

BOARD FOR BARBERS & COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, February 10, 2014, 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
Margaret B. LaPierre
Gail L. Mayhue
Jonathan W. Minor
Marie F. Quinn
Daniella Tsamouras

The following board members were not present:

Virginia Lee Sanders
Sean T. Sweeney

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

Nick A. Christner, Acting Director
Mark N. Courtney, Senior Director/Regulatory and Public Affairs
Demetrios J. Melis, Executive Director
Stephen Kirschner, Regulatory Operations Administrator
Cathy Clark, Administrative Assistant
Samantha Vrscak, Legal Analyst

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 9:03 A.M. **Call To Order**

The Board took the agenda under consideration. Mr. Melis introduced one amendment to the Agenda, under New Business: Substantially equivalent training for endorsement and examination applicants. **Approval of Agenda**

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

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

The Board took the minutes under consideration.

Upon a motion by Mr. Anders and seconded by Ms. Dorey, the Board voted to approve the November 18, 2013 Board for Barbers & Cosmetology Board Meeting minutes as written.

**Approval of
Minutes for
November 18, 2013
Board Meeting**

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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. There was none.

Public Comment

Cases

Mr. Chapman recused himself from the meeting.

**Mr. Chapman
Recused**

In the matter of **File Number 2011-04125, Kimberly Chi Huynh**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Kimberly Chi Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

**2011-04125,
Kimberly Chi
Huynh**

Concerning Count 1, upon a motion by Mr. Anders and seconded by Mr. Minor, 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 Kimberly Chi Huynh violated the following sections of its Regulations.

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

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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 Mr. Anders and seconded by Ms.

LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

Count 1:	18 VAC 41-20-280.A.3	\$ 2,500.00

TOTAL (MONETARY PENALTIES)		\$ 2,500.00

In addition, for violation of Count 1, the Board imposed revocation of Kimberly Chi Huynh's cosmetologist license 1201110244.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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.

Mr. Anders recused himself from the meeting.

Mr. Anders Recused

In the matter of **File Number 2013-02147, Jerad Thomas Long**, the Board reviewed the record which consisted of the Consent Order. Jerad Thomas Long did not appear at the meeting in person, by counsel, or by any other qualified representative.

**2013-02147, Jerad
Thomas Long**

By signing the Consent Order, Jerad Thomas Long acknowledges an understanding of the charges as outlined in the Report of Findings. Mr. Long neither admits to nor denies the violations, but consents to the following terms:

Count 1:	18 VAC 41-50-420.A.3.	\$ 600.00
Count 2:	18 VAC 41-50-420.A.3.	\$ 600.00

SUB-TOTAL (MONETARY PENALTIES)		\$1,200.00
BOARD COSTS		\$ 150.00
TOTAL		\$1,350.00

In addition, for violation of Count 1, Mr. Long agrees to revocation of his apprentice tattooer license, number 1234000561. In addition, Mr. Long agrees that the results of his January 15, 2013 tattooer license examination are null and void, resulting in the denial of his application for tattooer license number 1231001279.

However, the imposition of license revocation shall be stayed and the apprentice tattooer license, number 1234000561, placed on probation, subject to the following conditions:

- (1) Within 30 days of the effective date of this order, Mr. Long shall provide evidence acceptable to the Board that he has obtained a qualified apprenticeship sponsor. Mr. Long shall provide the Board with the name, physical address, and phone number of the sponsor, and an outline of the sponsor's training program. The sponsor must be properly approved by and registered with the Board;
- (2) Mr. Long and his apprenticeship sponsor shall provide quarterly updates on Mr. Long's apprenticeship progress, including hours worked and performances completed each quarter, in a format acceptable to the Board;
- (3) Mr. Long shall provide evidence acceptable to the Board, no sooner than 10 months, but no more than 12 months from the effective date of this order that he has successfully completed the 1500 hours of apprenticeship as required by 18 VAC 41-50-210. Mr. Long may not receive any credit based on previous experience, but must complete the entire 1500 hours; and
- (4) Once Mr. Long has completed the terms of conditions 1 through 3, he may apply for licensure. He must retake and pass the tattooer license examination according to the Board's established procedures.

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

The members voting 'yes' were Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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. Anders was not present, did not participate in the discussion, and did not vote on this matter.

In the matter of **File Number 2013-03001, David Arnold Jeffers**, the Board reviewed the record which consisted of the Consent Order. David Arnold Jeffers did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-03001, David Arnold Jeffers

By signing the Consent Order, David Arnold Jeffers acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings and consents to the following terms:

Count 1:	18 VAC 41-50-420.A.3.	\$2,500.00

	SUB-TOTAL (MONETARY PENALTIES)	\$2,500.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$2,650.00

In addition, for violation of Count 1, Mr. Jeffers agrees to voluntary revocation of his tattooer license number 1231001189.

Further, the Board shall waive imposition of the \$2,500.00 monetary penalty for Count 1 and shall waive the imposition of the \$150.00 Board costs.

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

The members voting 'yes' were Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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. Anders was not present, did not participate in the discussion, and did not vote on this matter.

Mr. Anders returned to the meeting.

In the matter of **File Number 2013-02653, Mane Street Hair Retreat Inc**, the Board reviewed the record which consisted of the Consent Order. Mane Street Hair Retreat Inc did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02653, Mane Street Hair Retreat Inc

A motion was made by Mr. Chapman and seconded by Ms. Mayhue to reject the proposed Consent Order offer and extend a counter offer, wherein Mane Street Hair Retreat admits to the violation of the Count as outlined in the Report of Findings and consents to the following term(s):

Count 1:	18 VAC 41-20-280.C.2	\$250.00

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

In addition, for the violation of Count 1, Mane Street Hair Retreat Inc agrees to a suspension of its cosmetology salon license number 1202213848 for a period of 90 days, during which the owner/operator(s) of Mane Street Hair Retreat Inc will complete a course on Board for Barbers and Cosmetology Regulations and submit evidence of

completion of the course to the Board.

If Mane Street Hair Retreat Inc does not accept the counter offer within 14 days, the license will be revoked.

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

Upon reconsideration, a motion was made by Mr. Chapman and seconded by Ms. Dorey to amend the Consent Order offer to remove the penalty of license revocation for failure to sign the Consent Order. If Mane Street Hair Retreat Inc does not accept the counter offer within 14 days, the case will be referred to an Informal Fact-Finding Conference.

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

Ms. Quinn recused herself from the meeting.

Ms. Quinn Recused

In the matter of **File Number 2013-02889, Richmond School of Health and Technology Inc, dba Chester Career College**, the Board reviewed the record which consisted of the Consent Order. Richmond School of Health & Technology did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02889, Richmond School of Health and Technology Inc, dba Chester Career College

By signing the Consent Order, Richmond School of Health and Technology Inc acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. Richmond School of Health and Technology Inc consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.3.	\$2,300.00
Count 2:	18 VAC 41-20-280.A.8.	\$ 0.00
SUB-TOTAL (MONETARY PENALTIES)		\$2,300.00
BOARD COSTS		\$ 150.00
TOTAL		\$2,450.00

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

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey,

Ms. LaPierre, Ms. Mayhue, Mr. Minor, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

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

Ms. Quinn returned to the meeting.

In the matter of **File Number 2013-01826, Phung Minh Nguyen**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Phung Minh Nguyen and witness/interpreter, Hoa H. Weisenberg, appeared at the meeting in person and addressed the Board.

File Number 2013-01826, Phung Minh Nguyen

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 Phung Minh Nguyen's application. The Board is of the opinion that Mr. Nguyen failed to comply with all procedures established by the Board with regard to his failure to provide truthful and accurate information on his exam application.

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

In the matter of **File Number 2013-02659, Katrina S. Harley**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Katrina S. Harley did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2013-02659, Katrina S. Harley

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 Katrina S. Harley's application.

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

In the matter of **File Number 2014-00292, Breyon DeAngelo Dowdell**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding

File Number 2014-00292, Breyon DeAngelo Dowdell

Conference. Breyon DeAngelo Dowdell did not appear at the meeting in person, by counsel, or by any other qualified representative.

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

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

In the matter of **File Number 2014-00732, Alexis Phoenix Nance**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Alexis Phoenix Nance did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-00732, Alexis Phoenix Nance

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 Alexis Phoenix Nance's application.

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

In the matter of **File Number 2014-00735, Georgia Farr**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Georgia Farr appeared at the meeting in person and addressed the Board.

File Number 2014-00735, Georgia Farr

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 approve Georgia Farr's application.

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

In the matter of **File Number 2014-00736, Elaine Truong**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Elaine Truong appeared at the meeting in person and addressed the

File Number 2014-00736, Elaine Truong

Board.

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 approve Elaine Truong's application subject to the following conditions:

1. That for a period of one year, Ms. Truong notifies the Board in writing and within 30 days of any new felony or misdemeanor conviction; and
2. Any and all other conditions deemed appropriate by the Board.

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

In the matter of **File Number 2014-00742, Tracey Johnson**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tracey Johnson appeared at the meeting in person and addressed the Board.

File Number 2014-00742, Tracey Johnson

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 Tracey Johnson's application.

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

In the matter of **File Number 2014-00743, Tabatha Dawn Miller**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tabatha Dawn Miller did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-00743, Tabatha Dawn Miller

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 Tabatha Dawn Miller's application.

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

In the matter of **File Number 2014-00948, Tiffany Terrell Edwards**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Debra Fortune, Cosmetology Instructor for the Fluvanna Correctional Center for Women, appeared at the meeting and addressed the Board on behalf of Ms. Edwards.

File Number 2014-00948, Tiffany Terrell Edwards

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 Tiffany Terrell Edwards' application.

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

In the matter of **File Number 2014-00949, Neona Nichelle King**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Debra Fortune, Cosmetology Instructor for the Fluvanna Correctional Center for Women, appeared at the meeting and addressed the Board on behalf of Ms. King.

File Number 2014-00949, Neona Nichelle King

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 deny Neona Nichelle King's application, due to the nature and seriousness of the crimes, Ms. King's lack of progress in her rehabilitation, and that granting a license may provide for the opportunity to commit crimes of a similar nature.

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

In the matter of **File Number 2014-00950, Meriem Moussaif**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Meriem Moussaif appeared at the meeting in person and addressed the Board.

File Number 2014-00950, Meriem Moussaif

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

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

In the matter of **File Number 2014-00951, Kenya Shirlene Webb**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Debra Fortune, Cosmetology Instructor at Fluvanna Correction Center for Women, appeared at the meeting on behalf of Ms. King and addressed the Board.

File Number 2014-00951, Kenya Shirlene Webb

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 Kenya Shirlene Webb's application.

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

Upon a motion by Ms. Mayhue and seconded by Ms. LaPierre, the Board voted to reject the recommendation in the Summary of the Informal Fact-Finding Conference and deny Kenya Shirlene Webb's application. The Board determined that, due to the nature and seriousness of the crimes, and lack of evidence of Ms. Webb's rehabilitation and rehabilitative effort while incarcerated, the Board could not protect the health, safety and welfare of the public.

The members voting 'yes' were Mr. Chapman, Ms. Dorey, Ms. LaPierre, 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 2014-01225, Shane Adams**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shane Adams and witness, Charles Lee Wyatt, appeared at the meeting in person and addressed the Board.

File Number 2014-01225, Shane Adams

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 Shane Adams' application subject to the following conditions:

1. That Mr. Adams submits evidence of his compliance with ASAP, on a quarterly basis for a period of one year, or until he completes

ASAP, whichever occurs first. This evidence must be received by the Board by May 30, August 30, and November 30, 2014; and

2. That Mr. Adams submits evidence of his timely payments toward all outstanding court costs, fines, or restitution, on a quarterly basis for a period of one year. This evidence must be received by the Board by May 30, August 30, and November 30, 2014; and;
and
3. That Mr. Adams notifies the Board, in writing and within 30 days of conviction, of any new misdemeanor or felony convictions;
and
4. Any other terms deemed appropriate by the Board.

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

In the matter of **File Number 2014-01258, Hamin A. R. Al-Hajj**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Hamin A. R. Al-Hajj did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-01258, Hamin A. R. Al-Hajj

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 Hamin A. R. Al-Hajj's application.

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

In the matter of **File Number 2014-01260, Teresa Kate Wade**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Teresa Kate Wade did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-01260, Teresa Kate Wade

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 Teresa Kate Wade's application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. Dorey,

Ms. LaPierre, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2014-01352, Mary Beth Pierce**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mary Beth Pierce, and witness, Dan Bauer, appeared at the meeting in person and addressed the Board.

File Number 2014-01352, Mary Beth Pierce

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 Mary Beth Pierce's application.

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

In the matter of **File Number 2014-01375, Christopher Tamark Brown**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Franklin Harvey, Barber Instructor for the Beaumont Juvenile Correctional Center, appeared at the meeting and addressed the Board on behalf of Mr. Brown.

File Number 2014-01375, Christopher Tamark Brown

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 Christopher Tamark Brown's application.

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

In the matter of **File Number 2014-01449, Tiffany Lynn Huynh**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffany Lynn Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-01449, Tiffany Lynn Huynh

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 Tiffany Lynn Huynh's application.

The members voting 'yes' were Mr. Anders, Ms. Dorey, Ms. LaPierre, Mr. Minor, and Ms. Quinn. The members abstaining were Mr. Chapman,

Ms. Mayhue, and Ms. Tsamouras. The motion passed by a majority.

In the matter of **File Number 2014-01449, Takia Marie Nelson**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Takia Marie Nelson did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-01449, Takia Marie Nelson

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 Takia Marie Nelson's application.

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

Regulatory Activity

Mr. Kirschner reported to the Board that the fee adjustments adopted by the Board at its November 18, 2013 meeting have been approved and will take effect on March 1, 2014.

Fee Adjustment

Mr. Kirschner reported to the Board that the proposed amendments to the Regulations, adopted by the Board at its November 18, 2013 meeting, were submitted to the Department of Planning and Budget for review on January 21, 2014. The 45-day review period ends March 7, 2014, after which the proposed amendments will be reviewed by the Cabinet Secretary, followed by the Governor. After the Governor's review and approval, a 60-day public comment period will be published.

NOIRA

Mr. Melis informed the Board of the status of the esthetics apprenticeship committee. It was agreed that a review of the current esthetics regulations would be required in order to allow for apprenticeship as a method of entry.

**Esthetics
Apprenticeship**

Upon a motion by Ms. Tsamouras and seconded by Ms. LaPierre, the Board voted to issue a Notice of Intended Regulatory Action (NOIRA) in order to initiate a review of the esthetics regulations.

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

Old Business

Mr. Melis provided the Board with a draft of a proposed Guidance Document addressing the transfer of hours and the Board's interpretation of what constitutes a completed approved program in licensed schools. The draft proposed three regulatory interpretation options for the Board's consideration. After reviewing the proposed interpretations, the consensus was that Option 1 was the appropriate choice.

**Student
Transferring of
Credit Hours**

Option 1:

A completed approved program may be composed of transferred hours under the following conditions:

- Both the new and former school must be licensed by the Board while the student is enrolled and have their current curriculum approved by the Board.
- The hours earned at the originating school must have been earned no more than two years prior to enrolling in the new school.
- Both the new and former school must use the same text and curriculum.
- Both the new and former school must be accredited by the National Accrediting Commission of Career Arts and Sciences (NACCAS). NACCAS is the most prevalent accrediting body for cosmetology, esthetics, and barbering schools.
- The new school may only credit completed content, and must substantiate, based on the student's transcript, how hours were awarded toward each content area.
- The applicant shall provide the Board with satisfactory evidence of the above.

Upon a motion by Ms. Tsamouras and seconded by Ms. Dorey, the Board voted to approve the Guidance Document: Transfer Hours Constituting a Complete Program, incorporating Option 1, effective this day.

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

New Business

Mr. Melis provided the Board with a draft of a proposed Guidance Document addressing the Board's regulatory interpretation of substantial equivalence of out-of-state training for endorsement applicants and examination applicants, as described in 18 VAC 41-20-20 and 18 VAC 41-20-30.

**Substantially
Equivalent Training**

Upon a motion by Ms. Tsamouras and seconded by Mr. Anders, the Board voted to approve the Guidance Document as written, effective this day.

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

There being no other business to be brought before the Board, Ms. Tsamouras adjourned the meeting at 10:51 AM

Adjourn

Daniella Tsamouras, Chair

Nick A. Christner, Acting Secretary