

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

MINUTES OF MEETING

May 3, 2010

By authority of AS 08.13.040, and in compliance with AS 44.62, Article 6, a scheduled meeting of the Board of Barbers and Hairdressers was held on May 3, 2010.

Agenda Item 1 Call to Order/Roll Call

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

Members present were:

Debra Long, Hairdresser, Chairperson
Carol Hernley, Barber
Glenda Ledford, Barber
Jynal Radziukinas, Hairdresser/Esthetician
Kelley Sherman, Public Member
Lorenda Britten, Tattoo and PCC

Staff present was:

Sher Zinn, Licensing Supervisor
Brenda Donohue, Licensing Examiner
Connie Petz, Licensing Examiner
Margo Mandel, Investigator

Agenda Item 2 Review and Approve Agenda

On a motion duly made by Hernely, seconded by Sherman and carried unanimously, it was RESOLVED to approve the agenda as written.

Agenda Item 3 Review and Approve Minutes of January 25, 2010

On a motion duly made by Hernley, seconded by Ledford and carried unanimously, it was RESOLVED to approve the minutes.

Agenda Item 4 Ethics Reporting

No Ethics problems to report.

Agenda Item 5 New Board Members

Ms. Long welcomed the new board members, Glenda Ledford and Jynal Radziukinas, and discussed the duties of a board member. Ms. Ledford stated they would have training for the new board members the night before the next board meeting in Anchorage, October 4th.

Agenda Item 15 Manicuring Legislation

Ms. Long noted that the Lynette Berg would be speaking with the board at 3:45 regarding the new manicuring legislation.

Agenda Item 9 NIC Conference Update

Ms. Long noted that she and Ms. Wilson would attend the NIC Conference in Seattle, August 26-28, 2010. The board would like a second board member to attend if approved.

Break- Off the record at 9:35 a.m.
On the record at 9:44 a.m.

Agenda Item 6 Investigative Report

Margo Mandel, division investigator, joined the meeting via telephone.

Ms. Mandel discussed with the board two consent agreements for case # 0405-10-001, and case #0421-10-001.

On a motion duly made by Hernley, seconded by Ledford and carried unanimously, it was RESOLVED to approve the consent agreement regarding case #0405-10-001.

It was noted the consent agreement was for Regina Weaver.

On a motion duly made by Hernley, seconded by Sherman and carried unanimously, it was resolved to approve the consent agreement regarding case #0421-10-001.

It was noted the consent agreement was for Heather Reynosa-Davis. Ms. Long would sign both agreements and send to the investigator in Anchorage.

Agenda Item 7 Public Comment

Rick Caulfield updated the board on the UAF Tanana Valley Campus Cosmetology Program. Mr. Caulfield noted he would like the board to consider Tanana Valley Campus be allowed to enter into an MOA with licensed salons in the area for the students to do rotations the last month of training. He noted they would like the students to be able to train in a business setting prior to taking the exams and being licensed. Ms. Long noted that a regulation change may be able to address the situation, that perhaps they might be able to allow a combination of both.

Charlotte Bowen, a stylist in Fairbanks requested clarification in licensing for the instructor/hairdresser license. She noted that there are problems with other states reciprocating licenses from Alaska. She asked "do I have a cosmetology license or a hairdresser license?" She further noted that there was a problem with terminology between the NIC cosmetology test and the Alaska "hairdresser" license.

Maria Messina asked if the board would allow records for apprentices to be sent electronically with the original to follow through mail and also asked if the board would allow the postmark date for exam requests instead of date of receipt noting it can take 10 days for mail from Fairbanks to be received in Juneau. She further asked the board why the license changed from a cosmetologist to hairdresser license. None of the board members were on the board at the time of the change and noted they did not know.

Ilene Thompson stated there was confusion when she received the instructor license because she found out after that she could not do esthetics because the instructor license did not have esthetics on the license.

Ms. Long noted the board would follow up on the subject because the board had the same feeling regarding the name of the license. Ms. Long further stated it was difficult to get a statute change.

Break- Off the record at 10:40 a.m.
On the record at 10:56 a.m.

Agenda Item 8 Annual Report

The board discussed the 2009 Annual Board Report. Ms. Hernley noted she would like the types of board members to reflect the professions being served. It was decided to add to legislative requests; add a manicurist, tattoo artist and cosmetic colorist seat to the board and change the esthetics apprenticeship hours from 350 to 600 hours. It was further noted the board would like body art apprenticeships to be completed in not less than six months and no longer than one year to match other professions. However, that could be done through a regulation change and not a statute change.

Agenda Item 10 Apprenticeship Time Frame

The board discussed apprenticeship time frames noted in statute as requested by Colleen Wilson, licensing examiner. Ms. Zinn requested an opinion from the Department of Law regarding AS 08.13.082 and 08.13.180. Gayle Horetski, AAG, through email communication noted that 08.13.082 set the general standards for apprentices and 08.13.180 allows an exception for persons unable to complete the apprenticeship within the normal two years, further stating the statute does not restrict the number of hours that may be transferred from one apprentice permit to another. The board decided a regulation was not needed to address the question, the statute already clarified it. The board discussed adding jurisprudence questions to the state exams. Ms. Horetski noted that 08.13.090(b) allowed the board to designate the content of the examinations and would therefore allow the board to add law questions to the exam. She further stated in her opinion that the board would have to amend the scope of the examination through regulations.

On a motion duly made by Hernley, seconded by Britten and approved unanimously, it was decided to add the change to the exam regulation to allow state law questions, to the next meeting agenda.

The board further decided to discuss raising the amount of training for state law in the curriculum from five to ten hours.

Lunch- off the record at 11:55 a.m.
On the record at 1:05 p.m.

Roll Call

Members present were:

Debra Long, Hairdresser, Chairperson
Carol Hernley, Barber
Glenda Ledford, Barber
Jynal Radziukinas, Hairdresser/Esthetician

Kelley Sherman, Public Member
Lorenda Britten, Tattoo and PCC

Staff present was:

Sher Zinn, Licensing Supervisor

Agenda Item 11 Exams

The board discussed examination changes.

Discussion topic #1-

On a motion duly made by Hernley, seconded by Ledford, and not approved, the board decided not to allow mannequins for the practical hair cutting exam.

Ms. Hernley noted that mannequin's have synthetic hair and it is not the same as human hair.

Discussion topic #2-

On a motion duly made by Hernley, seconded by Ledford, and approved unanimously, the board decided the proctor would choose the kind of makeup to be used at the exam.

It was further noted the student should be prepared to do any type of makeup, and the proctor would choose which type the examinee would perform at the time of the exam.

Discussion topic #3-

On a motion duly made by Sherman, seconded by Hernley, and approved unanimously, the board decided to add a phrase to the examinee hand out that the shave must be a clean shave.

It was noted "clean shave" means no facial hair may be left on the face including goatees or mustaches. Ms. Hernley stated the regulations already addressed it, but Ms. Ledford noted that people would argue the point and therefore it should be clarified.

Discussion topic #4-

On a motion duly made by Hernley, seconded by Sherman, and approved

unanimously, the board decided to add patron protection to shave portion of barber practical exam score sheet.

Discussion topic #5-

The board discussed giving a zero to an exam candidate on the “answering questions” portion of the practical exam. Ms. Hernley noted that if a proctor gave a zero to a candidate on any part of the exam, they must comment on why and that most proctors should know that. Ms. Ledford said that all proctors need to make sure that if they give a candidate a zero, they must comment on the score sheet why they were scored a zero.

Discussion topic #6-

The board discussed the practical exam in Juneau. The question was should “no shows” be able to reschedule in Juneau or should they be asked to go to Anchorage because of the cost to the board for the exam. Ms. Hernley noted it was a great cost to the state if an applicant did not show up to the practical exam but would like to see leniency with the Juneau exam. Perhaps the candidate should be able to contact the proctor by phone if they will be late. Ms. Ledford stated they shouldn’t have to go to Anchorage but be rescheduled for the Juneau exam, and if they don’t want to wait they have the option to go to the next Anchorage exam. Ms. Hernley noted that maybe the exam should start later in the morning to accommodate the weather and late airplanes. Ms. Long stated she did not think Juneau should have one in February, and the board would discuss the Juneau exam dates at the October meeting.

Discussion topic #7-

The board discussed removing facials from the hairdresser and barber curriculum. Ms. Hernley stated facials are part of a shave for barbers and application of makeup and preparation could also be considered a facial. It was decided the board believed that hairdressers and barbers could do limited esthetics and therefore, after lengthy discussion the board decided to keep facials in the curriculum.

On a motion duly made by Hernley, seconded by Britten and approved unanimously, it was decided to retain the facials in the curriculum for both hairdressers and barbers.

Discussion topic #8-

It was noted the state law exam was discussed earlier in the meeting.

Discussion topic #9, 10, 11-

The board decided to table the discussion regarding updating exam instructions for

candidates. The board decided they wanted Ms. Wilson to put in examples in the next board meeting packet. Ms. Ledford said the topic of blood borne pathogens should also be added. Ms. Long stated they should have information about blood borne pathogens at the next meeting for the discussion to incorporate into the exam instructions.

The board also decided to table the scoring guidelines and score sheets discussion.

Agenda Item 12 Application Reviews

The board discussed the application for a tattoo and permanent cosmetic coloring license for Dale Payne.

On a motion duly made by Britten, seconded by Hernley, and approved unanimously, it was decided to approve the tattoo and permanent cosmetic coloring license application for Dale Payne.

Agenda Item 14 Tattoo & PCC and Body Piercing

The board discussed tattooing and permanent cosmetic coloring, and body piercing that was tabled from the previous meeting. Rodney Dial had asked the board at the previous meeting if some of the practicals could be done online. Ms. Britten gave a handout to the board regarding body piercing information she had obtained. It was noted that some of the examples given of body piercing techniques should be considered as medical surgery and therefore, practicals done in person should be mandatory. Watching someone else perform a practical online was not the same as performing it on a live person. Ms. Ledford noted after reviewing the material presented that licensing of tattooing, permanent cosmetics and body piercing should be done through the medical board.

Agenda Item 13 Regulations

The board discussed regulation changes and decided to send the following changes to the regulation specialist for drafting:

#1-

Change 12 AAC 09.190(j) to read- Upon completion of a course of instruction under this section, an apprentice is eligible to take the appropriate examination in the license categories of barbering, hairdressing or esthetics. The instructor shall notify the board of an apprentice completing the course of instruction within 30 days after the completion by submitting records of apprenticeship in accordance with 12 AAC 09.130.

#2-

Change 12 AAC 09.130(c), (e), (f)- delete the reference to (k) in all three citations. Change (k) to read- After written notice to the student and the department, a school owner may request that the department hold all hours for a student that has failed to pay all fees and tuition currently due to the school for the student's course of training until the fees and tuition have been paid. Hours being held by the department for nonpayment to the school cannot be used for transfer or to qualify for state board examinations until the school informs the department in writing that the hours are to be taken off of hold status.

#3-

Change 12 AAC 09.180 by repealing (d)-For a student who has completed a course of study and has passed the licensing examination, the student permit expires 30 days after the student is notified in writing of passage of the examination. After passing the examination, a student may, under the supervision of a licensed practitioner, continue to practice under the student permit, until the student permit expires under this subsection or a valid practitioner license is issued, whichever occurs first.

It was noted that the student permit should have the name of the shop or school on it so that the student could not use the permit in another location. The board directed Ms. Zinn to look into having it added to the permit.

After discussion, the board decided to table the projects for #4 and 5. Item #4 concerned estheticians scope of practice and item #5 was in regards to work experience for instructors coming into the State of Alaska from another state. Ms. Hernley had done some research into laser hair removal. She had noted it was a complicated subject and she would like to do further research on what other states have in their regulations.

On a motion duly made by Hernley, seconded by Sherman and approved unanimously, it was decided to table regulation projects # 4 and 5 as outlined in the board packet.

Agenda Item 15 Manicuring Legislation

The board tabled the discussion since Lynette Bergh did not attend the meeting.

Agenda Item 16 Office Business

The board would send the signed travel authorizations to Ms. Zinn along with the receipts.

The board recognized the two new board members and also noted the board had plaques made for the two leaving board members, Charlotte Lushin and Alice Massey

and thanked them for their years of service to the board and to the State of Alaska.

Adjourn

On a motion duly made by Ledford, seconded by Hernley, it was resolved to adjourn the meeting of the Board of Barbers and Hairdressers.

Off the record at 4:07 p.m.

Respectfully Submitted:

Sher Zinn, Licensing Supervisor
Board of Barbers and Hairdressers

Approved:

Debra Long, Chair
Board of Barbers and Hairdressers

Date: _____