

BOARD FOR BARBERS & COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, August 12, 2013, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following members were present:

Jessie H. Anders
Ernest D. Chapman, Jr.
Norma J. Dorey
Gail L. Mayhue
Jonathan W. Minor
Marie F. Quinn
Daniella Tsamouras

The following board members were not present:

Stacy A. Crawford
Virginia Lee Sanders
Sean T. Sweeney

DPOR staff present for all or part of the meeting included:

Nick Christner, Agency Deputy Director
Demetrios J. Melis, Executive Director
Cathy Clark, Administrative Assistant
Kristen Clay, Legal Analyst
Ndaesha Dryden-Mason, Regulatory Programs Intern
Verlaine Quinniey, Regulatory Programs Intern
Tamara Washington, Regulatory Programs Intern

Representative from the Office of the Attorney General was present for the meeting.

Elizabeth B. Peay, Assistant Attorney General

Ms. Tsamouras, Chair, determined a quorum was present and called the meeting to order at 9:11 A.M. **Call To Order**

The Board took the agenda under consideration.

Approval of Agenda

Mr. Melis brought to the Board's attention, two amendments to the Agenda: (1) Tab 33, Case Number 2013-02601, was removed from the Agenda at the request of counsel for the license applicant; and (2) VII. Old Business, 3. Substantially Equivalent Training for License by

Endorsement: Policy Review was removed from the Agenda.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to adopt the amended Agenda.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Approval of Minutes

Upon a motion by Ms. Dorey and seconded by Ms. Quinn, the Board voted to approve the minutes as written of the:

May 13, 2013, Board for Barbers & Cosmetology Board Meeting,
May 14, 2013, Informal Fact-Finding Conference,
May 16, 2013, Informal Fact-Finding Conference,
May 30, 2013 AM, Informal Fact-Finding Conference,
May 30, 2013 PM, Informal Fact-Finding Conference,
June 3, 2013, Informal Fact-Finding Conference,
June 4, 2013, Informal Fact-Finding Conference,
June 13, 2013, Informal Fact-Finding Conference,
June 17, 2013, Informal Fact-Finding Conference,
June 18, 2013, Informal Fact-Finding Conference,
June 20, 2013, Informal Fact-Finding Conference, and
June 27, 2013, Informal Fact-Finding Conference.

Approval of Minutes for May 13, 2013 Board Meeting, May 14, 2013 IFF, May 16, 2013 IFF, May 30, 2013 AM IFF, May 30 2013 PM IFF, June 3, 2013 IFF, June 4, 2013 IFF, June 13, 2013 IFF, June 17, 2013 IFF, June 18, 2013 IFF, June 20, 2013 IFF and June 27, 2013 IFF

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Ms. Tsamouras asked if there was any public comment.

Public Comment

Mr. Matthew England, esthetics instructor at the Institute of Advanced Medical Esthetics, addressed the Board in support of distance education (online coursework) in esthetics programs. The Board took Mr. England's remarks under advisement.

Ms. Michelle Cloud, esthetics student at the Institute of Advanced Medical Esthetics, addressed the Board in support of distance education (online coursework) in esthetics programs. The Board took Ms. Cloud's remarks under advisement.

Ms. Paige Fitzgerald, attorney with the law firm of Troutman-Sanders

and legal counsel to Virginia Association of Skincare Professionals, addressed the Board regarding the Board's consideration of a guidance document related to non-traditional classroom instruction. The Board took Ms. Fitzgerald's remarks under advisement.

Ms. Chris Werne, Director of Education for the Chrism Institute of Esthetics, addressed the Board in support of distance education (online coursework) in esthetics programs. The Board took Ms. Werne's remarks under advisement.

Ms. Christine Gordon, President of the American Association of Cosmetic Schools, addressed the Board and suggested that DPOR should be the regulatory agency responsible for approving post-secondary education related to its licensed schools. The Board took Ms. Gordon's remarks under advisement.

Ms. Naheed Ghaseemi, owner of AVI Career Training, addressed the Board to request that no restrictions be placed on distance learning, and stating that any such restrictions would require a regulatory change. The Board took Ms. Ghaseemi's remarks under advisement.

Mr. Tyrone Sprague, licensed barber, addressed the Board on the subject of unlicensed barbers and cosmetologists, and asking that the Board take action to more thoroughly investigate unlicensed activity. The Board took Mr. Sprague's remarks under advisement.

Cases

Ms. Dorey recused herself from the meeting.

Ms. Dorey Recused

In the matter of **File Number 2013-01130, Parvane Hashemi**, the Board reviewed the record which consisted of the Consent Order. Parvane Hashemi did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-01130, Parvane Hashemi

By signing this Consent Order, Parvane Hashemi acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Count 1:	18 VAC 41-20-280.A.4	\$ 900.00
Count 1:	18 VAC 41-20-280.A.4	\$ 500.00

SUB-TOTAL (MONETARY PENALTIES)		\$1400.00
BOARD COSTS		\$ 150.00
TOTAL		\$1550.00

In addition, for violation of Count 1, Ms. Hashemi agrees to a six (6) month probation of her license as of the effective date of this Order. During this six (6) month probation, Ms. Hashemi agrees to comply with the Board's regulations.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Ms. Dorey was not present, did not participate in the discussion, and did not vote on this matter.

Ms. Dorey returned to the meeting.

Mr. Minor recused himself from the meeting.

Mr. Minor recused

In the matter of **File Number 2013-01627, Gentry Marshall Maddox**, the Board reviewed the record which consisted of the Consent Order. Gentry Marshall Maddox did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-01627, Gentry Marshall Maddox

By signing this Consent Order, Gentry Marshall Maddox acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings.

Count 1:	18 VAC 41-60-220.A.9	\$ 0.00
Count 1:	18 VAC 41-60-220.A.10	\$250.00

SUB-TOTAL (MONETARY PENALTIES)		\$250.00
BOARD COSTS		\$150.00
TOTAL		\$400.00

In addition, for violation of Counts 1 and 2, Maddox agrees to a two (2) year probation of his license as of the effective date of this Order. During this two (2) year probation, Maddox agrees to:

- (1) Comply with the regulations of the Board for Barbers and Cosmetology; and
- (2) Not to be convicted in any state or city of any felony, misdemeanor, or federal, state or local ordinance.

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the Consent Order.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Minor was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Minor returned to the meeting.

Mr. Chapman recused himself from the meeting.

**Mr. Chapman
recused**

In the matter of **File Number 2011-02679, CNN Tek Institute III**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Suzanne Trang Thai appeared at the meeting in person and was represented by Attorney Douglas Ford, who addressed the Board on behalf of Attorney Neal Allesker, counsel for CNN Tek Institute III.

**File Number 2011-
02679, CNN Tek
Institute III**

Concerning Counts 1 and 2, upon a motion by Ms. Mayhue and seconded by Ms. Dorey, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that CNN Tek Institute III violated the following sections of its Regulations.

Count 1: 18 VAC 41-20.280.A.4.
Count 2: 18 VAC 41-20-280.A.4.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Counts 1 and 2, upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1: 18 VAC 41-20.280.A.4. \$ 2500.00
Count 2: 18 VAC 41-20-280.A.4. \$ 2500.00

TOTAL (MONETARY PENALTIES) \$ 5000.00

In addition, for violation of Counts 1 and 2, the Board imposed revocation of CNN Tek Institute III's cosmetology school license 1205001188.

The members voting 'yes' were Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Mr. Anders. The motion passed by a majority.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2011-02680, Vu Trong Nguyen**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Vu Trong Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2011-02680, Vu Trong Nguyen

Concerning Count 1, upon a motion by Ms. Mayhue and seconded by Ms. Dorey, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Vu Trong Nguyen violated the following section of its Regulations.

Count 1: 18 VAC 41-20-280.A.3.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1: 18 VAC 41-20-280.A.3. \$ 1250.00

TOTAL (MONETARY PENALTIES) \$ 1250.00

In addition, for violation of Count 1, the Board imposed revocation of Vu

Trong Nguyen's cosmetologist license 1201111604.

The members voting 'yes' were Ms. Dorey, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mr. Minor. The motion passed by a majority.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2011-03524, Suzanne Trang Thai**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Suzanne Trang Thai appeared at the meeting in person and was represented by Attorney Douglas Ford, who addressed the Board on behalf of Attorney Neal Allesker, counsel for Ms. Thai.

File Number 2011-03524, Suzanne Trang Thai

Concerning Counts 1 and 2, upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Suzanne Trang Thai violated the following sections of its Regulations.

Count 1: 18 VAC 41-20-280.A.4.
Count 2: 18 VAC 41-20-280.A.4.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Counts 1 and 2, upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280.A.3.	\$ 2500.00
Count 2:	18 VAC 41-20-280.A.3.	\$ 2500.00
TOTAL (MONETARY PENALTIES)		----- \$ 5000.00

In addition, for violation of Count 1, the Board imposed revocation of Suzanne Trang Thai's cosmetology instructor license 1204017769.

The members voting 'yes' were Ms. Dorey, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mr. Minor. The motion passed by a majority.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2011-03887, Kelvin Thanh Thai**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Kelvin Thanh Thai did not appear at the meeting in person, by counsel, or by any other qualified representative. The Board reviewed a written statement submitted by Mr. Thai that was entered into the record as Board Meeting Exhibit 1.

File Number 2011-03887, Kelvin Thanh Thai

Concerning Count 1, a motion by Mr. Anders and seconded by Ms. Dorey, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Kelvin Thanh Thai violated the following sections of its Regulations.

Count 1: 18 VAC 41-20-280.A.4.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Dorey and seconded by Mr. Anders, the Board voted to reject the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Count 1:	18 VAC 41-20-280.A.3.	\$ 500.00
Count 2:	18 VAC 41-20-280.A.3.	0.00
TOTAL (MONETARY PENALTIES)		----- \$ 500.00

In addition, for violation of Counts 1 and 2, the Board imposed revocation of Kelvin Thanh Thai's cosmetology instructor license 1204017740.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2013-00815, Robert W. Hudson dba/Torpedo Bob's Tattoos**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Robert W. Hudson did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-00815, Robert W. Hudson dba/Torpedo Bob's Tattoos

Concerning Count 1, upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Robert W. Hudson dba/Torpedo Bob's Tattoos violated the following section of its Regulations.

Count 1: 18 VAC 41-50-420.A.3.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Mayhue and seconded by Ms. Dorey, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Revocation of Mr. Hudson's tattoo parlor license 1232000383

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2013-02063, Robert W. Hudson, Sr.**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, Report of Findings, transcript and exhibits. Robert W. Hudson did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02063, Robert W. Hudson, Sr.

Concerning Count 1, upon a motion by Mr. Minor and seconded by Ms. Quinn, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter and the Summary of the Informal Fact-Finding Conference, and found substantial evidence that Robert W. Hudson, Sr. violated the following section of its Regulations.

Count 1: 18 VAC 41-50-420.A.3.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Concerning Count 1, upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanctions:

Revocation of Mr. Hudson's tattooer license 1231000662

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

As a Board representative in this case, Mr. Chapman was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Chapman returned to the meeting.

In the matter of **File Number 2013-01126, Dung T. Tran**, the Board reviewed the record which consisted of, but was not limited to, the Summary of the Informal Fact-Finding Conference. Dung T. Tran did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-01126, Dung T. Tran

Upon a motion by Mr. Anders and seconded by Ms. Quinn, the Board

voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Dung T. Tran's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02325, Angelica M. Benavides Lopez**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ms. Benavides Lopez appeared at the meeting in person and addressed the Board.

File Number 2013-02325, Angelica M. Benavides Lopez

Upon a motion by Mr. Anders and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Angelica M. Benavides Lopez's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02326, Christina N. Norris**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Christina N. Morris appeared at the meeting in person and addressed the Board.

File Number 2013-02326, Christina N. Morris

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christina N. Morris' application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02327, Barbara A. Hylton**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Barbara A. Hylton did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02327, Barbara A. Hylton

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal

Fact-Finding Conference and approve Barbara A. Hylton's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02552, Natasha R. Ball**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Natasha R. Ball and witness, Monica Jackson, appeared at the meeting in person and addressed the Board.

File Number 2013-02552, Natasha R. Ball

Upon a motion by Mr. Chapman and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Natasha R. Ball's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02584, Dao H. Le**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Dao H. Lee and witness, Ashley Le, appeared at the meeting in person and addressed the Board.

File Number 2013-02584, Dao H. Le

Upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Dao H. Le's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02585, Kim Anh T. Ho**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kim Anh T. Ho did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02585, Kim Anh T. Ho

Upon a motion by Mr. Chapman and seconded by Ms. Quinn, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Kim Anh T. Ho's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02589, Van T. Nguyen**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Van T. Nguyen did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02589, Van T. Nguyen

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Van T. Nguyen's esthetician examination application.

The members voting 'yes' were Mr. Anders and Mr. Minor. The members voting 'no' were Mr. Chapman, Ms. Dorey, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The motion failed.

Upon a motion by Mr. Chapman and seconded by Ms. Quinn, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and deny Van T. Nguyen's esthetician examination application at this time.

The members voting 'yes' were Mr. Chapman, Ms. Dorey, Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mr. Minor. The motion passed by a majority.

In the matter of **File Number 2013-02590, Thang V. Duong**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Thang V. Duong did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02590, Thang V. Duong

Upon a motion by Mr. Chapman and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Thang V. Duong's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02597, Hanh T. Truong**, the Board reviewed the record which consisted of the application file, transcript,

File Number 2013-02597, Hanh T.

exhibits, and the Summary of the Informal Fact-Finding Conference. Hanh T. Truong did not appear at the meeting in person, by counsel, or by any other qualified representative.

Truong

Upon a motion by Mr. Chapman and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Hanh T. Truong's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02599, Thu M. Bui**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Thu M. Bui did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02599, Thu M. Bui

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Thu M. Bui's application at this time.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02669, Christopher F. Brown**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Christopher F. Brown did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02669, Christopher F. Brown

Upon a motion by Mr. Minor and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christopher F. Brown's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02671, Kelly M. Farneth**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference.

File Number 2013-02671, Kelly M. Farneth

Kelly M. Farneth appeared at the meeting in person and addressed the Board.

Upon a motion by Mr. Anders and seconded by Ms. Quinn, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kelly M. Farneth's application for reinstatement.

The members voting 'yes' were Mr. Anders and Ms. Quinn. The members voting 'no' were Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, and Ms. Tsamouras. The motion failed.

Upon a motion by Mr. Chapman and seconded by Ms. Mayhue, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kelly M. Farneth's application for reinstatement, subject to the following conditions:

1. That Ms. Farneth obtain a report from her probation officer that includes her status as a probationer, a statement indicating that she has remained drug free, and the status of restitution payments. This report must be submitted to the Board on a quarterly basis for one year, by the 30th of the month, beginning December 30, 2013, and each March, June, and September thereafter, or until she is successfully discharged from probation, whichever occurs first; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, and Ms. Tsamouras. The members voting 'no' were Mr. Anders and Mrs. Minor. The motion passed by a majority.

In the matter of **File Number 2013-02685, Rudy Escobar**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rudy Escobar did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02685, Rudy Escobar

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rudy Escobar's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-02686, Julio A. Figueroa**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Julio A. Figueroa did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02686, Julio A. Figueroa

Upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Julio A. Figueroa's application subject to the following conditions:

1. That Mr. Figueroa continue to register as a sex offender for as long as the law requires; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02687, Louis J. Dukes, Jr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Louis J. Dukes, Jr. did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02687, Louis J. Dukes, Jr.

Ms. Clay, Legal Analyst, advised the Board of a correction to the Summary of the IFF; Agenda page 2936, section 4; the sentence "Based on WHAT, it appears as though WHAT." should be redacted.

Upon a motion by Mr. Minor and seconded by Mr. Anders, the Board voted to accept the recommendation in the amended Summary of the Informal Fact-Finding Conference and approve Louis J. Dukes, Jr.'s application.

The members voting 'yes' were Mr. Anders, Ms. Dorey, and Mr. Minor. The members voting 'no' were Ms. Mayhue, Ms. Quinn, and Ms. Tsamouras. The member abstaining was Mr. Chapman. The motion failed.

Upon a motion by Mr. Minor and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Louis J. Dukes, Jr.'s application.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Mr. Minor, and Ms. Quinn. The members voting 'no' were Mr. Chapman, Ms. Mayhue, and Ms. Tsamouras. The motion passed by a majority.

In the matter of **File Number 2013-02694, Andre D. Gorham**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Andre D. Gorham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02694, Andre D. Gorham

Upon a motion by Mr. Anders and seconded by Ms. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Andre D. Gorham's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02695, Markebus Walker**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Markebus Walker did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02695, Markebus Walker

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Markebus Walker's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02696, Jimmy T. George**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Jimmy T. George did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02696, Jimmy T. George

Upon a motion by Mr. Anders and seconded by Ms. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Jimmy T. George's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02697, Curtis W. Givens**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Curtis W. Givens did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02697, Curtis W. Givens

Upon a motion by Mr. Minor and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Curtis W. Givens' application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02698, Spencer Hudnall**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Spencer Hudnall did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02698, Spencer Hudnall

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Spencer Hudnall's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Mr. Minor, and Ms. Quinn. The members voting 'no' were Ms. Mayhue and Ms. Tsamouras. The motion passed by a majority.

In the matter of **File Number 2013-02710, Kesha L. Holmes**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, cosmetology instructor at the Virginia Correctional Center for Women, appeared at the meeting on behalf of Ms. Holmes and addressed the Board.

File Number 2013-02710, Kesha L. Holmes

Upon a motion by Ms. Dorey and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kesha L. Holmes' application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02771, Maceo J. Barnes**, the Board

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reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Maceo J. Barnes did not appear at the meeting in person, by counsel, or by any other qualified representative.

02771, Maceo J. Barnes

Upon a motion by Mr. Minor and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Spencer Hudnall's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02820, Larry Fulgham**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Larry Fulgham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02820, Larry Fulgham

Upon a motion by Mr. Chapman and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Larry Fulgham's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02822, Paula Dawn Driver**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Paula Dawn Driver and witness, Tuesday Wolfrey, appeared at the meeting in person and addressed the Board.

File Number 2013-02822, Paula Dawn Driver

Upon a motion by Ms. Dorey and seconded by Ms. Quinn, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Paula Dawn Driver's application for cosmetology instructor.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02871, Derick Ackleson**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference.

File Number 2013-02871, Derick Ackleson

Derick Ackleson did not appear at the meeting in person, by counsel, or by any other qualified representative.

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Derick Ackleson's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Ms. Dorey and Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-02872, Vicki M. Jones**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, cosmetology instructor at the Virginia Correctional Center for Women, appeared at the meeting on behalf of Ms. Jones and addressed the Board.

File Number 2013-02872, Vicki M. Jones

Upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Vicki M. Jones' application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-02874, Rashanda I. Payne**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rashanda I. Payne appeared at the meeting in person and addressed the Board.

File Number 2013-02874, Rashanda I. Payne

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rashanda I. Payne's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-02875, Aaron D. Beale**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Aaron D. Beale did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02875, Aaron D. Beale

Upon a motion by Mr. Anders and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Aaron D. Beale's application, subject to the following conditions:

1. That Mr. Beale continue to register as a sex offender for as long as the law requires; and
2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-02876, Mark A. Allison**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mark A. Allison did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02876, Mark A. Allison

Upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mark A. Allison's application.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The members voting 'no' were Mr. Chapman and Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-02877, Rashawn T. Lawrence**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rashawn T. Lawrence did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02877, Rashawn T. Lawrence

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rashawn T. Lawrence's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-03226, Rebecca Cullison**, the Board

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reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deborah Fortune, cosmetology instructor at the Fluvanna Correctional Center for Women, appeared at the meeting on behalf of Ms. Cullison and addressed the Board.

03226, Rebecca Cullison

Upon a motion by Ms. Dorey and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rebecca Cullison's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-03227, Frances Baggett**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deborah Fortune, cosmetology instructor at the Fluvanna Correctional Center for Women, appeared at the meeting on behalf of Ms. Baggett and addressed the Board.

File Number 2013-03227, Frances Baggett

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rebecca Cullison's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Mr. Minor, and Ms. Quinn. The members voting 'no' were Ms. Dorey, Ms. Mayhue, and Ms. Tsamouras. The motion passed by a majority.

In the matter of **File Number 2013-03230, Danielle Cooper**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Danielle Cooper did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-03230, Danielle Cooper

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Danielle Cooper's application, subject to the following conditions:

1. That Ms. Cooper must report to the Board, for a period of one year from the date of this agreement, any misdemeanor or felony convictions within thirty (30) days of having plead, or having been found, guilty by any jurisdiction in the Commonwealth of Virginia or any other state or territory; and

2. Any and all other terms the Board deems appropriate.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The member voting 'no' was Ms. Mayhue. The motion passed by a majority.

In the matter of **File Number 2013-03231, Bridget Looney**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Amy Walton, cosmetology instructor at the Virginia Correctional Center for Women, appeared at the meeting on behalf of Ms. Looney and addressed the Board.

File Number 2013-03231, Bridget Looney

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Bridget Looney's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-03238, Katie Harlow**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Katie Harlow appeared at the meeting in person and addressed the Board.

File Number 2013-03238, Katie Harlow

Upon a motion by Mr. Chapman and seconded by Ms. Dorey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Katie Harlow's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2013-03283, Mark E. Masker**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mark E. Masker appeared at the meeting in person and was represented by Alexandra Bowen, Attorney with the law firm of Coates and Davenport, who addressed the Board.

File Number 2013-03283, Mark E. Masker (BP)

A motion was made by Mr. Anders to reject the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mark E. Masker's application to take the Body Piercer examination. There was no

second. The motion failed.

Upon a motion by Mr. Chapman and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Mark E. Masker's application.

The members voting 'yes' were Mr. Chapman, Ms. Mayhue, and Ms. Tsamouras. The members voting 'no' were Mr. Anders, Ms. Dorey, Mr. Minor, and Ms. Quinn. The motion failed.

Upon a motion by Mr. Anders and seconded by Mr. Minor, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mark E. Masker's application.

The members voting 'yes' were Mr. Anders and Mr. Minor. The members voting 'no' were Mr. Chapman, Ms. Dorey, Ms. Mayhue, and Ms. Quinn. The member abstaining was Ms. Tsamouras. The motion failed.

Upon a motion by Ms. Dorey and seconded by Mr. Chapman, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Mark E. Masker's application.

The members voting yes were Mr. Chapman, Ms. Dorey, Ms. Mayhue, and Ms. Quinn. The members abstaining were Mr. Anders, Mr. Minor, and Ms. Tsamouras. The motion passed by a majority.

In the matter of **File Number 2013-03284, Mark E. Masker**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mark E. Masker appeared at the meeting in person and was represented by Alexandra Bowen, Attorney with the law firm of Coates and Davenport, who addressed the Board.

File Number 2013-03284, Mark E. Masker (TAT)

Upon a motion by Mr. Chapman and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Mark E. Masker's application to take the Tattooer examination.

The members voting yes were Mr. Chapman, Ms. Dorey, Ms. Mayhue, and Ms. Quinn. The members voting 'no' were Mr. Anders and Mr. Minor. The member abstaining was Ms. Tsamouras. The motion passed by a majority.

Mr. Melis provided the Board with a status update of the Notice of Regulatory Action (NOIRA) regarding the regulatory review of the Barbers and Cosmetology Regulations, stating that the 30-day public comment period ended on July 31, 2013, with 41 public comments received. A draft of the revised Regulations will be prepared by late September or early October and sent to the Board for its review.

Regulatory Activity Report

Mr. Melis also reported to the Board on the progress of the Fast Track regulations related to adding the “attempted to obtain” clause to the Barbers and Cosmetology, Waxing, and Body Piercing Regulations in 18 VAC 41-20-260; 18 VAC 41-40-260; and 18 VAC 41-60-220, respectively. The amendments to the Regulations will be published to the Virginia Register of Regulations on August 26, 2013, and a public comment period will be open until September 25, 2013. The effective date of the regulations will be November 1, 2013.

Old Business

Mr. Melis presented the Non-Traditional Classroom Instruction Guidance Document that was drafted by staff following the guidelines the Board outlined during its discussion at the May 13, 2013 board meeting. Upon further discussion, the Board reached a consensus that currently enrolled students will be allowed to complete their existing programs as their curriculum is currently written. The Board also advised staff that a letter should be sent to all licensed schools regarding the Guidance Document and containing a copy of the Guidance Document, which is also available on the Regulatory Town Hall Website at this link: <http://www.townhall.virginia.gov/L/ViewGDoc.cfm?gdid=5318>

Non-Traditional Classroom Instruction: Guidance Document

Upon a motion by Ms. Tsamouras and seconded by Ms. Dorey, the Board voted to adopt the Non-Traditional Classroom Instruction Guidance Document as written.

The members voting ‘yes’ were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Mr. Melis presented the Acceptable Health Education Providers Guidance Document for tattooers and body piercers that was drafted by staff following the guidelines the Board outlined during its discussion at the May 13, 2013 board meeting. The Guidance Document is available on the Regulatory Town Hall Website at this link: <http://www.townhall.virginia.gov/L/ViewGDoc.cfm?gdid=5319>

Acceptable Health Education Providers

Upon a motion by Ms. Dorey and seconded by Ms. Quinn, the Board

voted to adopt the Acceptable Health Education Providers Guidance Document as written.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

New Business

The Board discussed instructional programs offered by the Virginia Department of Education in public vocational schools and high schools. The Board agreed that more information needed to be obtained about the content and structure of the Department's programs in order to provide for a thorough evaluation of the programs. The Board further agreed to establish an ad hoc committee to begin the process gathering information about the programs.

Programs approved by the Virginia Department of Education

Upon a motion by Ms. Dorey and seconded by Ms. Mayhue, the Board voted to establish the ad hoc committee to examine the programs related to the Board's professions that are being provided by the Virginia Department of Education.

Ms. Mayhue and Mr. Chapman agreed to serve on the committee.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

Doug Schroder, Director of Adjudication, provided the Board with training on the role of the Division of Regulatory Programs and Compliance and its relationship with the Board in the regulatory complaint process, including details on the powers and duties of regulatory boards regarding sanctions.

Compliance Training

Nick Christner, Deputy Director for Regulatory Programs and Compliance, discussed with the Board a suggestion that the Board delegate to staff its permission to offer consent agreements and to recommend sanctions for violations of any regulations.

Upon a motion by Ms. Dorey and seconded by Ms. Quinn, the Board voted to delegate to staff permission to offer consent agreements and to recommend sanctions for violations.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no

negative votes. The motion passed unanimously.

Mr. Melis presented a report to the Board on the status of the Professional Credential Services, Inc.'s contract to provide examination services, which expires on December 31, 2013, and the preparations to request proposals from outside vendors. Also under consideration is the development of a state examination (PCS currently administers the NIC exams) to protect the integrity of the examination content and reduce the incidence of fraud. Mr. Melis indicated that Ms. Dorey has been appointed to sit on the Request for Proposals (RFP) committee in the exam vendor selection process.

**Examination
Vendor Report**

There being no other business to be brought before the Board, Ms. Tsamouras adjourned the meeting at 2:36 P.M.

Adjourn

Daniella Tsamouras, Chair

Gordon N. Dixon, Secretary