

BOARD FOR BARBERS & COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers & Cosmetology met on Monday, May 12, 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.
Margaret B. LaPierre
Gail L. Mayhue
Jonathan W. Minor
Marie F. Quinn
Daniella Tsamouras

The following board members were not present:

Norma J. Dorey
Virginia Lee Sanders

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

Jay W. DeBoer, 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 **Call To Order** meeting to order at 9:08 AM.

The Board took the agenda under consideration.

Approval of Agenda

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

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

The Board took the minutes under consideration.

**Approval of
Minutes for
February 10, 2014
Board Meeting**

Upon a motion by Mr. Chapman and seconded by Ms. Mayhue, the Board voted to approve the February 10, 2014 Board for Barbers & Cosmetology Board Meeting minutes as written.

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

Mr. Melis introduced Mr. Jay W. DeBoer, newly appointed Director of the Department of Professional Occupational Regulation, and Ms. Tamika Rodriguez, Licensing Operations Administrator for the Board for Barbers and Cosmetology and the Board for Hearing Aid Specialists and Opticians.

**Introduction of new
Director and staff**

Ms. Tsamouras asked if there was any public comment.

Public Comment

Ms. Sophonia Gee, owner of a Virginia esthetics school, addressed the Board on the topic of the Transfer Hours Guidance Document. The Board took Ms. Gee's comments under advisement.

Ms. Deborah Waters, owner of a Virginia esthetics school, addressed the Board on the topic of the Transfer Hours Guidance Document, with specific reference to the two-year limit on last enrollment. The Board took Ms. Waters' comments under advisement.

Mr. Bradley Hansen, counsel for the Paul Mitchell Schools, addressed the Board on the topic of the Transfer Hours Guidance Document, with specific reference to interpretation of the Regulations as it relates to the Guidance Document. The Board took Mr. Hansen's comments under advisement.

Mr. Rick Patterson, of Kramrick Educational Consultants LLC, addressed the Board on the topic of the Transfer Hours Guidance Document, with specific reference to accrediting bodies. The Board took Mr. Patterson's comments under advisement.

Ms. Christine Gordon, of Graham Webb Academy, addressed the Board on the topic of the Transfer Hours Guidance Document and the change to a new examination vendor. Ms. Gordon asked the Board to consider eliminating the practical examination. The Board took Ms. Gordon's comments under advisement.

Martha Carrion, a cosmetologist applicant, addressed the Board on the topic of obtaining a license by endorsement from the State of New York, with specific reference to additional training required and questions about schools approved to provide the training. The Board took Ms. Carrion's comments under advisement, and staff provided Ms. Carrion with information outside of the meeting.

McKinley Stockton, barber teacher at a Virginia barber school, addressed the Board on the topic of the Transfer Hours Guidance Document and the practical examination process and content. The Board took Mr. Stockton's comments under consideration.

There were no additional public comments.

Ms. LaPierre recused herself from the meeting.

In the matter of **File Number 2013-00227, LAT Inc, dba/Institute of Advance Medical Esthetics**, the Board reviewed the record which consisted of the Consent Order. Mr. Bill Herb and Ms. Paige Fitzgerald, of the law firm of Troutman Sanders and counsel to LAT Inc., appeared at the meeting with Ms. Laura Todd, owner of LAT Inc., and addressed the Board on behalf of LAT Inc. Ms. Todd did not address the Board.

By signing the Consent Order, LAT Inc. acknowledges an understanding of the charges and neither admits nor denies the violation of the Count as outlined in the Report of Findings. LAT Inc. consents to the following term(s):

Count 1:	18 VAC 41-70-230	\$600.00

	SUB-TOTAL (MONETARY PENALTIES)	\$600.00
	BOARD COSTS	\$150.00
	TOTAL	\$750.00

For Count 1, it is acknowledged that LAT Inc. has submitted for the Board's approval a new curriculum, which identifies courses as "Basic" or "Master" and which delineates in what order the courses should be taught.

Further, LAT Inc. agrees that courses offered at LAT Inc. shall be taught in accordance with the above-referenced curriculum, once approved by the Board.

Cases

Ms. LaPierre
recused

2013-00227, LAT
Inc, dba/Institute of
Advanced Medical
Esthetics

In addition, LAT Inc. agrees that LAT Inc. shall record the date(s) that each student completes a course and/or practical performance.

Lastly, LAT Inc. shall make transcripts available to students upon completion of the “Basic” course.

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.

Citing a personal interest in this case, Ms. LaPierre was not present, did not participate in the discussion, and did not vote on this matter.

Ms. LaPierre returned to the meeting.

Ms. LaPierre
Recused

Ms. Tsamouras recused herself from the meeting.

Ms. Tsamouras
Recused

As Vice-Chair, Ms. Mayhue assumed the Chair in Ms. Tsamouras absence.

Ms. Mayhue
assumes Chair

In the matter of **File Number 2013-02621, Nhuy Thi Phan**, the Board reviewed the record which consisted of the Consent Order. Nhuy Thi Phan appeared at the meeting, accompanied by her interpreter, Sang Nguyen. Ms. Phan addressed the Board through her interpreter.

2013-02621, Nhuy
Thi Phan

By signing the Consent Order, Nhuy Thi Phan acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. Nhuy Thi Phan consents to the following term(s):

Count 1:	18 VAC 41-20-280.A.1.	\$450.00

	SUB-TOTAL (MONETARY PENALTIES)	\$450.00
	BOARD COSTS	\$150.00
	TOTAL	\$600.00

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

The members voting ‘yes’ were Mr. Anders, Mr. Chapman, Ms.

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

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

Ms. Tsamouras returned to the meeting and assumed the Chair.

Ms. Tsamouras
Recused

Ms. Mayhue recused herself from the meeting.

Ms. Mayhue
Recused

In the matter of **File Number 2014-00158, A & K Nails**, the Board reviewed the record which consisted of the Consent Order. A & K Nails did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-
00158, A & K Nails

By signing the Consent Order, A & K Nails acknowledges an understanding of the charges and admits to the violation(s) of the Counts as outlined in the Report of Findings. A & K Nails consents to the following term(s):

Count 1:	18 VAC 41-20-270.J.	\$ 50.00
Count 2:	18 VAC 41-20-270.B.5.	\$ 300.00
Count 3:	18 VAC 41-20-270.B.6.	\$ 100.00
Count 4:	18 VAC 41-20-270.B.1.	\$ 300.00
Count 5:	18 VAC 41-20-270.B.7.	\$ 300.00
Count 6:	18 VAC 41-20-270.E.7.	\$ 100.00
Count 7:	18 VAC 41-20-270.D.1	\$ 350.00
Count 8:	18 VAC 41-20-270.E.3.	\$ 100.00
Count 9:	18 VAC 41-20-270.E.11.	\$ 100.00
Count 10:	18 VAC 41-20-270.C.1.	\$ 100.00
Count 11:	18 VAC 41-20-270.B.8.	\$ 200.00

	SUB-TOTAL (MONETARY PENALTIES)	\$2,000.00
	BOARD COSTS	\$ 150.00
	TOTAL	\$2,150.00

For violation of Counts 2, 5, and 7, A & K Nails agrees to revocation of its license.

Further, the Board agrees to waive imposition of license revocation for counts 2, 5, and 7.

In addition, for violation of Counts 2, 5, and 7, A & K Nails agrees to a three (3) year probation of its license as of the effective date of this

Order. During this three (3) year probation, A & K Nails agrees to not be in violation of any regulations of the Board for Barbers and Cosmetology for transactions occurring after the effective date of this Order.

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

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

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

In the matter of **File Number 2014-00556**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Elaine P. Roulidis did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-00556, Elaine P. Roulidis

Concerning Counts 1 and 2, upon a motion by Mr. Minor and seconded by Ms. LaPierre, 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 Elaine P. Roulidis violated the following sections of its Regulations.

Count 1: 18 VAC 41-70-280.A.5.
Count 2: 18 VAC 41-70-280.A.5.

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

As a Board representative in this case, Ms. Mayhue 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 Mr. Minor 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 41-70-280.A.5. \$ 0.00
Count 2: 18 VAC 41-70-280.A.5. \$1,000.00

TOTAL (MONETARY PENALTIES) \$ 1,000.00

The Board also imposes the following sanction:

Revocation of license number 1261003701 for violation of Count 1.

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

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

Ms. Mayhue returned to the meeting.

**Ms. Mayhue
Recused**

In the matter of **File Number 2014-01885, Michael Ray White**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Michael Ray White appeared at the meeting and addressed the Board.

**File Number 2014-
01885, Michael Ray
White**

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 Michael Ray White's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-01891, Heather L. Opp**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Heather L. Opp did not appear at the meeting in person, by counsel, or by any other qualified representative.

**File Number 2014-
01891, Heather L.
Opp**

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 Heather L. Opp's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-01893, Connie R. Robinson**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Connie R. Robinson appeared at the meeting and addressed the Board.

File Number 2014-01893, Connie R. Robinson

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

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-01894, David Shaun Coffey II**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shaun David Coffey II appeared at the meeting and addressed the Board.

File Number 2014-01894, David Shaun Coffey II (Barber Shop)

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 David Shaun Coffey II's barber shop license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-01895, David Shaun Coffey II**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shaun David Coffey II appeared at the meeting and addressed the Board.

File Number 2014-01895, David Shaun Coffey II (Barber)

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 David Shaun Coffey II's barber license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02037, Morgan Rae Galvin**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Morgan Rae Galvin did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02037, Morgan Rae Galvin

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 Morgan Rae Galvin's license reinstatement application.

The members voting 'yes' were Mr. Anders, Ms. LaPierre, 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 2014-02058, Yashiema Yvetta Lemon**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Yashiema Yvetta Lemon did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02058, Yashiema Yvetta Lemon

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 Yashiema Yvetta Lemon's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02209, Staci Renee Tenney**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Staci Renee Tenney did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02209, Staci Renee Tenney

Upon a motion by Mr. Minor and seconded by Ms. Mayhue, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Staci Renee Tenney's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02210, Ira Scott Morris dba/Scotty Rocks Inkslinger**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ira Scott Morris appeared at the meeting and addressed the Board.

File Number 2014-02210, Ira Scott Morris dba/Scotty Rocks Inkslinger (BPS)

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 Ira Scott Morris' body-piercing salon license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02211, Ira Scott Morris dba/Scotty Rocks Inkslinger**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Ira Scott Morris appeared at the meeting and addressed the Board.

File Number 2014-02211, Ira Scott Morris dba/Scotty Rocks Inkslinger (TP)

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 Ira Scott Morris' tattoo parlor license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02215, Carmela Sierra Wohanka**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Carmela Sierra Wohanka appeared at the meeting, accompanied by attorney, Alexandra Bowen, and witnesses Jessika Simmons and Christina Morrow. Ms. Wohanka, Ms. Bowen, and Ms. Simmons addressed the Board.

File Number 2014-02215, Carmela Sierra Wohanka

Upon a motion by Mr. Minor and seconded by Ms. Quinn, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Carmela Sierra Wohanka's body-piercer license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02216, Dorothy Angel Horsley**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Dorothy Angel Horsley appeared at the meeting, accompanied by attorney, Alexandra Bowen, and witnesses Jessika Simmons and Christina Morrow. Ms. Horsley, Ms. Bowen, and Ms. Simmons addressed the Board.

File Number 2014-02216, Dorothy Angel Horsley

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 Dorothy Angel Horsley's body-piercer license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02217, Cierrah Dale Rhodes**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Cierrah Dale Rhodes appeared at the meeting, accompanied by attorney, Alexandra Bowen, and witnesses Jessika Simmons and Christina Morrow. Ms. Rhodes, Ms. Bowen, and Ms. Simmons addressed the Board.

File Number 2014-02217, Cierrah Dale Rhodes

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 Cierrah Dale Rhodes' body-piercer license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02239, David Allen Lyons**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. David Allen Lyons appeared at the meeting and addressed the Board.

File Number 2014-02239, David Allen Lyons

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 David Allen Lyons' license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02243, Regan Lori Powers**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Regan Lori Powers appeared at the meeting and addressed the Board.

File Number 2014-02243, Regan Lori Powers

Upon a motion by Ms. LaPierre and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Regan Lori Powers' license reinstatement application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02244, Joi Marlana Strother**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Debra Fortune, director of the cosmetology program at the Fluvanna Correctional Center for Women, appeared at the meeting and addressed the Board on behalf of Joi Marlana Strother.

File Number 2014-02244, Joi Marlana Strother

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 Joi Marlana Strother's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02249, Artis Kieon Latham**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Artis Kieon Latham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02249, Artis Kieon Latham

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 Artis Kieon Latham's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02250, Pearl R. Quinn**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Pearl R. Quinn did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2014-02250, Pearl R. Quinn

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 Pearl R. Quinn's license application.

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

In the matter of **File Number 2014-02254, Cereatha Denise Howard**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Debra Fortune, Director of the cosmetology program at the Fluvanna Correctional Center for Women, appeared at the meeting and addressed the Board on behalf of Cereatha Denise Howard.

File Number 2014-02254, Cereatha Denise Howard

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 Cereatha Denise Howard's license application, citing lack of evidence of rehabilitation, and that the occupation might offer the applicant an opportunity to engage in criminal activity of the same type.

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

In the matter of **File Number 2014-02256, Tiffany Michelle Hart**, the Board reviewed the record which consisted of the application file,

File Number 2014-02256, Tiffany

transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffany Michelle Hart appeared at the meeting and addressed the Board.

Michelle Hart

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 Michelle Hart's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02332, Selena Marie Bigley**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Selena Marie Bigley appeared at the meeting and addressed the Board.

File Number 2014-02332, Selena Marie Bigley

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 Selena Marie Bigley's license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02350, Artemus Leteze Taylor, Sr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Artemus Leteze Taylor, Sr. appeared at the meeting and addressed the Board.

File Number 2014-02350, Artemus Leteze Taylor, Sr.

Upon a motion by Mr. Chapman and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Artemus Leteze Taylor, Sr.'s license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02391, Horace L. McClenny, Jr.**, the Board reviewed the record which consisted of the application file,

File Number 2014-02391, Horace L.

transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. McClenny contacted the Board by telephone prior to the meeting to report that he had been involved in a traffic accident and would not be able to attend as previously reported. Horace L. McClenny, Jr. did not appear at the meeting in person, by counsel, or by any other qualified representative.

McClenny, Jr.

Upon a motion by Ms. Mayhue and seconded by Mr. Anders, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Horace L. McClenny, Jr.'s license application.

The members voting 'yes' were Mr. Anders, Mr. Chapman, 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 2014-02402, Daniel Lee Blackburn**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Daniel Lee Blackburn appeared at the meeting and addressed the Board.

File Number 2014-02402, Daniel Lee Blackburn

Ms. Vrscak cited a correction the Summary of the Informal Fact Finding Conference, page 3573 of the Agenda, #7 (the amount of time that has elapsed since the person's last involvement in the commission of a crime;) should read, "Approximately 3-1/2 years have elapsed since Blackburn's last involvement in the commission of a crime."

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

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

Regulatory Review Report

Mr. Kirschner reported to the Board on the progress of the Notices of Intended Regulatory Action (NOIRA) for the Barbers and Cosmetology Regulations that is currently under review by the Secretary of Commerce and Trade, and will next move to the Governor's office. After the Governor's review and approval, a public comment period will be

NOIRA for Barbers and Cosmetology and Esthetic Regulations

opened.

Mr. Kirschner also reported on the NOIRA for the Esthetics Regulations. The NOIRA was published on April 21, 2014 and a public comment period commenced on that date and will end on May 21, 2014.

Mr. Kirschner reported to the Board on the Code of Virginia requirement (under § 54.1-119 effective July 1, 2014) that, if a board is unable (i) to complete the review of the documentation provided by the applicant or (ii) make a final determination regarding substantial equivalency within 30 days of the receipt of a completed application, the board shall issue a temporary license, permit, or certificate that is limited for a period not to exceed six months.

Expedited License Applications for Military Spouses

Mr. Melis and Mr. Kirschner provided, for the Board's review, an amended guidance document that addresses the awarding of credits and/or hours to transfer students. The original guidance document was approved by the Board at its February 10, 2014 meeting. The Board reviewed the proposed changes and recommended further amendments with regard to the schools' licensure by the appropriate state licensing entity and to the schools' accrediting agency.

Old Business

Transfer Guidance Document

Upon a motion by Ms. Tsamouras and seconded by Ms. LaPierre, the Board voted to approve the amended guidance document, entitled "Guidance Document: Barber and Cosmetology Schools – Awarding Credits and/or Hours to Transfer Students."

The members voting 'yes' were Mr. Anders, Mr. Chapman, Ms. LaPierre, Ms. Mayhue, Mr. Minor, Ms. Quinn, and Ms. Tsamouras. The motion passed unanimously.

Mr. Melis reported to the Board on the transition that is currently in progress to the new examination vendor, Ergometrics. Mr. Melis provided the Board with highlights of several of the new vendor's processes, including the availability to (1) sit for the practical and theory exams on the same test date; (2) schedule a test date within 80 hours of the completion date of training; and (3) assist schools with record-keeping through its cloud-based website.

Exam Vendor Transition

The Board discussed other aspects of the exam process through Ergometrics and posed questions to staff. Among the topics discussed was the inclusion of questions about business management and Regulations. The Board's consensus is that questions regarding business management

and Regulations should be included on the examinations administered by Ergometrics.

Further discussion took place on the use of mannequins versus live models for practical exams. Staff informed the Board that Ergometrics recommends the use of mannequins exclusively for all exams. The Board asked that staff discuss an option for a live model in all disciplines. Staff agreed to discuss the topic further with Ergometrics representatives.

Mr. Melis discussed with the Board the interpretation of statute as it relates to the scope of practice of cosmetologists and estheticians. The concluded interpretation was that a licensed cosmetologist may perform all of the practices of a licensed (basic) esthetician.

Mr. Melis discussed with the Board the interpretation of statute as it relates to face shaving by licensed cosmetologists. The concluded interpretation was that licensed cosmetologist may perform face shaving if he/she has obtained the appropriate training to do so since it is not in the cosmetology curriculum.

Mr. Melis and Mr. Kirschner reported on their recent site visit to the Fluvanna Correctional Center for Women to observe its cosmetology training program under the direction of Ms. Debra Fortune. The Board was provided with hand-outs, including (1) the student contract; (2) the cosmetology school rules; and (3) photos of the classroom and clinical areas of the school.

Mr. Kirschner provided in-service training to the Board on the regulatory complaint and disciplinary process and the board member's role in the process.

Mr. Melis advised the Board of Board vacancies and that elections would be held at the August 11, 2014 meeting.

There being no other business to be brought before the Board, Ms. Tsamouras adjourned the meeting at 12:58 PM.

New Business

Statutory Interpretation – Cosmetologist and Esthetics

Statutory Interpretation – Cosmetologists and face shaving

Site visit to Fluvanna Correctional Center for Women

In-Service Training: Disciplinary Process

Board Vacancies and Elections

Adjourn

Daniella Tsamouras, Chair

Jay W. DeBoer, Secretary