quorum of members, and following correct procedures to avoid appeals or legal challenges. She noted that procedural missteps can result in overturned decisions, financial burdens, and the need for corrective meetings.

Ms. Lombardo expressed appreciation for the training, noting it was more comprehensive than what she pieced together during her previous four-year term.

Chair McKinley invited questions; no additional questions were raised by board members.

Ms. Chambers emphasized that informal consensus (e.g., "everyone good?") is not sufficient to direct staff or establish board positions. She stated all board actions must be accompanied by a formal motion and vote to be valid and recorded. She cited the recent MedSpa FAQ vote as a positive example of proper procedure. Ms. Chambers stated roll call voting is especially important in virtual meetings where nonverbal cues are limited.

Ms. Chambers briefly addressed Administrative Order 360 (AO 360), recently issued by the Governor of Alaska. She stated AO360 will require serious review of existing regulations. She informed the board that she is leading the department's response and will provide guidance to boards through Director Robb. Ms. Chambers encouraged members to read the AO available on the Governor's website; more information and expectations will be shared in future meetings.

Ms. Chambers reviewed Effective Regulation Development with the board. She encouraged members should review the "Effective Regulations" section of the handbook.

She stated that key questions to consider are what harm are we trying to address and is the proposed regulation grounded in statutory authority? Ms. Chambers stated that this section will be especially relevant as boards take on more regulatory review responsibilities under AO 360. Ms. Chambers stated the board had just completed their investigative training, and reminded members that these materials are available for reference in the handbook and meeting documents.

Ms. Chambers reviewed the Legislative Process and stated that a section in the handbook outlines how boards can initiate legislation and how to prepare for and participate in testimony. She stated this is relevant to upcoming agenda items involving legislative discussion.

Ms. Lombardo asked for clarification on the bill mentioned (AO 360) and expressed appreciation for the clarity and comprehensiveness of the training.

Ms. Chambers reviewed Travel Procedures and informed members that the handbook includes a travel FAQ and guidance for board-approved travel. Members encouraged to consult the handbook first, as staff may not always be immediately available to respond to travel-related questions.

Ms. Chambers reviewed the Board Finances section of the Handbook and informed the board that detailed information is provided on how fees are set and assessed, and where licensing revenue goes. She stated this section is useful for both board members and licensees who inquire about financial processes.

Ms. Chambers encouraged the board to consider periodic evaluations as part of strategic planning. She reviewed the meeting evaluation form and a board member self-evaluation tool. She stated that these tools are designed to prompt reflection on individual contributions, meeting effectiveness, and alignment with the board's mission. She offered to provide one-on-one support for members interested in personal development or feedback.

Ms. Chambers shared a personal list of qualities that contribute to being an effective and respected board member:

- Interest in Public Service: Board members should be motivated by serving the public, not advancing personal or professional agendas.
- Common Sense and Curiosity: Asking questions is essential. Members should feel empowered to speak up if they're confused or unprepared.
- Preparation: Board members are expected to read their packets, understand agenda items, and seek clarification from the chair or staff when needed.
- Subject Matter Gaps: Members are encouraged to request presentations or background information when unfamiliar with technical topics (e.g., tattooing, aesthetics).
- Commitment to Participation: Attendance is critical. Lack of quorum has historically been a challenge. Members should prioritize meetings and communicate proactively if conflicts arise.
- Accountability: Boards have the authority to recommend the removal of members who are consistently absent or unengaged. Sara emphasized the importance of honoring the governor's appointment by being an active, contributing member.

Ms. Chambers emphasized the importance of understanding the organizational structure, roles of the Division Director, Deputy Director, Administrative Law Judges, and support staff like LE Spencer and PC Derr. She stated knowing who to go to for what helps board members operate more effectively.

Chair McKinley praised LE Spencer's long-standing expertise and institutional knowledge. Ms. Chambers echoed this, noting LE Spencer's role in helping her learn the ropes and her value as a resource to the board.

Ms. Chambers invited board members to share any final questions or training needs for future agendas.

Ms. Lombardo and Chair McKinley participated in the discussion and supported the training's value.

The board thanked Ms. Chambers for her time and education.

Ms. Chambers thanked the board for their time and reiterated members can reach out with any questions or concerns.

11. Public Comment

LE Spencer stated that she had received communication from Mechille South that she would like to address the board during public comment, however, Ms. South had not joined the meeting at this time. LE Spencer stated at this time there was only one person, Rachel Laesen, online who would like to speak during public comment.

Chair McKinley set a 5-minute time limit per person for public comment.

Rachel Laesen, Attorney, Laesen law Team, representing Skinlife Medspa

- **Zoom Access Issue:** Ms. Laesen noted that the Zoom link on the board's website (under the board packet section) was incorrect, which may have prevented other attendees, including Mechille South, from joining. She was eventually able to join via the agenda link and recommended reviewing the posted links for accuracy.
- **Breakout Room Confusion:** She clarified that she was redirected to a breakout room during executive session and wanted to ensure the board understood it was unintentional.
- **Executive Session Question:** Ms. Laesen inquired why portions of the investigative training were held in executive session, expressing concern that investigative processes should be publicly accessible.
- **Appreciation for Public Comment Timing:** She expressed support for holding public comment later in the meeting, as it allowed her to respond to real-time discussions and encouraged the board to continue this practice.

Chair McKinley acknowledged the feedback and committed to reviewing the Zoom access issue to ensure public accessibility.

LE Spencer confirmed there were no other attendees that were requesting to speak. Chair McKinley requested an agenda update.

LE Spencer stated Dawn Fabanich, for Item 12 scheduled for 3:40 p.m., had not joined the meeting. Chair McKinley asked if the board could start the application review. LE Spencer stated the applicant may join the meeting and they still needed to wait to see if Ms. Fabanich joined the board. She suggested the board review correspondence items. Chair McKinley agreed and stated if any additional attendees arrived for public comment the board would accept testimony until 3:40 p.m.

13. Administrative Business, Cont.

B. Correspondence

i. Marie Hensley, Esthetician Training

Ms. Lombardo emphasized the importance of continuing education within the aesthetics program and acknowledged that her points were valid and aligned with ongoing board efforts, noting that similar feedback has been received in the past and is currently being addressed.

The board briefly discussed the correspondence item and agreed that it included topics the board had just covered with Ms. Chambers relating to the Medical Spa Working Group. Board members also noted that Ms. Hensley's questions were outside of the board prevue and requested the email from Ms. Hensley be forwarded to Ms. Chambers for review and response. Ms. Chambers stated she would review and respond to the email.

ii. Sarah Crosswhite, Medical Director Questions

The board reviewed the correspondence item and agreed that this would also need review and response from Ms. Chambers as it crosses into medical territory.

The board requested LE Spencer forward this email to Ms. Chambers.

Chair McKinley asked how the board was doing on time. LE Spencer informed the board that it was now 3:40 p.m. and she had not received email communication from applicant Sonja Barone or Dawn Fabanich.

Chair McKinley stated that public comment is now closed, and Ms. Fabanich had not joined the meeting; the board would take a quick break.

Recess The Board recessed at 3:44 p.m. for a short break; reconvened at 3:45 p.m. Majority of the board confirmed by roll call

Chair McKinley requested LE Spencer confirm if Sonja Barone was online with the meeting. LE Spencer informed the board that Ms. Barone had not joined the meeting. The board decided to complete reviewing correspondence items.

iii. Thatiana Marchi, Scope of Practice Inquiry – Use of Non-Invasive Body Contouring Device

The board briefly discussed this correspondence item and noted additional information on the type of device Ms. Marchi is referring to. The board agreed that this correspondence item did cross over into possible medical areas and requested the email be forwarded to Ms. Chambers for review and response.

iv. Jessie Hill - Laser Tattoo Removal Questions

The board briefly discussed this correspondence item and noted tattooing laser removal was also a topic of discussion during Work Group meetings and agreed this correspondence item may cross over into possible medical areas and requested the email be forwarded to Ms. Chambers for review and response.

v. Sue Shroy - Regarding the Future of Esthetics

The board reviewed the correspondence item and asked LE Spencer who Tyler Eggen is. LE Spencer informed the board that Mr. Eggen is the Alaska Commission on Postsecondary Education Program Coordinator who oversees schools and schools licensed by this board.

vi. Mindy Millhouse - Industry Concerns

The board reviewed the correspondence item.

vii. Makenzie Melsom - Microneedling Question

The board reviewed the correspondence item and noted that currently, through statutes, Sec 08.13.220(16) only a tattooist may provide microneedling. The board noted that this statute was incorrect and was on their goals to be corrected to reflect the service be removed from tattooing and added to the definition of esthetics.

The board asked LE Spencer to respond to Makenzie Melsom's email.

12. Style Starts Here Hair Academy — School Matters (Dawn Fabanich)

Ms. Fabanich did not join the board for this item, so no further action was taken.

The board decided to review Ms. Barone's application next.

13. Administrative Business, Cont.

A. Application Review

i. Sonja Barone, Esthetician by Waiver of Examination

Ms. Lombardo raised concerns regarding the timing and processing of Ms. Barone's application. She noted that the application was submitted four days before Ms. Barone's Montana license expired. There is no clear guidance in statutes or regulations regarding expected processing time; Ms. Barone may have believed she was in compliance by submitting the application before her license expired. She noted that the Montana license verification was received six days after the license had expired.

LE Spencer informed the board that all documents are processed in the order received, with a minimum 10-day processing period. She noted applications are not immediately available upon arrival due to mail sorting and receipting procedures. LE Spencer noted statutory authority requires that applicants for licensure by waiver of examination must hold an active, current license from another jurisdiction at the time of application. LE Spencer stated Ms. Barone submitted multiple copies of her license verification herself, which is not acceptable. Verifications must come directly from the issuing authority. She noted that the official license verification from Montana was received on March 6, but the license had expired on March 1. LE Spencer cautioned the board that there is no precedent for approving a waiver of examination application when the applicant does not hold an active license at the time of review.

Ms. Lombardo asked whether the situation could have been avoided had Ms. Barone applied for a temporary permit.

LE Spencer stated Ms. Barone did not request a temporary permit. A temporary permit may have been issued if she had applied and maintained an active Montana license throughout the review process. She stated to qualify for a temporary permit, applicants must submit a copy of a valid, current out-of-state license showing issue and expiration dates. She emphasized that based on the February 24 submission date and March 1 expiration, a temporary permit might have been issued, but renewal of the Montana license would have been necessary to maintain eligibility.

Ms. Lombardo expressed sympathy for Ms. Barone's situation and suggested that clearer guidance might help applicants avoid similar issues in the future.

LE Spencer acknowledged the comment and stated this would be taken under advisement.

Chair McKinley inquired whether Ms. Barone could still renew her Montana license from Alaska to resolve the issue.

LE Spencer stated Yes, Ms. Barone can renew her Montana license online or by phone; once renewed, the division can verify the license directly via the Montana licensing website. LE Spencer explained that no new license verification from the Montana Board would be required and upon confirmation of the renewed license, the Alaska license could be issued.

Kevin McKinley expressed concern about the implications of approving the application and stated the board is approaching a sunset audit, shortened from 7 to 5 years; by approving an application in violation of statute could jeopardize the board's standing. He stated that while sympathetic, approving this request could set a precedent for future violations. He emphasized that Ms. Barone can resolve the issue by renewing her Montana license remotely.

Ms. Lombardo agreed, noting while expressing concern about applicant understanding she was unsure if Ms. Barone had been clearly advised to renew her Montana license. She expressed concern about the lack of applicant understanding and the need for clearer guidance. She referenced HB158, which proposes universal temporary licenses, potentially addressing similar cases in the future.

LE Spencer stated Ms. Barone was advised multiple times to renew her Montana license. If she renews the license the division can verify it online and proceed with issuing the Alaska license. She cautioned the board that violating statutes for one applicant would require the same for all future applicants.

Ms. Lombardo and Ms. Thompson expressed sympathy but agreed the board cannot selectively enforce statutes. Submitting an incomplete application and failing to maintain an active license are applicant responsibilities.

Ms. Lombardo and Ms. Thompson agreed compassion is important in communication, especially given the applicant's personal circumstances. However, the board is bound by statute and cannot selectively enforce requirements. Submitting an incomplete application and failing to

maintain an active license are applicant responsibilities.

LE Spencer clarified that it's common for applications to be submitted incomplete. She informed the board that the front desk and mail staff are not qualified to assess application completeness. She explained that all corrections and updates must be submitted in writing and staff cannot act on verbal updates or assumptions.

The board agreed that option 2 was favored, conditional approval based on renewal or examination pathway. The agreed application denial was considered a last resort and not appropriate in this case. The board emphasized the importance of providing applicants with clear, compassionate guidance.

The board noted Ms. Barone may renew her Montana license online for \$135. Once renewed, the division will verify the license via the Montana licensing website and no new license verification will be required from the Montana Board; upon verification of renewing the Montana license the Alaska license could be issued promptly.

Motion: 1st Shannon Thompson – 2nd Jenn Lombardo

Approve the application for an esthetician license by waiver of examination for Sonja Barone pending verification of renewing her Montana license OR passing the Esthetics theory written examination.

Chair McKinley asked if the board had any additional discussion.

Chair McKinley, Ms. Lombardo, Ms. Thompson and Ms. Canady expressed sympathy for the applicant's situation, especially given personal challenges. They also expressed frustration with the complexity of the licensing process, even for experienced professionals. They expressed concern about setting a precedent by bending statutes and emphasized the importance of clear, compassionate communication. They all acknowledged that the applicant has been informed of her option's multiple times.

Hearing no further discussion, Chair McKinley requested a roll call vote.

LE Spencer reread the motion:

Motion: 1st Shannon Thompson – 2nd Jenn Lombardo

Approve the application for an esthetician license by waiver of examination for Sonja Barone pending verification of renewing her Montana license OR passing the Esthetics theory written examination.

Chair McKinley asked if the board had any additional comments or questions; hearing none, Chair McKinley requested a roll call vote.

Roll Call Vote

NAME	YES	NO	Recuse
W. Mae Canady	X		
Jenn Lombardo	X		
Shannon Thompson	X		
Jessica Pestrikoff	X		
Kevin McKinley	X		

THE MOTION PASSED BY A MAJORITY VOTE.

Ms. Chambers encouraged the board to reflect on this case as a prime example of how overly prescriptive regulations can limit staff flexibility and hinder common-sense decision-making.

She emphasized that the board has full authority over its own regulations and noted that under Administrative Order 360 (AO360), the board will be required to review and reduce regulations, and this situation illustrates the need for Right Touch Regulation—balancing public protection with practical, flexible processes. She urged the board to consider how future regulatory revisions could allow for reasonable discretion in similar cases.

Chair McKinley acknowledged the importance of the point and anticipated further discussion on AO360 in upcoming meetings.

Ms. Chambers confirmed that more information and engagement on AO360 is forthcoming.

C. Begin Delegation of License Issuance to Staff

Chair McKinley introduced the need for the board to consider delegating license issuance authority to division staff. He clarified that this would require a legislative change, as the board currently lacks statutory authority to delegate this function. Chair McKinley requested board approval to initiate a legislative project to allow delegation of license issuance and to engage with legislators and Director Sylvan Robb to explore sponsorship of a bill.

LE Spencer reminded the board to be aware that processing applications and issuing licenses are two separate components.

Ms. Chambers clarified that the board cannot delegate authority on its own; it must pursue legislation to do so. She emphasized the urgency of initiating this project due to legislative timelines, with August–September being critical for bill sponsorship and noted that this request is outside the normal strategic planning cycle but justified due to timing and workload concerns. She confirmed that she and Chair McKinley could begin drafting language and working with leadership if the board approved the motion.

Motion: 1st Jenn Lombardo – 2nd Mae Canady

Approve the board initiate legislative conversations to allow the division to issue licenses

Ms. Lombardo asked for historical context on why the board is currently responsible for reviewing applications.

Chair McKinley explained that in the early 2000s, the board reviewed applications directly, but as volume increased, a checklist system was introduced. Legal counsel later clarified that statutory authority was required to delegate issuance. He emphasized that the current volume (20–50 applications per week) makes board-level review unsustainable.

Ms. Sara Chambers provided historical context on the use of the checklist as a mechanism for license issuance. She explained that earlier legal advice supported the checklist as a valid delegation tool, allowing staff to issue licenses if all checklist items were met. However, more recent legal interpretation determined that the board lacks statutory authority to delegate license issuance, regardless of checklist use. Ms. Chambers emphasized that this shift in legal interpretation is what prompted the need for a statutory change and noted that this issue was previously raised by Director Sylvan Robb and should be included in the board's regulatory reform priorities under AO360.

Ms. Lombardo thanked Ms. Chambers for the clarification.

Chair McKinley requested a recap of the motion.

LE Spencer provided the motion had been made by Ms. Lombardo, seconded by Ms. Canady and stated, "Move that the board initiate legislative conversations to allow the division to issue licenses."

Chair McKinley confirmed the motion language and opened the floor for final comments. Hearing no further discussion, a roll call vote was conducted.

Roll Call Vote

NAME	YES	NO	Recuse
W. Mae Canady	X		
Shannon Thompson			
Jenn Lombardo	X		
Jessica Pestrikoff	X		
Jessica Pestrikoff	X		
Kevin McKinley	X		

THE MOTION PASSED BY A MAJORITY VOTE.

D. Fine Schedule/Matrix Update

Chair McKinley opened the discussion by referencing prior conversations about the fine matrix and invited Ms. Canady to share her previous comments.

Ms. Canady expressed that while the matrix is helpful, it may be too lenient—particularly in cases of repeat non-compliance, such as failure to submit required paperwork. She noted that the matrix does not adequately address ongoing or repeated violations, especially in apprentice-related cases.

Ms. Lombardo provided historical context from the 2019 meeting with former investigator Dawn Bundick. She explained that the previous matrix was based on timeframes (e.g., less than or more than 90 days), which allowed repeat offenders to avoid escalating consequences. She supported the 2020 shift to a first offense/second offense model but noted that it still has limitations. Ms. Lombardo suggested enhancements such as differentiating between first offenses based on severity or duration (e.g., first offense under 30 days vs. over 90 days), addressing multiple types of first offenses across different violations (e.g., paperwork, license display, etc.), and introducing a cumulative or tiered approach to better reflect repeat behavior across categories.

Chair McKinley agreed with Ms. Lombardo's insights and acknowledged the need for a more nuanced approach. He proposed treating this as a homework project for board members to reflect on and bring ideas to a future strategic planning session. He emphasized the importance of input from all board members, given the diversity of modalities and experiences.

Ms. Chambers raised a legal concern regarding the current structure of the fine matrix. She noted that if the matrix functions as a "if you do this, then this happens" model, it may constitute a regulation, which would require formal adoption through the regulatory process. Ms. Chambers explained that most boards use precedent-based disciplinary actions, not binding matrices. She suggested the board consider whether the matrix is intended as guidance or a binding framework, and to explore whether it should be removed from regulation or revised accordingly. Ms. Chambers committed to gathering additional input from the investigator and consulting with Cynthia to further assess the issue.

Chair McKinley acknowledged the matrix has evolved over time through trial and error. He expressed a desire to develop a stable, effective framework that doesn't require constant revision and supported Sara's recommendation and emphasized the importance of legal clarity and consistency.

The board agreed to include the fine matrix review in the upcoming strategic planning process. Board members will reflect on the current matrix and propose improvements, consider the legal implications of binding language versus precedent-based guidance and will collaborate with Ms. Chambers and LE Spencer to ensure any revisions align with statutory and regulatory requirements.

Chair McKinley thanked everyone for their time and participation. He stressed that everyone is really doing a good job.

15. Adjourn

The chair declared the board off the record at 5:01 p.m.

Respectfully submitted:

Cynthia Spencer, Licensing Examiner III

Approved:

Kevin McKinley, Chairperson
Board of Barbers and Hairdressers

Date: _____

DRAFT