

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

January 23, 2012

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 January 23, 2012, at 550 W. 7th Ave., Anchorage, Alaska.

Agenda Item 1 Call to Order/Roll Call

The meeting was called to order at 9:07 a.m.

Members present were:

Debra Long, Hairdresser, Chairperson
Glenda Ledford, Barber
Michael Bolivar, Barber
Lorenda Moore, Tattoo & Permanent Cosmetic Color

Absent member was:

Brittany Hutchison

Staff present was:

Melinda Butler, Licensing Examiner
Jasmin Bautista, Investigator
Jennifer Wirawan, Investigator
Quinten Warren, Chief Investigator

Public present were:

Charlette Lushin
Charles Watson
Kevin McKinley
Kristin George

Agenda Item 2 Review and Approve Agenda

On a motion duly made by Ms. Ledford, seconded by Ms. Moore and carried unanimously, it was

RESOLVED to approve the agenda as read with changes.

Agenda Item 3 Review and Approve Minutes of September 12, 2011

On a motion duly made by Ms. Ledford, seconded by Ms. Moore and carried unanimously, it was

RESOLVED to approve the minutes of the September 12, 2011 meeting.

Agenda Item 4 Ethics Reporting

No Ethics violations to report.

Agenda Item 5 Investigative Report

Ms. Bautista introduced Jennifer Wirawan. Ms. Wirawan inspected shops in Fairbanks during the past month. Ms. Long noted investigations has fulfilled recommendation one noted in the last legislative audit to ensure complaints and cases are investigated in a timely manner.

Case # 2011-000931

On a motion duly made by Ms. Moore, seconded by Mr. Bolivar and carried unanimously, it was

RESOLVED to accept the Consent Agreement for case # 2011-000931.

Case # 2011-000894

On a motion duly made by Ms. Ledford, seconded by Mr. Bolivar and carried unanimously, it was

RESOLVED to accept the Consent Agreement for case # 2011-000894.

Case # 2011-000841

On a motion duly made by Mr. Bolivar, seconded by Ms. Moore and carried unanimously, it was

RESOLVED to accept the Consent Agreement for case # 2011-000841.

Case # 2011-000892

On a motion duly made by Ms. Moore, seconded by Mr. Bolivar and carried unanimously, it was

RESOLVED to accept the Consent Agreement for case # 2011-000892.

Case # 2011-001066

On a motion duly made by Ms. Moore, seconded by Ms. Ledford and carried unanimously, it was

RESOLVED to accept the Consent Agreement for case # 2011-001066.

Case # 2011-000931 was regarding shop owner Wilda West who allowed an unlicensed person to work for 1 year as a hairdresser in her shop. Case # 2011-000894 was regarding shop owner James Alverson who had two individuals working in his shop that were unlicensed. Case # 2011-000841 was regarding applicant Andrew Carlson who practiced for ten months without a license. Case # 2011-000892 was regarding licensee Jeff Staha who was apprenticing two individuals without proper licensing. Case # 2011-001066 was regarding applicant Marilyn Marasigan who worked for 14 months without an Alaska license.

Ms. Wirawan introduced herself and wanted to be present in case board members have any questions for her about the cease and desist orders issued in Fairbanks as a result of her surprise inspections. Ms. Long expressed appreciation for having an investigator do surprise inspections in the salons of Fairbanks.

Ms. Butler reminded board members they are allowed to inspect shops and check licenses if they choose. Ms. Long noted that not more than one board member may inspect a shop at a time or else it is considered a public meeting. She also said any violations a board member might find should be reported directly to Ms. Bautista for investigation.

Ms. Bautista, Mr. Warren and Ms. Wirawan left the meeting at 9:55am.

Break: Off the record 9:55am
Back on the record 10:14am

Ms. Long skipped ahead to Agenda Item 8, because the public members were not ready to comment and needed a few more minutes. She noted the board would go back to Item 7 after the discussion on eyebrow/eyelash tinting and dying which would only take a few minutes to review.

Agenda Item 8 Eyebrow/Eyelash Tinting & Dying

In April 2005 the board decided estheticians could tint and dye eyebrows and eyelashes as

it reads in statute at that time. The problem is it is not written in statute that estheticians can tint or dye any body hair, only hairdressers or barbers can tint or dye the hair. Ms. Butler read statute 08.13.220, the definition of esthetics. Nowhere does it mention esthetics included tinting or dyeing hair, however, because the board passed the motion unanimously back in April 2005, estheticians are currently allowed to tint and/or dye eyebrows and eyelashes. She pointed out that this may be an issue the board will have to deal with in the future should it ever be challenged legally. Ms. Long agreed, and stated although she was at the 2005 meeting, she was unable to remember why the board came to that decision. Ms. Long asked Ms. Lushin if she could remember anything from that meeting, as Ms. Lushin was also on the board at that time. Ms. Lushin speculated it had something to do with the split from the cosmetology license into the hairdresser and esthetics licenses.

Agenda Item 7 Public Comment

Charlie Watson spoke about dermal anchors. He has been performing them for the past six years. They opened up a whole new realm of body adornment. He passed around a dermal anchor for the board to see. Ms. Moore said there was no controversy over dermal anchors, but over the tools used to perform a dermal anchor. Mr. Watson stated there is much controversy in the continental states over dermal anchors. Mr. Bolivar had concerns over ear lobe scalpelling. Mr. Watson stated that isn't generally considered body piercing, and is not something his company offers. He also let the board know that he does extensive research online for new and current trends and the different services his profession offers, and he would be willing to share his findings with any board member if they need help clearing up an issue they are unsure about procedures performed by body piercing professionals. He has the links to the articles and other information that he could share.

Agenda Item 6 Vote for a New Chairperson

Ms. Butler pointed out Ms. Long's term ends March 1, 2012, and a new chair person will need to be appointed as her replacement. After discussion on the matter, the board came to a vote.

On a motion duly made by Mr. Bolivar, seconded by Ms. Moore and carried unanimously, it was

RESOLVED to appoint Glenda Ledford the new chair for the board of barbers and hairdressers.

Agenda Item 9 Examinations

Instructor Exam Packet

Ms. Long asked Mr. Bolivar what is taught for the instructor curriculum at his school. Mr. Bolivar explained the 600 hour training course. Ms. Ledford explained the exam process for the state practical exam for instructors. Ms. Long explained the most difficult

part of the exam seems to be keeping the subject being taught simple. There is only half an hour, they can't teach a whole procedure, or teach a whole chapter. Ms. Long noted the NIC practical exam is very similar to the state exam given in Alaska for the instructor. It was decided that no changes would be made to the instructor exam packet at this time.

Proctor's Suggestions for Changes

Ms. Long mentioned the proctor training class given in Anchorage Sunday, January 22, 2012, and the same class was taught in Juneau last summer. Fairbanks will be having the training class in the next month, so all three cities will be consistent in their expectations and scoring.

Ms. Long asked Ms. Butler to read through some suggestions made by proctors during the proctor training for changes in wording of the packets the students use to prepare for the exams. After much discussion, they were brought to a vote.

On a motion duly made by Ms. Ledford, seconded by Ms. Moore and carried unanimously, it was

RESOLVED to adopt the changes in examination packets as follows:

In the examination instructions for barber, hairdresser and esthetician

- **V. Haircut, blow dry, and iron curling, "Finished cut is four to eight inches long" be bolded and underlined.**
- **V. Haircut, blow dry, and iron curling, "Finished Product" be changed to "Finished Results. And, "Should be curled to the end" be changed to, "Should be a finished style."**

Under Procedures and supplies needed on page 10:

- **"Bleach" should be moved down to be with "Highlighting", and all of the supplies needed for "Bleach" should be added to the supplies needed for highlighting. "Bleach" should be deleted from the "Hair Coloring" line.**
- **"Haircutting" should have added "-hairdressers and barbers."**

On page 11, under Applicant:

- **It should read, "Also, please remember that you need to bring your mannequin and it's stand.**

On the Esthetician exam instructions card

- **1. Should be changed to read, "Prepare model. Use appropriate make-up for model, examiners will inform you before you begin if daytime or nighttime make-up."**

State Law Exam Questions

Ms. Long brought state law exam questions she came up with and asked the board if anyone else had come up with some questions. No one had any questions to add. She explained NIC had informed the board if they wish to have a state law exam, the board should come up with the questions and NIC would look them over to make sure they aren't duplicating any questions already on the exam, and then they could print up an Alaska State Law Exam for barbers, hairdressers, and estheticians taking the written exams. Ms. Moore questioned how the state law exam could pertain to barber, cosmetology, esthetics, and body art. She suggested body art have its own state law exam as their regulations are totally different than the other professions. Ms. Long stated that if the questions were general enough they could apply to all professions. The body art licenses require ten hours of state law, while barbers, hairdressers and estheticians are only required to study five hours of state law. Ms. Long pointed out five or ten hours is more than enough studying to answer general state law questions, and since the applicant is required to study the law, they should be tested on it as well.

Agenda Item 10 Mail Ballot Discussion

Ms. Long mentioned that there have been problems with mail ballots. They have not gotten back to Ms. Butler in a timely manner. If they don't get back, someone is being held up from being licensed. By regulation the board has two weeks to respond, however, the sooner the better. Ms. Butler pointed out the board is not approving the applicant to take the exam, only approving their training.

Recess for Lunch- off the record at 11:55 a.m.

On the record at 1:19p.m.

Roll Call

Members present-

Debora Long
Glenda Ledford
Michael Bolivar
Lorenda Moore

Staff present-

Melinda Butler, Licensing Examiner

Agenda Item 12 Body Piercing Discussion

Mr. McKinley gave a power point presentation to the board. He explained the history of body piercing, and the way it has evolved. He also explained the different types of body piercing being done in Alaska and around the country, including industrial, orbital, rook, diath, eyebrow piercing, nape piercing, anti-brow piercing, micro-dermal anchors, sub-dermal implant (not considered body piercing), and triple forward helix. He explained how fast moving his profession is becoming, and how thankful he is that Alaska is so engaged

in regulating and concerned with keeping up with the body piercing industry. Mr. McKinley also thanked Ms. Long for being chairperson of the board for the past eight years, and for putting so much of her time into regulating the body piercing industry.

Agenda Item 11 Discuss Proposed Changes

Regulations for Public Notice

Ms. Butler informed the board of the regulations that are ready to go out for public notice. The following regulations are ready, and need to be approved by the board:

- 12 AAC 09.004(e)(1)(2)(3) and (f)
- 12 AAC 09.106(d)(5)(A) and (B)
- 12 AAC 09.169(a)

After a brief review and discussion of these regulation changes, the board voted.

On a motion duly made by Ms. Ledford, seconded by Mr. Bolivar and carried unanimously, it was

RESOLVED to send out the amended 12 AAC 09.004(e)(1)(2)(3) and (f), 12 AAC 09.106(d)(5)(A) and(B), and 12 AAC 09.169(a) to public notice as written or as the Department of Law sees fit.

Regulations for Signature

Ms. Butler reviewed the regulations that have come back from public notice and are ready for signature. She let the board know there were no comments made from the public on these changes. The following regulations are ready for signature and need to be approved by the board:

- 12 AAC 09.130
- 12 AAC 09.160
- 12 AAC 09.165
- 12 AAC 09.180
- 12 AAC 09.185
- 12 AAC 09.190

After a brief review and discussion of these regulation changes, the board voted.

On a motion duly made by Ms. Ledford, seconded by Mr. Bolivar and carried unanimously, it was

RESOLVED to approve for signature as written 12 AAC 09.130, 12 AAC 09.160, 12 AAC 09.165, 12 AAC 09.180, 12 AAC 09.185, and 12 AAC 09.190.

Agenda Item 13 Office Business

Budget

Ms. Butler explained the first and second quarter budget reports to the board. As of December 31, 2011 the board of barbers and hairdressers had a positive revenue of \$193,128. The board expressed concern about the amount of administrative costs that are being charged to it.

Travel

Ms. Butler gave the travel authorizations to the board members for signature, and collected travel receipts.

Minutes

Ms. Long signed the minutes from the September 12, 2011 board meeting.

Presentation of Plaques

Ms. Long thanked everyone for allowing her to serve on the board, and presented plaques to Lorenda Moore and Jynal Radziukinas for their time of service on the board. Ms. Butler presented Ms. Long a plaque for her eight years of service on the board as the chairperson.

On a motion duly made by Ms. Ledford, seconded by Ms. Moore and approved unanimously, it was

RESOLVED to adjourn the meeting at 2:40pm.

Adjourn

The meeting adjourned at 2:40 p.m.

Respectfully Submitted:

Cynthia Spencer for /s/
Melinda Butler, Licensing Examiner
Board of Barbers and Hairdressers

Approved:

/s/
Debra Long, Chair
Board of Barbers and Hairdressers

Date: May 7, 2012