

BOARD FOR BARBERS AND COSMETOLOGY

MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, May 23, 2022, 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:

Gilda Acosta
Emmanuel Gayot
Renee' Gilanshah
Margaret B. LaPierre
Alfred O. Mayes
Lonnie Quesenberry

The following board member was not present:

Oanh "Tina" Dang
Bo Machayo
Matthew D. Roberts
Sandra G. Smith

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

Demetrios J. Melis, Director
Tom Payne, Deputy Director
Stephen Kirschner, Executive Director
Tamika Rodriguez, Regulatory Operations Administrator
Lily Backer, Licensing Operations Administrator
Amy Goobic, Executive Assistant

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

Elizabeth Peay, Assistant Attorney General

Mr. Mayes, Vice Chair, determined a quorum was present and called the meeting to order at 9:16 a.m.

Call to Order

Mr. Kirschner informed the Board that although a quorum of the Board was present, several cases on the agenda would need to be removed and deferred to the next Board meeting. He explained that several cases on the agenda were reviewed by present Board members, and as they would be recused for those cases, at that time there would no longer be a quorum. Agenda items 4, 5, 7, 8, 9, and 10 would not be considered at the meeting.

The Board took the agenda under consideration.

Approval of
Agenda

Mr. Quesenberry moved to approve the agenda as amended. Ms. LaPierre seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

The Board took the minutes of the March 14, 2022, Board Meeting, and the March 14, 2022, Standing Committee Meeting, under consideration.

Approval of
Minutes

Ms. LaPierre moved to approve the minutes as presented. Mr. Quesenberry seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

There were no written communications to be reviewed.

Communication

Jaime Turgeon addressed the Board regarding requirements for a master esthetician license. Ms. Turgeon held a Virginia master esthetician license which expired in 2018, she also holds a master esthetician license in West Virginia. Ms. Turgeon is applying to reinstate her Virginia license and is requesting the Board consider her 12 years of experience in lieu of providing the educational documentation to test for the master esthetician license.

Public Comment

In the matter of **File Number 2022-00320, Redefine Barber & Beauty Academy, Inc.**, Board members reviewed the Consent Order as seen and agreed to by Redefine Barber & Beauty School. No representative of Redefine Barber & Beauty School was present at the meeting.

Cases

File Number 2022-00320, Redefine Barber & Beauty Academy, Inc. t/a Redefine Barber & Beauty Academy

Mr. Quesenberry moved to accept the Consent Order which cites the following violation of the Board's regulations: 18VAC41-20-280.2 (Count 1). For this violation Redefine Barber & Beauty School agrees to the following sanctions: \$500.00 for the violation contained in Count 1; and \$150.00 in Board Costs; for a total monetary penalty of \$650.00.

Ms. LaPierre seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

In the matter of **File Number 2022-00112, Jolie Hair Academy, LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation. Amy Philippe, owner and instructor, Jolie Hair Academy, was present to address the Board.

File Number 2022-00112, Jolie Hair Academy, LLC (Cosmetology School)

Ms. Gilanshah moved to accept the recommendation which cites the following violations of the Board's regulations: 18 VAC 41-20-280.4 (Count 1), 18 VAC 41-20-280.4 (Count 2), 18 VAC 41-20-280.4 (Count 3), 18 VAC 41-20-280.4 (Count 4), 18 VAC 41-20-280.6 (Count 5), and 18 VAC 41-20-280.4 (Count 6). Ms. LaPierre seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

Ms. LaPierre moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$1,250.00 for the violation contained in Count 1; \$1,250.00 for the violation contained in Count 2; \$1,250.00 for the violation contained in Count 3, \$1,250.00 for the violation contained in Count 4, \$1,250.00 for the violation contained in Count 5, and \$1,250.00 for the violation contained in Count 6, for a total monetary penalty of \$7,500.00; in addition, revocation of license for Counts 1, 2, 3, 4, 5, and 6. Ms. Gilanshah seconded the motion which was approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry

In the matter of **File Number 2022-00872, Jolie Hair Academy, LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation.

File Number 2022-00872, Jolie Hair Academy, LLC (PCT School)

Ms. LaPierre moved to accept the recommendation which cites the following violations of the Board's regulations: 18 VAC 41-50-420.A.3 (Count 1), 18 VAC 41-50-420.A.4 (Count 2), 18 VAC 41-50-420.A.4 (Count 3), and 18 VAC 41-50-420.A.4 (Count 4). Mr. Quesenberry seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

Ms. LaPierre moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$750.00 for the violation contained in Count 1; \$750.00 for the violation contained in Count 2; \$750.00 for the violation contained in Count 3, and \$750.00 for the violation contained in Count 4, for a total monetary penalty of \$3,000.00; in addition, revocation of license for Counts 1, 2, 3, and 4. Mr. Quesenberry seconded the

motion which was approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry

In the matter of **File Number 2022-01044, Jolie Hair Academy, LLC**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference as well as the Presiding Officer's recommendation.

File Number 2022-01044, Jolie Hair Academy, LLC (Esthetics School)

Mr. Quesenberry moved to accept the recommendation which cites the following violations of the Board's regulations: 18 VAC 41-20-280.3 (Count 1), 18 VAC 41-20-280.4 (Count 2), 18 VAC 41-20-280.6 (Count 3), 18 VAC 41-20-280.4 (Count 4), and 18 VAC 41-20-280.6 (Count 5). Ms. LaPierre seconded the motion which was unanimously approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry.

Ms. LaPierre moved to accept the Summary of the Informal Fact-Finding Conference as to the sanctions and impose the following: \$600.00 for the violation contained in Count 1; \$600.00 for the violation contained in Count 2; \$600.00 for the violation contained in Count 3, \$600.00 for the violation contained in Count 4, and \$600.00 for the violation contained in Count 5, for a total monetary penalty of \$3,000.00; in addition, revocation of license for Counts 1, 2, 3, and 4. Ms. Gilanshah seconded the motion which was approved by members: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry

In the matter of **File Number 2021-02199, Donna Duangdara**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Donna Duangdara did not appear at the meeting in person, by counsel, or by any other qualified representative.

File Number 2021-02199, Donna Duangdara

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Donna Duangdara's esthetician license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

In the matter of **File Number 2021-02202, Donna Duangdara**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Donna Duangdara

File Number 2021-02202, Donna Duangdara

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

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Donna Duangara's nail technician license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

In the matter of **File Number 2021-02206, Derryck LaVelle Sargent, Sr.**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Sargent was present to address the Board

File Number 2021-02206, Derryck LaVelle Sargent, Sr.

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Derryck LaVelle Sargent's cosmetologist license application.

The members voting 'yes' were: Acosta, Gayot, LaPierre, Mayes, Quesenberry. Ms. Gilanshah voted "no." The motion passed..

In the matter of **File Number 2021-02734, Corrie LaShawn Sessoms**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Sessoms was present to address the Board

File Number 2021-02734, Corrie LaShawn Sessoms

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Corrie LaShawn Sessoms's barber license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

In the matter of **File Number 2021-02534, Kristi Michelle Barnett**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kristi Michelle Barnett did not appear at the meeting in person, by counsel, or by any other qualified representative.

2021-02534, Kristi Michelle Barnett

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kristi Michelle Barnett's esthetician license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

In the matter of **File Number 2021-02737, Misha Alexandria Haynes**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Misha Alexandria Haynes did not appear at the meeting in person, by counsel, or by any other qualified representative.

**2021-02737, Misha
Alexandria
Haynes**

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Misha Alexandria Haynes's cosmetologist license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

In the matter of **File Number 2021-01840, Gerty Ajith Perera**, the Board reviewed the record which consisted of the application file, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Perera was present to address the Board

**2021-01840, Gerty
Ajith Perera**

Upon a motion by Ms. Acosta and seconded by Mr. Quesenberry, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Gerty Ajith Perera's tattoo license application.

The members voting 'yes' were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

EXAMINATIONS

Mr. Kirschner introduced Lily Backer, new Licensing Operations Administrator. Mr. Kirschner informed the Board that Tamika Rodriguez is now the Regulatory Operations Administrator.

Statistics

Ms. Backer provided a brief report on exams.

Ms Gilanshah inquired about vendor issues with exam scheduling and exam capacity in Northern Virginia for esthetics and cosmetology. Mr. Kirschner stated that if any Board members learn of such issues, to have them contact him directly

Mr. Kirschner provided an update on the PSI computer based testing (CBT). He stated that PSI began CBT testing for the theory portion to public school, including on site testing, special event testing, as well as the testing centers. Mr. Kirschner reported that there are over 100 school programs in Virginia, and all but 4 used the onsite testing. He stated that pencil and paper exams will only be by special accommodation.

**Report on
Examinations**

REPORTS

Mr. Kirschner provided a report on the Regulatory Advisory Panel, created at the March 14 Committee meeting, made up of Board members, stakeholders and subject matter experts. The panel will review and make recommendations on the cosmetology training hours. Mr. Kirschner reminded the Board that the General Assembly has instructed the Board to lessen the number of training hours, to provide the least burdensome track to licensure.

**Regulatory
Advisory Panel**

Mr. Kirschner informed the Board that the panel members were sent surveys regarding the necessary training needed to protect the health, safety, and welfare of the public. The panel will meet May 26, and the recommendations will be presented to the Board at the July 11, 2022 Board meeting.

Mr. Kirschner provided a report on current regulatory actions. He stated that the Tattoo & Body Piercing Regulations were at the Secretary's office; the two fast track regulations approved at the March Board meeting, regarding eliminating the term "anti-bacterial soap" from the regulations, and the facility/salon bathroom requirement, were at the Department of Planning and Budget.

Regulatory Report

**REGULATORY
ACTION AND
BOARD
GUIDANCE**

Mr. Kirschner informed the Board that the proposed changes to the Instructor regulations, approved at the January 10, 2022, Board meeting must be revised.

**Regulatory
Change --**

During Executive Branch review, the Department of Planning and Budget (DPB) pointed out that some of the proposed language was not clear and needed to be revised. Specifically, it was not clear that under the proposed regulations, a certified instructor could teach in any profession in which they hold the underlying license. Staff agreed that the language was not clear and are recommending the Board adopt the following changes immediately, so that the licensees and public can better understand the regulatory change:

- Add a clear, specific statement that certified instructors can teach in any profession in which they hold the underlying license.
- Adding clarifying language to the student instructor temporary permit to the same effect.
- Revising the barber and cosmetology instructor program length language to match esthetics – replacing “a minimum of 400” with “shall consist of 400.”

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to adopt the changes to the proposed language as presented. The members voting ‘yes’ were: Acosta, Gayot, Gilanshah, LaPierre, Mayes, Quesenberry. The motion passed unanimously.

**Proposed
Instructor
Changes**

Mr. Kirschner reminded the Board that the language barrier issue was addressed at the March 14, 2022, and asked if there were any further comments or questions. There was no further discussion.

NEW BUSINESS

**Addressing
Language Barriers
During
Disciplinary Cases**

Mr. Kirschner informed the Board that t Board Member Training Conference, October 13-14, at the Great Wolf Lodge in Williamsburg. He stated that Board members will receive information regarding registration and accommodations soon.

**Board Member
Training
Conference**

Discussion was held on small salons offering instruction without the proper curriculum or teaching credentials. Mr. Kirschner stated that there is no inspection program at this time, however there have been discussions with the new administration. Mr. Melis added that costs to the board and to regulated population for an inspection program must be considered.

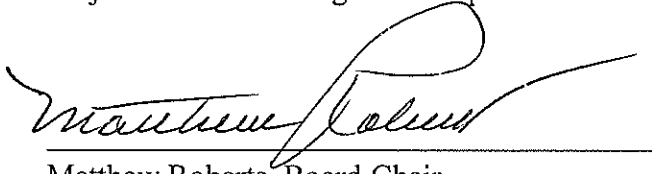
Other Business

Mr. Kirschner asked Board members for thoughts on comments made by Ms. Turgeon during Public Comment regarding the master esthetician

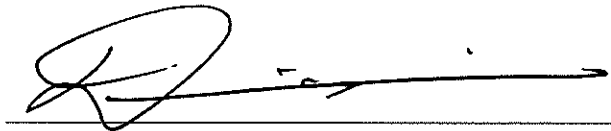
requirements. Mr. Kirschner explained that the barber/cosmetology regulations include an experience method to obtain a license, esthetics does not. Ms. Gilanshah suggested a 'grandfather' period plus experience. Mr. Kirschner stated that it would be a regulatory change that could possibly be fast tracked. Staff will draft the regulatory change to be presented at the July 11 Board meeting.

There being no further business to be brought before the Board, Mr. Roberts adjourned the meeting at 10:50 p.m.

Adjourn



Matthew Roberts, Board Chair



Demetrios J. Melis, Board Secretary

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Lonnie Quesenberry
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: Board Meeting May 23, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

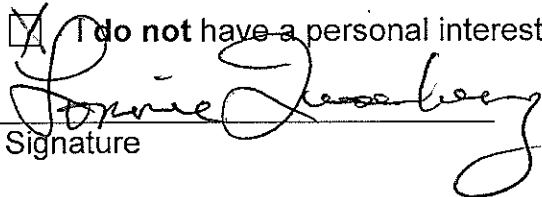
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

5-23-22

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Gilda Acosta
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting May 23, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

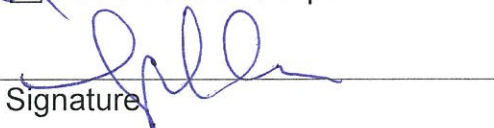
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

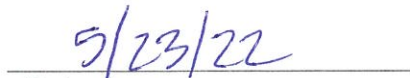
I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

Signature



Date



**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

1. Name: Renee' Gilanshah
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: Board Meeting May 23, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.


Signature

5/23/22
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Alfred Mayes
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting May 23, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

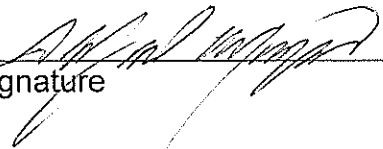
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

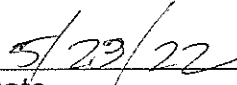
or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature



Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government

- 1. Name: Margaret LaPierre
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting May 23, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I **do not** have a personal interest in any transactions taken at this meeting.

M. LaPierre
Signature

5/23/2022
Date