

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

October 4th, 2010
MINUTES OF MEETING

By authority of AS 08.13.040, and in compliance with the provisions of AS 44.62, a regularly scheduled meeting of the Alaska State Board of Barbers and Hairdressers was held on Monday, October 4th, 2010, in Anchorage, Alaska.

Monday, October 4th, 2010

Call to Order

The meeting was called to order at 9:04 am.

Roll Call

Present were:

Debra Long, Hairdresser, Chair
Jynal Radziukinas, Hairdresser, Esthetician
Carol Hernley, Barber
Lorenda Britten, Tattoo and PCC
Kelley Sherman, Public Member

Absent: Glenda Ledford

Also present and board staff members: Sue & Sigel Shroy, MetroOasis and Jamie Jolliff, licensing examiner.

Agenda Item 2 Review and Approve Agenda

Ms. Long moved agenda item 4 after item 2 to allow enough time to review meeting minutes and to be on time for public comment.

MOTION **Hernley moved to approve agenda as amended**
2nd **Sherman**
VOTE **5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)**
0 Nay votes
1 Abstention (Ledford)

Agenda Item 4 Ethics

No ethics problems to report.

Agenda Item 3 Review and Approve Meeting Minutes of May 3rd, 2010

Sher Zinn joined the meeting via teleconference at 9:09am

Ms. Long reviewed May 3rd, 2010 minutes; she would like the board to research the bill that separated the cosmetology license before the next meeting.

Jasmin Baustista joined the meeting at 9:17am; Sher Zinn leaves the meeting 9:18am

Sue & Sigel Shroy left the room at 9:19am

Agenda Item 5 Investigative Report

MOTION **Hernley moved that in accordance with AS 44.63.310(c)(2) the board go**
into executive session for the purpose of discussing agenda item 5.
2nd **Sherman**
VOTE **5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)**
0 Nay votes
1 Abstention (Ledford)

Off the record 9:20am; on the record 9:40am

Sue & Sigel Shroy entered the meeting 9:42am

In the matter of case no. 2010-000802

MOTION **Britten moved to approve consent agreement**
2nd **Hernley**
VOTE **5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)**
0 Nay votes
1 Abstention (Ledford)

In the matter of case no. 2010-000799

MOTION **Britten moved to approve consent agreement**
2nd **Hernley**
VOTE **5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)**
0 Nay votes
1 Abstention (Ledford)

In the matter of case no. 2010-000829

MOTION **Britten moved to approve consent agreement**
2nd **Hernley**
VOTE **5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)**
0 Nay votes
1 Abstention (Ledford)

Board members discussed that because it is so hard for Ms. Bautista to cover the entire states, it is okay if one board member goes to a facility to check out any licensing concerns and report back to Ms. Bautista.

Ms. Bautista let the board know that she requested to have a back up investigator; Peggy Weaver.

Jasmin Bautista left the meeting at 9:48am

Agenda Item 3 Review and Approve Meeting Minutes of May 3rd, 2010

Sher Zinn joined the meeting again via teleconference at 9:49am

Heather Harvey joined the meeting at 9:50am

Ms. Long continued to review the remaining meeting minutes; tabled items will be reviewed again when Colleen Wilson returns.

Sher Zinn left the meeting at 9:59am

MOTION	Hernley moved to approve the meeting minutes of May 3rd, 2010
2nd	Sherman
VOTE	5 Yea votes (Long, Radziukinas, Hernley Britten, Sherman)
	0 Nay votes
	1 Abstention (Ledford)

Agenda Item 6 Public Comment

Sue and Sigel Shroy expressed concerns regarding no more “secret information” when students are preparing for the practical state board test. The Schroy’s feel that the tests are not administered consistently. They want to know how they can be informed of changes to help prepare their students. They suggested possible mailings, removal of questions that are not in Miladys textbook, and to clean up test packets to identify exactly what needs to be done and help clarify reasoning for certain requirements like labeling.

Schroy's would like to be informed of current events in a more timely manner because they feel the minutes are not posted for more than 6 months and at times are not accessible for more than a year. Their suggestion is to post the audio version of the meeting.

They have a hard time accessing our website due to possible "corruption". They propose to make sure the budget allows for proper upkeep of the website, so they can stay involved since that is their only source of accessing the information.

Ms. Long acknowledged their concerns, appreciated the suggestions and will look into what the board can do to correct these problems.

Break- off the record 10:27am; on the record 10:46am

Agenda Item 7 NIC Conference

Ms. Long attended the NIC conference in Seattle, August 26th-28th and reported her experience with the board. She put together a packet for the board members to review.

Ms. Long discussed that NIC encourages training proctors to their standard way of testing for the practical's, so everyone abides by the NIC written exam. States that participate will certify examiners on an annual basis based on a 1 to 2 day seminar of grading candidates. Quarterly statistical reports will be given regarding candidates grading whether too critical or lenient etc. Ms. Long discussed that the board should provide training to Alaska's proctors for Fairbank's, Anchorage and Juneau, where the exams are held.

NIC suggests the possibility of automated board books, PDF or emailed electronically to be cost effective. She will discuss it with Colleen Wilson to see if this can work for Alaska.

Ms. Long reviewed the reciprocity committee report that showed Alaska is the only state without a Cosmetologist License. Hopefully in January the board will be able to present this issue to the legislators.

Agenda Item 9 Body Art Licensing Issues

Ms. Bitten discusses information about a possible board for tattooing and states that Alaska is above standard for body art on a national level. Tattoo, body piercing, and permanent makeup artist are required to take a class and have an OSHA card in order to be an apprentice. In addition to the OSHA card, blood born pathogen test and an inspection which will occur annually in order to open a shop. Ms. Bitten feels that the board has everything in place, so no need at this time for an additional board.

Ms. Bitten discussed the article about Hepatitis C by Dr. Robert Haley. Ms. Britten stated the study was done in 1991-1992, which was before OSHA standards and was put into practice in 1992. This is old information, wouldn't consider it informative at this time. OSHA stands for Occupational Safety and Health Administration. OSHA is to protect employees and the public from being exposed to all sorts of occupational hazards from chemicals to blood born pathogens. Not as concerned because people can get Hepatitis C from dental work, unprotected sex, etc., so it would be very hard to prove that it came from a tattoo or piercing.

Ms. Britten discusses body piercing and home piercing kits, has been going on for a long time. Nationally they will need to set it up that if someone wants to buy those kits, they need to provide their license first. They do that at some beauty shops in some states. If it is online, we can't do anything about it to help regulate it. It has to be some type of state law. The only way to get the body piercing issues under control would be to change the age of when someone can get a body piercing. Teenagers are able to get all sorts of piercings with a parent's signature, but can't get a tattoo with parental consent. A fifteen year old may not be responsible enough to care of that even with parental consent. The age requirement should be eighteen years old.

Ms. Long said the board will look into the regulation further and possibly change.

Ms. Britten brought forms of piercing that break the skin, which is technically surgery and how does this affect the public and the board. Some of the tray set ups look the same as a biopsy that dermatologist would use! People are not experienced enough for these procedures as in an apprentice breaking skin to remove an anchor that was placed incorrectly. This should fall under the medical board. The board would like to seek advice from the medical board to protect the public.

Off the record for lunch 11:59am

Call to Order

The meeting was called to order at 1:06 pm.

Roll Call

Present were:

Debra Long, Hairdresser, Chair
Jynal Radziukinas, Hairdresser, Esthetician
Carol Hernley, Barber
Lorenda Britten, Tattoo and PCC
Kelley Sherman, Public Member

Absent: Glenda Ledford

Also present staff members: Jamie Jolliff, licensing examiner.

Agenda Item 10 Examinations

Ms. Long refers to the letter from Katrina Albrecht regarding the addition of the state law exam. The board needs to select which state law questions should be included. There will not be any additional fees associated with the development of the state law exam; however there will be a \$1 processing fee per candidate exam scored.

The board will look into selecting which questions they would like to add.

Ms. Long discusses page 5 of the practicals, some student's models have waist length hair and are cutting an inch and calling it a layer haircut. If a student can't find a model that will allow that haircut, they won't pass.

Ms. Long discusses the instructor exams regarding the lesson plans or outlines and the state providing white/black boards, flip charts or reimbursements of purchases. The board feels the students are responsible for their materials; if they are not prepared then do not take the exam.

MOTION Hernley moved to revise instructor instructions, eliminate that the board will provide black board, student is responsible for materials for testing.

2nd Sherman

VOTE 5 Yea votes (Long, Radziukinas, Hernley, Britten, Sherman)

0 Nay votes

1 Abstention (Ledford)

Board discussed that the proctors in Juneau (Kimie/Tara) will be limited to 2 exams a year and will occur the 3rd week of the month.

Board discussed that proctor scoring needs to be consistent, if student is attempting, should not be a zero. If there is a zero, the proctor needs to state why.

Agenda Item 11 Curriculum

Referencing questions Colleen Wilson prepared to discuss with the board.

1. If an instructor has one person who is apprenticing in two different professions (I.e. hairdressing and esthetics, hairdressing and barbering, or any combo) is this considered to be two apprentices.

-The board says no, it is not two apprentices. One student whether taking one class or two.

Ms. Long reads 12 AAC 09.160 (c) stipulates how many practical's can be observed and how many must be hands on for chemical straightening.

-Ms. Hernley states that the board needs to define practical/observation. The wording needs to be changed. Example: 5 chemical observations 5 chemical practical's etc.

Ms. Long states that the board needs to send clarification letters to the schools because this only refers to chemical straightening.

Ms. Long discusses that the board will return to the cosmetology license issue at the next board meeting.

Agenda Item 12 Discuss Proposed Changes

12 AAC 09.180, Student Permit, item tabled until next meeting.

12 AAC 09.106 Instructor License Requirements item tabled until next meeting.

Esthetics Scope of Practice definition:

Ms. Hernley presented a suggested regulation:

For the purposes of 08.13.220 (5) appliances, machinery, equipment or cosmetic preparations used to remove hair, or to stimulate or alter the dermal surface of the human body cannot include anything that penetrates, excises, burns or vaporizes the skin.

All lasers are considered to be FDA class 3 devices under their use by estheticians, hairdressers and barbers exceeds the training presently provided in the State of Alaska for those professions. The same would apply to devices that use light, radio frequency waves, galvanic, micro-current, ultrasound, electrical desiccation, plasma or intense pulsed light to alter human tissue. Also included in this category is Botox injections, oxygen machines, and all electrolysis equipment. These modalities are limited to licensed practitioners of the medical profession and shall be regulated in their use by the Medical Board.

Exceptions to this policy may include microdermabrasion, microcurrent and LED light therapies as used by an Esthetician for non ablative procedures.

Practitioners should not assume that because a particular device is available on the market or is being offered to licensees, that it is safe or appropriate for use by the licensees. Many devices available over the internet are not in any way appropriate for use by cosmetology professions in the State of Alaska.

Ms. Long states they need legal advice and help from the division to look into this further and get a regulation in place.

Off the record 2:24pm; on the record 2:56pm

Ms. Long states the board will table the remaining regulations until the next meeting.

The board reviewed Ms. Sisikin's application and transcripts from OR who has 2300 total hours, but only 1450 in hairdresser hours and AK requires 1650.

MOTION **Hernley moved to grant Ms. Sisikin a hairdresser, esthetician and manicure license.**

2nd **Sherman**

VOTE **5 Yea votes (Long, Radziukinas, Hernley, Britten, Sherman)**

0 Nay votes

1 Abstention (Ledford)

The board decided that each applicant in that situation will be case by case. They would like a mail ballot via email with an attached copy of the file.

Agenda Item 14 Budget

Don Habeger, Division Director joined the meeting via teleconference at 3:30pm

Mr. Habeger speaks to the board regarding the budget for FY10. There were some errors that carried over erroneous numbers in the previous budgets. The department is working on figuring out how to correct the issue.

Ms. Long asked how the board can help reduce renewal cost.

Mr. Habeger suggested the board do anything they could to reduce costs, limiting board travels to the Anchorage area due to cheaper flights, reduce face to face meetings and utilize

teleconferences, send less board members to the exam locations, and possibly increasing license fees, which would be about \$17.00 to \$28.00.

Agenda Item 13 2011 Exam/Meeting Dates

Board Meeting Dates-All meetings to be held in Anchorage:

January 10th, 2011

May 2nd, 2011

September 12th, 2011

2011 Anchorage Exam Dates:

January 23rd-24th

July 24th - 25th

February 27th-28th

August 21st - 22nd

March 20th-21st

September 25th-26th

April 17th-18th

October 23rd-24th

May 22nd-23rd

November 20th-21st

June 26th-27th

No December Exam

2011 Fairbanks Exam Dates:

January 23rd-24th

July 24th-25th

April 17th-18th

October 23rd-24th

2011 Juneau Exam Dates:

April 17th-18th

October 23rd-24th

Carol Hernley officially resigned her position on the board.

MOTION **Hernley moved to adjourn the board meeting.**
2nd **Britten**
VOTE **5 Yea votes (Long, Radziukinas, Hernley, Britten, Sherman)**
 0 Nay votes
 1 Abstention (Ledford)

The meeting adjourned at 4:00pm.

Respectfully submitted:

Approved:

Jamie L. Jolliff, Licensing Examiner

Debra Long, Hairdresser, Chair
Alaska State Board of Barbers and Hairdressers

Date

Date