

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, August 21, 2017, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present:

Robert D. Jones II
Margaret B. LaPierre
Anne R. McCaffrey
Jonathan W. Minor
Lonnie Quesenberry
Marie F. Quinn

The following board member was not present:

Norma J. Dorey
T. Daniel Jones
Daniella Tsamouras
Tony M. Williams

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

Stephen Kirschner, Regulatory Operations Administrator
Tamika Rodriguez, Licensing Operations Administrator
Cathy Clark, Administrative Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting:

James M. Flaherty, Assistant Attorney General

Mr. Quesenberry, Chair, determined a quorum was present and called the meeting to order at 9:06 A.M.

Call to Order

The Board took the agenda under consideration. Mr. Quesenberry asked for any amendments.

**Approval of
Agenda**

Mr. Kirschner advised the Board that a Consent Order case for Joshua Clayton Sweany had been removed from the Agenda by the Department.

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

The Board took the minutes of the May 8, 2017 Board Meeting, the June 12, 2017 Barbering Committee Meeting, and the June 28, 2017 Committee on Esthetics Apprenticeships Meeting under consideration. Mr. Quesenberry asked for any amendments.

Ms. LaPierre advised the Board that a correction was needed for the State Apprenticeship Standards for Esthetics and Master Esthetics (Addendum 1 of the June 28, 2017 minutes). Part D. Advanced Skin Care and Advanced Modalities, on Page 14 of the Standards, incorrectly states 620 hours, and should be 640 hours.

Upon a motion by Ms. LaPierre and seconded by Ms. McCaffrey, the Board voted to approve the May 8, 2017 Board for Barbers and Cosmetology Board Meeting minutes, the June 12, 2017 Barbering Committee Meeting minutes, and the amended June 28, 2017 Committee on Esthetics Apprenticeships Meeting minutes.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

There were no communications received.

Mr. Quesenberry asked if there was any public comment.

Mr. Jon Vidana, of Falls Church, addressed the Board on the topic of cosmetologists who perform straight razor shaving, and recommended that there should be a test for cosmetologists who wish to perform shaving. The Board took Mr. Vidana's comments under advisement.

Mr. Ethan DeNolf, of Alexandria, representing the Virginia Barbers Club, addressed the Board on the issue of unlicensed barbers and of barbers competing in barber shows without valid Virginia licenses. The Board took Mr. DeNolf's comments under advisement.

Mr. Jason Chavez, of Woodbridge, VA, addressed the Board on the prevalence of unlicensed barbers and suggested better oversight of barber shops. The Board took Mr. Chavez's comments under advisement.

Ms. Jessie Olsen, Master Esthetics Instructor from The Chrism Institute of

**Approval of
Minutes for the
May 8, 2017
Board Meeting,
the June 12, 2017
Barbering
Committee, and
the March 20,
2017 Committee
on Esthetics
Apprenticeships
Meeting**

Communication

Public Comment

Esthetics in Virginia Beach, addressed the Board on the topic of microneedling, suggesting that master estheticians be permitted to engage in the practice. Ms. Olsen also addressed the high fail rate among master esthetician candidates on the theory examination. The Board took Ms. Olsen's comments under advisement.

Ms. Natalie Butcher, a Master Esthetician from Norfolk, also addressed the Board on allowing master estheticians to practice microneedling. The Board took Ms. Butcher's comments under advisement.

Cases

In the matter of **File Number 2017-00077, Vanh Reasonover**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Vanh Reasonover did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-00077, Vanh Reasonover

Concerning Counts 1 and 2, upon a motion by Mr. R. Jones 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 Vanh Reasonover violated the following section of its Regulations:

(Effective October 1, 2006)

Count 1: 18 VAC 41-50-420.A.4
Count 2: 18 VAC 41-50-420.A.4

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

Concerning Counts 1 and 2, upon a motion by Mr. R. Jones and seconded by Mr. Minor, 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 41-50-420.A.4	\$ 1,400.00
Count 2:	18 VAC 41-50-420.A.4	\$ 1,400.00

TOTAL (MONETARY PENALTIES)		\$ 2,800.00

The Board also imposes the following sanction:

Revocation of Vanh Chen Reasonover's tattoo instructor license, number 1239000030, for violations of Counts 1 and 2.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-00856, Far Beyond Ink, Inc.**, the Board reviewed the record which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Steven Bryant appeared in person at the meeting and addressed the Board on behalf of Far Beyond Ink, Inc.

File Number 2017-00856, Far Beyond Ink, Inc.

Concerning Count 1, upon a motion by Mr. R. Jones 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 Vanh Reasonover violated the following section of its Regulations:

(Effective October 1, 2006)

Count 1: 18 VAC 41-50-420.B.2

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

Concerning Count 1, upon a motion by Mr. R. Jones and seconded by Ms. McCaffrey, the Board voted to reject the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

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

TOTAL (MONETARY PENALTIES)		\$ 2,500.00

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-00152, Jose Ramon Pizarro**, the Board reviewed the record, which consisted of the Consent Order. Jose Ramon Pizarro did not appear at the meeting in person, by counsel, or by any other qualified

File Number 2017-00152, Jose Ramon Pizarro

representative.

By signing the Consent Order, Jose Ramon Pizarro acknowledges an understanding of the charges and 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.A.3	\$ 2,250.00

TOTAL (MONETARY PENALTIES)		\$ 2,250.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 2,400.00

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-00626, Mass Flow Beauty Salon and Barber Shop**, the Board reviewed the record, which consisted of the Consent Order. Mass Flow Beauty Salon and Barber Shop did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-00626, Mass Flow Beauty Salon and Barber Shop

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to reject the Consent Order and forward the case to Adjudication for an Informal Fact Finding Conference.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-00717, Beauty Bar & Spa, Inc. dba Beauty Bar & Spa**, the Board reviewed the record, which consisted of the Consent Order. Beauty Bar & Spa did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-00717, Beauty Bar & Spa, Inc. dba Beauty Bar & Spa

By signing the Consent Order, Beauty Bar & Spa acknowledges an understanding of the charges and 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	\$ 1,750.00
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TOTAL (MONETARY PENALTIES)	----- \$ 1,750.00
BOARD COSTS	\$ 150.00
TOTAL	\$ 1,900.00

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01213, Nail Art**, the Board reviewed the record, which consisted of the Consent Order. Thong Thai appeared in person at the meeting and addressed the Board on behalf of Nail Art.

File Number 2017-01213, Nail Art

Upon a motion by Ms. LaPierre and seconded by Ms. McCaffrey, the Board voted to reject the Consent Order and forward the case to Adjudication for an Informal Fact Finding Conference.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01625, Cam Phuong Thi Huynh**, the Board reviewed the record, which consisted of the Consent Order. Cam Phuong Thi Huynh did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01625, Cam Phuong Thi Huynh

By signing the Consent Order, Cam Phuong Thi Huynh acknowledges an understanding of the charges and 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.A.3	\$ 0.00
TOTAL (MONETARY PENALTIES)		----- \$ 0.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 150.00

In addition, Cam Phuong Thi Huynh agrees to revocation of her cosmetologist license, number 1201127934, for violations of Count 1.

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01878, Ngoc Pham**, the Board reviewed the record, which consisted of the Consent Order. Ngoc Pham did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01878, Ngoc Pham

By signing the Consent Order, Ngoc Pham acknowledges an understanding of the charges and 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.A.3	\$ 2,500.00
Count 2:	18 VAC 41-20-280.6	\$ 2,500.00

TOTAL (MONETARY PENALTIES)		\$ 5,000.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 5,150.00

In addition, Ngoc Pham agrees to revocation of her cosmetologist license, number 1201128763, for violations of Counts 1 and 2.

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

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

Mr. Quesenberry recused himself from the meeting. Ms. LaPierre assumed the Chair.

**Mr. Quesenberry
Recused**

In the matter of **File Number 2017-02113, T and C Nails LLC**, the Board reviewed the record, which consisted of the Consent Order. T and C Nails LLC did not appear at the meeting in person, by counsel, or by any other qualified

**File Number 2017-02113, T and C
Nails LLC**

representative.

By signing the Consent Order, T and C Nails LLC acknowledges an understanding of the charges and 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.A.3	\$ 500.00

TOTAL (MONETARY PENALTIES)		\$ 500.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 650.00

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

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

Mr. Quesenberry returned to the meeting and reassumed the Chair.

In the matter of **File Number 2017-02496, Hair & Nails Spa**, the Board reviewed the record, which consisted of the Consent Order. Hair & Nails Spa did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02496, Hair & Nails Spa

By signing the Consent Order, Hair & Nails Spa acknowledges an understanding of the charges and 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 41-20-270.B.6	\$ 50.00
Count 2:	18 VAC 41-20-270.B.7	\$ 50.00
Count 3:	18 VAC 41-20-270.B.8	\$ 100.00
Count 4:	18 VAC 41-20-270.C.1	\$ 100.00

TOTAL (MONETARY PENALTIES)		\$ 300.00
BOARD COSTS		\$ 150.00
TOTAL		\$ 450.00

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01349, Chantel Terese Harris**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Chantel Terese Harris did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01349, Chantel Terese Harris

Upon a motion by Mr. R. Jones and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Chantel Terese Harris' license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01583, Michael Scott Hayley**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Michael Scott Hayley did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01583, Michael Scott Hayley

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Michael Scott Hayley's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01586, James Craig Weiss**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. James Craig Weiss did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01586, James Craig Weiss

Upon a motion by Ms. LaPierre and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny James Craig Weiss' license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr.

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

In the matter of **File Number 2017-01610, Shawn Patrick Dougherty**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Shawn Patrick Dougherty did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01610, Shawn Patrick Dougherty

Upon a motion by Mr. R. Jones and seconded by Ms. McCaffrey, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Shawn Patrick Dougherty's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01612, Devan Michael Smith**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Devan Michael Smith did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01612, Devan Michael Smith

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 deny Devan Michael Smith's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-01624, Rick Neil Toms**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Rick Neil Toms did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-01624, Rick Neil Toms

Upon a motion by Ms. LaPierre and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Rick Neil Toms' license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The

motion passed unanimously.

In the matter of **File Number 2017-02100, Deborah Denise Norfleet**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Deborah Denise Norfleet did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02100, Deborah Denise Norfleet

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Deborah Denise Norfleet's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02146, Maranda Lee Nutter**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Maranda Lee Nutter appeared in person at the meeting and addressed the Board.

File Number 2017-02146, Maranda Lee Nutter

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

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02147, Andra Monique Harris**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Andra Monique Harris appeared in person at the meeting and addressed the Board.

File Number 2017-02147, Andra Monique Harris

Upon a motion by Mr. Minor and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Andra Monique Harris' license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02191, William Lewis Winborne**, the

File Number 2017-

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

02191, William Lewis Winborne

Upon a motion by Mr. Minor and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve William Lewis Winborne's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02490, Marvin Wendell Trusty, Jr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Marvin Wendell Trusty, Jr. did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02490, Marvin Wendell Trusty, Jr.

Upon a motion by Mr. Minor and seconded by Mr. R. Jones, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Marvin Wendell Trusty, Jr.'s license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02491, Kiana Natalia Inniss**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kiana Natalia Inniss did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2017-02491, Kiana Natalia Inniss

Upon a motion by Mr. R. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kiana Natalia Inniss' license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2017-02603, Heather Lynn Lowery**, the Board reviewed the record which consisted of the application file, transcript, exhibits,

File Number 2017-02603, Heather

and the Summary of the Informal Fact-Finding Conference. Heather Lynn Lowery did not appear at the meeting in person, by counsel, or by any other qualified representative.

Lynn Lowery

Upon a motion by Mr. R. Jones and seconded by Mr. Minor, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Heather Lynn Lowery's license application.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

REPORTS

Mr. Kirschner provided the Board with an update on the status of examinations after six months with Professional Credential Services, Inc., including an overview of pass rates for various license types, and a discussion of the low pass rates for the master esthetician theory examination. Mr. Kirschner advised the Board that the master esthetician theory examination is under review by the vendor and the Director of Examinations, who will be consulting with subject matter experts to address the issue.

Examinations

Mr. Kirschner reported to the Board on regulatory actions that are currently underway, including the fast-track action to amend the regulations to allow esthetician and master esthetician instructors to teach waxing programs in cosmetology and waxing schools. Mr. Kirschner indicated that the regulations are currently in the Secretary of Commerce's office.

Regulatory Report

Mr. Kirschner also advised the Board that the Notice of Intended Regulatory Action (NOIRA) for tattoo and body-piercing regulations, approved by the Board at its May 8, 2017 meeting, has been submitted and is currently in the Governor's office for review.

Mr. Kirschner reported to the Board on the National-Interstate Council of State Boards of Cosmetology (NIC) annual conference, held August 2 – 8, 2017 in Charleston, West Virginia, and attended by Mr. Melis, Mr. Kirschner, and Board Member, Robert Jones.

NIC Conference Report

Mr. Kirschner indicated to the Board that some of the topics addressed at the conference included model cosmetology laws, fraudulent application activity, and the regulation of advanced techniques, such as microneedling and microblading across the states. Mr. Jones reported he was elected by the NIC as a District Representative for approximately seventeen states.

Mr. Kirschner provided a report to the Board of the Committee on Esthetics Apprenticeships, which met on June 28, 2017. The Committee received public comments and made amendments to the proposed Standards of Apprenticeship for the Esthetician and Master Esthetician Apprenticeship programs. The committee recommended adoption of the standards. The committee also discussed whether microneedling was within the scope of practice of an esthetician.

**Esthetics
Committee**

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to approve the proposed Standards of Apprenticeship for submission to the Department of Labor and Industry for its review.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

Mr. Kirschner reported to the Board on the Barbering Committee Meeting that took place on June 12, 2017. Topics discussed by the Committee included consideration of two-tiered barber licensing to include a master barber license; transfer of student hours between schools and/or programs; the scope of practice of a licensed barber, as defined by the Code of Virginia; and the current barber curriculum and how it relates to the scope of practice. Mr. Kirschner advised the Board that these topics would be further addressed in the Old Business and New Business portions of the meeting.

**Barbering
Committee**

Mr. Kirschner addressed the Board on the matter of the transfer of student hours, outlining the steps the Board had taken with its Guidance Documents, and explaining the reasons and impact of the policy.

**OLD BUSINESS
Transfer Hours**

Mr. Kirschner addressed the Board on the legal definition of barbering, per the Code of Virginia, and with problems in the current barber curriculum as it pertains to the definition. Mr. Kirschner discussed recommendations made by the Barbering Committee to bring the curriculum in line with the definition of barbering and eliminate training and practices that are outside the scope of barbering. He then outlined three actions that would need to take place to effect the recommended changes:

**NEW BUSINESS
Barbering
Definition and
Scope of Practice**

(1) A fast-track regulatory action is recommended on barber curriculum, hours, and performances to bring the regulations in line with the scope of practice.

Upon a motion by Ms. LaPierre and seconded by Mr. R. Jones, the Board voted to initiate a fast-track regulatory action to amend the barber curriculum, hours, and performances, as recommended.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

(2) A Guidance Document addressing the barbering scope of practice as it relates to curriculum content, hours, and performances, is recommended.

Upon a motion by Ms. LaPierre and seconded by Mr. Minor, the Board voted to authorize staff to draft the recommended Guidance Document.

The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

(3) The barbering examination will need to be modified to remove the topics and performances that are outside the scope. Mr. Kirschner stated that the examination vendor has indicated it may take 60 to 90 days to make the changes to the examinations.

After discussion by the Board and acknowledgment of the Board members not in attendance, a motion was made by Ms. McCaffrey and seconded by Mr. Minor to postpone the planned Board elections until the November 6, 2017 meeting.

ELECTIONS

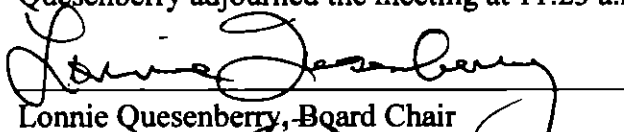
The members voting 'yes' were Mr. Jones, Ms. LaPierre, Ms. McCaffrey, Mr. Minor, Mr. Quesenberry, and Ms. Quinn. There were no negative votes. The motion passed unanimously.

Mr. Kirschner provided a brief overview of board meeting quorum and voting requirements.

IN-SERVICE TRAINING

There being no further business to be brought before the Board, Mr. Quesenberry adjourned the meeting at 11:23 a.m.

Adjourn



Lonnie Quesenberry, Board Chair



Jay W. DeBoer, Board Secretary