

## MINUTES

The Tennessee State Board of Cosmetology held a meeting on October 5, 2009 at 9:00 a.m. CDT, in Nashville, Tennessee.

The following members were present: Linda Colley, Vice Chairman, June Hucceby, Judy Golden, Nina Coppinger, Janet Wormsley, Diana Buchanan and Muriel Smith were present. Lee Bowles and Pearl Eva Walker were not present.

Other present were: Beverly Waller, Executive Director, Terrance Bond, Staff Attorney and Debbie Gean, Regulatory Boards Administrative Assistant I.

Linda Colley, Vice Chairman welcomed everyone to the board meeting.

Ms. Beverly Waller, Executive Director informed the board that Chairman H. D. Adcock has resigned from the board. Ms. Waller read the board members his resignation letter.

Ms. Beverly Waller, Executive Director informed the board members they would need to elect a Vice-Chairman of the board immediately, that Vice-Chairman Linda Colley would now be the Chairman of the Board.

Ms. June Hucceby nominated Ms. Muriel Smith for Vice-Chairman. Ms. Muriel Smith declined.

Ms. Judy Golden nominated Ms. Nina Coppinger for Vice-Chairman.

Ms. Nina Coppinger accepted the nomination as Vice-Chairman.

Ms. Beverly Waller, Executive Director introduced new board member Diana Buchanan, who will be serving in the school owner position. Ms. Buchanan has been licensed as a cosmetologist since 1968, and a school owner since 2000. She currently owns Buchanan Beauty School in Shelbyville and Coffee County Beauty School in Tullahoma.

Ms. Buchanan stated she is honored to serve on the board. She will do her utmost best to be the best she can be doing anything to help cosmetology.

## MINUTES

MOTION was made by Ms. Judy Golden and seconded by Ms. June Hucceby to approve the August 3, 2009 cosmetology board minutes. Motion carried unanimously.

Linda Colley, Vice Chairman called for roll call.

## **APPEAR BEFORE THE BOARD**

Robert Ammons, Lauren Clements & Senator Ketron – Columbia, TN – All present. Mr. Ammons has submitted an application for reciprocity. He completed 3,000 hours in an apprenticeship program in Georgia. Mr. Ammons was advised his application would be presented to the board today.

Mr. Robert Ammons states that he is licensed by the State Board of Georgia, in which he did take the examination. Mr. Ammons stated that Georgia requires that cosmetology apprentices obtain eighteen (18) months of training and 3,000 hours. Mr. Ammons obtained his education in a salon in Georgia. In Georgia, salons are able to educate. Mr. Ammons stated that he was taught from the Milady textbook. A letter was sent to the board from Ms. Lisa Durden, Executive Director, Professional Licensing Boards Division, stated he obtained 1,500 book hours from Sandi & Company Beauty Salon, 706 hours from Sandi & Company Beauty Salon and 1,790 hours from GENX Salon September 1, 2004 thru April 1, 2005. Mr. Ammons stated he has also obtained his cosmetology license by reciprocity from Alabama. Mr. Ammons stated that he has moved to Tennessee to help take care of his sick mother and needs to obtain his license so that he can work in Tennessee.

After a lengthy discussion concerning Georgia's Apprenticeship Program how it is set up and the State of Tennessee acceptance of apprenticeship hours the board came to a decision.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Diana Buchanan to allow Mr. Ammons to take his cosmetology examination. The board was asked for an individual vote, with all board members voting yes. Motion carried unanimously.

Senator Ketron spoke with the board thanking the board for hearing his constitutes case. The Senator stated he would be more than happy to work with the board to tweak the laws concerning reciprocity. He would be happy to have his legal department to work with Commerce & Insurance's legal department.

Next on the agenda was Kibry Morris from NIC. Ms. Waller advised the board that Mr. Morris was unable to make the meeting due to snow. He sent NIC information to be distributed to board members for review and he will reschedule for the November or December meeting.

Terra Bailey, Nashville, TN – Present. Terra Bailey requested to address the Board concerning her request to take the State Board Cosmetology examination. Her request was presented at the August meeting and was declined by the Board. Office documentation states she obtained 1,388 hours in the cosmetology curriculum at Maplewood High School from August 1, 1981 to June 6, 1985 and 900 hours at New World Cosmetology Beauty School from June 1, 1990 to May 30, 1992. She has a

certificate that state she completed the studies required for the graduation in cosmetology. The board office does not have any documentation.

Ms. Laureida Dooley, Instructor was at the board meeting and approached the board and stated that she was an instructor at New World Beauty School and she stated that she remembers Ms. Bailey being a student at that school.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huckleby to approve Ms. Bailey to take her cosmetology examination. Motion carried unanimously.

Rasheedaj Jones, Local Leasing Representative – Simon Property Group – Memphis, TN – Present. Ms. Jones is here to address the Board concerning issues with “Hair Straighteners” located in the mall at Memphis. Ms. Jones states that she is present today to discuss what can and can’t be done at the business. Mr. Jerry Biddle, Inspector was present. Mr. Biddle stated that he observed the employees using hair pins and combs. He stated that half of the hair on the customer had been straighten. Mr. Biddle stated that they were using the same combs on each customer. Ms. Jones stated she was concerned with the business being shut down, after the owners have already paid for a rental on the business.

Terrance Bond, Staff Attorney stated that they can sell the product, but they should refrain from demonstrating on a live person. They would need to demonstrate on non-human hair (example mannequins). Mr. Bond stated that they need to be educated on what they can and can’t do. The board stated they can not be performing cosmetology services without a license.

## **ADMINISTRATION REPORT**

An application for Sweeting’s Cosmetology Braiding Institute which was presented to the Board at the August meeting, the Board voted to have the Board Member and Inspector to inspect the school and if the school was in compliance, approve the school to open, since the board will not be having a meeting in September. The school was inspected on August 10, 2009 by Ms. Linda Colley, Board Member and Ms. Barbara Hendrix, Inspector. The school was found to be in compliance and was approved to open. Ms. Beverly Waller, Executive Director stated she needs the board’s final approval.

MOTION was made by Ms. June Huckleby and seconded by Ms. Muriel Smith to approve the opening of the school. Motion carried unanimously.

An application for a change of name of Austin’s Beauty College to Austin’s Beauty College, Inc. was submitted for approval.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Janet Wormsley to approve the name change on the school. Motion carried unanimously.

All Tennessee Cosmetology Schools formerly owned by H. D. Adcock and Associates are now owned by Empire Education Group. The school names have changed. The Beauty Institutes are now Empire Beauty Schools and the New Wave Beauty Schools are now The Hair Design Schools. Inspections of schools were not needed due to the schools being recently inspected for license renewal.

Terrance Bond, Staff Attorney stated that a change needs to be made concerning continuing education. Mr. Bond is recommending the board change from requiring instructors to attend seminars in specific years. Instructors are required to submit proof of seminar attendance prior to expiration of license. Instructors are required to submit proof of seminar every two years, the board should grant extensions for the licensing period the instructor missed. It is the instructor's responsibility to retain continuing education.

After discussion board members stated they would think about Mr. Bond's recommendation.

A request for extension from the 2008 instructor seminar from Eric Shannon Sharp was submitted. Mr. Sharp states in his request he was unaware that he needed to attend the seminar. Mr. Sharp stated that in other states he has lived in they did not require continuing education and the literature he received about the seminar, he thought was optional.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to deny the extension. Motion carried unanimously.

A request for extension from 2008 instructor seminar from Nancy Marshall was submitted. Ms. Marshall stated that she did not attend the seminar to family hardship which caused her to overlook the correct date. She details the family hardship in her request.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to deny the extension. Motion carried unanimously.

A request for extension from 2009 instructor seminar from Shirley Jarnagin was submitted. Ms. Jarnagin submitted her physician's statement as to her knee surgery. Ms. Jarnagin failed to submit her physician statement with her previous request.

MOTION was made by Ms. Muriel Smith and seconded by Ms. June Huckeby to grant Ms. Jarnagin an extension. Motion carried unanimously.

A request from Valerie Tharpe for the board to accept the seminar she attended in 2009 as the seminar she was required to attend in 2008. She states after she was required to take the reinstatement examination to reinstate her instructor license she paid \$10.00 to have the license placed in inactive. The board office has no record of receiving the \$10.00 or her request to place the license on inactive.

Ms. Valerie Tharpe was present. Ms. Tharpe instructor license is active and she is current on her seminars.

The following applications are submitted for examination approval and applicants have felonies. All applications have the required information submitted and letter of recommendations from school attended. Approval is needed from the Board for agreed orders to be submitted fro legal to applicants:

Wendy Miller – Aesthetician Examination – Volunteer Beauty Academy  
Crystal Crouse – Cosmetology Examination – Styles & Profiles Beauty College  
Jamica Marale – Cosmetology Examination – Paul Mitchell The School Nashville  
Bonnie Dandy – Cosmetology Examination – Georgia Career  
Angela Hudson – Cosmetology Examination – Tennessee Technology Center  
Melissa Gail Lewis – Cosmetology Examination – Love Beauty School  
Christy Covington – Manicurist Examination – Tennessee School of Beauty

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to approve the applications. Motion carried unanimously.

An application for examination from Thuylam Tran was submitted. She completed high school in Vietnam and the esthetic hours at Derma Elite Esthetic Academy in Virginia. Virginia requires 600 hours of instruction in the esthetics curriculum and she completed 800 hours. When she had originally submitted her documents the transcript from the Derma Elite Academy did not have the same birth date as her application for examination. She resubmitted the current documents.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to approve Ms. Tran to take the esthetician examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

An application for examination from Thanh-Thai Pham was submitted. She completed 600 hours at Hollywood Nails & Waxing Academy in Virginia. Virginia requires 150 hours in the “Nail Tech” curriculum to qualify for a license. The document she submitted states RECORD OF COMPLETION (400 hours) and it states she completed 600 hours.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Hucceby to request clarification on hours. Motion carried unanimously.

An application for examination from Cuong Dan who completed 600 hours in the manicurist curriculum at Visions Academy of Hairdressing in Connecticut. Connecticut does not have a manicurist license.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to deny the request and require she return to school for 600 hours then take and pass the

manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for examination from Diem Huynh was submitted. Her high school education is from Vietnam and she completed 600 hours of instruction in the manicurist curriculum at Lorinda's Hair Care & Antonio's Beauty School in Tacoma, Washington. She submitted her transcript from the school and Ms. Waller provided the board with Tennessee's curriculum. Ms. Waller asked if the board thinks she meets the requirements for examination.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Huynh take her manicurist examination and pass to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license for Huyen Vu from California was submitted. California requires 400 hours of instruction in the manicurist curriculum. Certification from the California states applicant was issued license February 24, 2003. Applicant has submitted transcript from Coastline Beauty College for 600 hours and graduation date April 2, 2003. Applicant did not provide satisfactory proof of five year work history.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to request Ms. Vu obtain an additional 200 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist examination from Phuong Nguyen from Georgia was submitted. Georgia requires 525 hours of instruction in the manicurist curriculum and applicant submitted transcript from Georgia Beauty School stating she completed 607 hours. Applicant's original date of licensing is September 14, 2006.

MOTION was made by Ms. Judy Golden and seconded by Ms. Diana Buchanan to request Ms. Nguyen to obtain 73 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of esthetics license from Hawaii for Lisa Marie Steedman was submitted. She completed 600 hours at International School of Beauty in Hawaii and a certification of licensing from Alaska. Ms. Steedman explained that her husband was in the military and after completing hours in Hawaii they moved to Alaska and she obtained her license in Alaska by examination. She was originally licensed September 26, 2005.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Steedman obtain an additional 150 hours then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of esthetics license from North Carolina for Amanda M. Ruccio was submitted. She completed 600 hours of instruction in the esthetics curriculum and her original date of license is November 16, 2009.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Ruccio take an additional 150 hours then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of esthetics license from North Carolina for Stephanie Rainey was submitted. Certification from the North Carolina State Board certifies 600 hours in the curriculum which is what is required in North Carolina and the original date of license is June 30, 2009. She submitted a transcript from Miller-Motte in North Carolina stating she completed 750 hours in the curriculum.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Rainey obtain an additional 150 hours then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Minnesota for Uyen Ho was submitted. Hours of instruction are 350 and original date of licensing is April 30, 2008.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Mr. Ho obtain an additional 250 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Minnesota for Son Thanh Ngo was submitted. Hours of instruction are 350 and original date of licensing is April 16, 2008.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Mr. Ngo obtain an additional 250 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of esthetics license from Minnesota for Jenilee Van Gerpen was submitted. Certification from the Minnesota State Board states 350 hours which is what is required in that state and original date of license July 8, 2008. She has submitted a certificate from Aveda Institute Minneapolis or completion of 600 hours.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Gerpen obtain an additional 150 hours then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from the Ukraine for Yuliya Howard was submitted. The application was presented at the August board meeting. After review of all documents the board voted to accept 790 hours and request she obtain

710 hours more and pass the state board examination to qualify for a license. She submitted an email requesting the board to allow her to take the exam and not complete the hours.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to deny Ms. Howard's request and that the original decision remains. Motion carried unanimously.

An application for reciprocity of cosmetology license from Florida for Sarah Brown was submitted. She submitted a certificate which states she completed 1,000 hours in the curriculum. The certification of licensing from the Florida State Board states 1,200 hours in the curriculum and original date of licensing as February 25, 2009.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Brown obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Florida for Karen Curry-Brown was submitted. Applicant is licensed as a full specialist in the State of Florida which requires 240 hours in the manicurist curriculum. She has been licensed since 1996 and did not submit a five year work history.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Curry-Brown take an additional 490 hours and take and pass the esthetics examination or take an additional 360 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of esthetics license from Florida for Binish Pirwani was submitted. Florida requires 260 hours of instruction in the curriculum. Certification from the Florida State Board states she is licensed as a facial specialist and her original date of license is May 29, 2009. She has a diploma showing she obtained 780 hours at Pro Nails and Beauty School in Florida.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Pirwani obtain an additional 490 hours then take and pass the esthetics examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Florida for Rachel Goddard was submitted. Applicant completed 1,200 hours of instruction in the cosmetology curriculum and original date of licensing was July 23, 2009. Motion carried unanimously.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Goddard obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.



An application for reciprocity of cosmetology license from Florida for Maria Saballos was submitted. Applicant completed 1,200 hours of instruction in the cosmetology curriculum and original date of licensing is November 20, 2008.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Saballos obtain an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of aesthetician license from Florida for Natalie Kuwik was submitted. Applicant is licensed in Florida as a facial specialist which requires 260 hours and her original date of licensing is April 10, 2001. No five year work history was submitted.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Kuwik obtain an additional 490 hours then take the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

An Application for reciprocity of cosmetology license from Florida for Amanda Kicklighter was submitted. Florida requires 1,200 hours in the cosmetology curriculum and she has submitted a letter from Fashion Focus hair Academy stating she completed 1,400 hours. Her original date of licensing was November 19, 2004.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Kicklighter take an additional 300 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Kentucky for Kimberlee Cavin was submitted. Certification from the Kentucky State Board states her license type as "Apprentice Cosmetologist". Ms. Waller attached information as to the explanation of apprentice cosmetologist. Her original date of license was April 15, 2008. Applicant obtained license in Alabama by reciprocity.

MOTION was made by Ms. June Huckleby and seconded by Ms. Judy Golden to deny the request. Motion carried unanimously.

An application for reciprocity of cosmetology license from Florida for Melissa Kelly was submitted. Certification from the Florida State board gives her original date of license as May 22, 2008 and 1,200 hours of instruction. She has submitted a transcript from Hair Fashions by Kaye Beauty College stating she completed 1,500 hours and also she attended Orange Park Beauty Academy for 519.5 hours.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Kelly obtain an additional 300 hours then take the cosmetology examination. Motion carried unanimously.

An application for reciprocity of cosmetology license from Santo Dimingo for Marvin Lopez was submitted. He has submitted a translated document that states he completed 1,500 hours in hairstyling and general beauty courses. Ms. Lopez has a New Jersey license.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to grant Ms. Lopez reciprocity of her license in Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Mexico for Wendy Sanchez was submitted. The translated document states she completed and passed the course of acrylic nails technician with a total of 640 hours of practice.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Sanchez obtain 600 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license form Honduras for Evelyn Ruiz was submitted. Translated documents state she took basic and advanced vocational course in the area of The Beauty Career in the years 1996 to 1997 over 1,800 hours. Breakdown is 400 hours haircuts, 400 hours on application of dyes, 400 hours on application of perms, manicure & pedicure at 200 hours, 200 hours in natural hair styling and 200 hours on facial and receiving additional update course in cuts and cosmetology.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Ruiz take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of manicurist license from Cavite (Philippines) for Crispina Peters was submitted. The translated documents stated her occupation as a manicurist and she has an employment permit to engage in the occupation as a manicurist. No education information was provided.

MOTION was made by Ms. June Hucceby and seconded by Ms. Muriel Smith to request more information from Ms. Peters. Motion carried unanimously.

An application for reciprocity of cosmetology license from Jose Angeles from Peru was submitted. He was initially licensed in New Jersey by reciprocity from Peru. He received license in North Carolina by reciprocity from New Jersey.

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to grant Mr. Angles reciprocity of his cosmetology license. Motion carried unanimously.

An application for reciprocity of cosmetology license from India for Sravanthi Vontary was submitted. She has submitted her advanced diploma from Kinnera Herbal Beauty Clinic in India. No hours of instructor or a break down of curriculum was submitted.

MOTION was made by Ms. June Huceby and seconded by Ms. Judy Golden to request more information from Ms. Vontary. Motion carried unanimously.

An application for reciprocity of cosmetology license from England for Alister McDermott was submitted. He is currently licensed with the Florida State Board and he submitted a resume and certifications for the board to review. No educational documents were submitted.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huceby to request Mr. McDermott submit proof of employment (work experience). Motion carried unanimously.

An application for reciprocity of cosmetology license from South Korea for Gui Kim was submitted. She is licensed with the Illinois State Board as a cosmetologist. Work history she submitted only verifies she owned a salon, not her occupation as a cosmetologist. No information as to her hours of instruction was provided.

MOTION was made by Ms. June Huceby and seconded by Ms. Judy Golden to request Ms. Kim submit proof of occupation. Motion carried unanimously.

An application for reciprocity of manicurist license from Canada for Sesawan Thongmanivong was submitted. She is currently licensed with the Ohio State Board and that license was obtained by hours from Canada and she was required to take the examination in Ohio.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Thongmanivong to obtain an additional 400 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

An application for reciprocity of cosmetology license from Vietnam for Nhan Vo was submitted. He submitted he completed 2,028 credit hours in Vietnam.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huceby to request additional information from Mr. Vo. Motion carried unanimously.

A request of approval of documents from Russia for Shaimardanova Gulchachak Gayazouna was submitted. Her certificate shows 2,506 hours with 1,837 of those hour's on-the-job training hours. Also, proof of high school education documents from Russia submitted by Mr. Bill Perry, Owner of Madison School of Beauty.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to request Ms. Gayazouna appear before the board to obtain more information. Motion carried unanimously.

Documents were submitted from Maria Yaned Zabala Srroyave from the Republic of Columbia. She has submitted the documents for review and requesting what she will be required to do to obtain a cosmetology license in Tennessee.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. June Huckleby to request Ms. Srroyave to appear before the board to obtain more information. Motion carried unanimously.

Ms. Beverly Waller, Executive Director provided information submitted from West Tennessee Business College as to essays written by students as to "The Importance of State Laws." The board stated that they are very good essays.

Evaluations from the 2009 Instructor Seminar at Tennessee State University was provided for the board members. Ms. Linda Colley, Chairman and Ms. June Huckleby, Board member stated that the seminar was very educational.

Mr. Beverly Waller, Executive discussed the PSI cosmetology examinations statistics from January 2009 to October 2009.

Ms. Linda Colley, Chairman advised the board of the PSI rater training which was attended by Ms. Beverly Waller and herself was successful.

Ms. Waller advised the board information before them was concerning little girls mobile spa parties. The board asked that Mr. Terrance Bond, Staff Attorney send a letter.

Archana Patel submitted an application for reciprocity of her cosmetology license from India, which was presented to the board at the August 3, 2009 meeting. The board requested documents as to the hours of instruction and a break down of courses covered in the cosmetology curriculum in India.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to request Ms. Patel obtain an additional 590 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Amy Elizabeth Bishop Cole is requesting reciprocity of her aesthetician license from California. Ms. Cole has 600 hours of instruction. Ms. Cole obtained her aesthetician license on July 6, 2005. Ms. Cole also obtained an esthetician license in North Carolina by reciprocity.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Cole obtain an additional 150 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

Consent orders totaled \$23,750.00.

Anjo's Family Haircare  
87 North Lowry Street  
Smyrna, TN 37167

Violation issued June 3, 2009  
Pd \$2,000.00 on 9/08/2009

Ann's Nails  
9160 Hwy 64  
Lakeland, TN 38002

Violation issued May 26, 2009  
Pd \$3,000.00 on 9/28/2009

Awesome Nails  
6025 East Brainerd Road  
Chattanooga, TN 37421

Violation issued May 1, 2009  
Pd \$1,000.00 on 9/24/2009

Be-Xotic Nails and Wax  
2260 Gunbarrel Road  
Chattanooga, TN 37421

Violation issued May 1, 2009  
Pd \$1,000.00 on 09/02/2009

Circle of Friends Spa  
217 East Jefferson Street  
Pulaski, TN 38478

Violation issued July 1, 2009  
Pd \$500.00 on 9/28/2009

Da-Vi Nails  
2410 U.S. Hwy 411 South  
Maryville, TN 37803

Violation issued February 12, 2009  
Pd \$500.00 on 9/10/2009

Holt Dist and Salon  
402 North 12<sup>th</sup> Street  
Humboldt, TN 38343

Violation issued July 14, 2009  
Pd \$500.00 on 9/10/2009

JC Nails  
3101 West Market Street #114  
Johnson City, TN 37604

Violation issued June 9, 2009  
Pd \$1,000.00 on 9/02/2009

Larry's Nails  
1960 Madison Street  
Clarksville, TN 37043

Violation issued April 15, 2009  
Pd \$2,500.00 on 9/14/2009

Melinda's Salon  
2019 Fort Campbell Blvd.  
Clarksville, TN 37042

Violation issued June 26, 2009  
Pd \$250.00 on 9/04/2009

Perfect Nails  
251 East Morris Blvd.  
Morristown, TN 37814

Violation issued July 10, 2009  
Pd \$1,000.00 on 9/28/2009

Professionnail  
2250 E. Morris Blvd.  
Morristown, TN 37813

Violation issued July 15, 2009  
Pd \$1,500.00 on 9/16/2009

Salon De Belleza Jenny's  
5231 Murfreesboro Road  
Lavergne, TN 37086

Violation issued June 28, 2009  
Pd \$2,000.00 on 9/14/2009

Satchell's Beauty Salon  
102 8<sup>th</sup> Avenue E  
Springfield, TN 37172

Violation issued June 5, 2009  
Pd \$500.00 on 9/14/2009

Supercuts 9585  
102-A #30 Glen Oaks Blvd.  
Hendersonville, TN 37075

Violation issued June 10, 2009  
Pd \$2,000.00 on 9/23/2009

Tennessee School of Beauty  
4704 Western Avenue  
Knoxville, TN 37921

Complaint  
Pd \$1,000.00 on 9/28/2009

Unique Styles Beauty Shop  
1998-D Oak Ridge Turnpike  
Oak Ridge, TN 37830

Violation issued June 5, 2009  
Pd \$500.00 on 9/10/2009

U.S. Nail  
2683 Murfreesboro Road  
Nashville, TN 37217

Violation issued September 24, 2008  
Pd \$2,000.00 on 8/4/2009

MOTION was made by Ms. Judy Golden and seconded by Ms. Janet Wormsley to accept the consent orders. Motion carried unanimously.

Tam Van Troung – Riverdale, Georgia – Present. Tam Van Troung had submitted an application for reciprocity which was presented to the Board of Cosmetology at the August meeting. The Board had requested additional information. The certification from the Georgia State Board states Mr. Troung received manicurist license in Georgia by reciprocity. He has stated in the letter to the Board he worked as an apprentice in a salon and on his application for reciprocity he stated he obtained 600 hours at Career Institute of Nail Care.

MOTION was made by Ms. Judy Golden and seconded by Ms. June Huckeby to require Mr. Troung to obtain an additional 75 hours then take and pass the manicurist examination to become licensed in the State of Tennessee. Motion carried unanimously.

Additional information for Khut Channara documents from Cambodia was discussed by Gene Myers from Highland Styling Academy. Mr. Meyers advised the board the information on documents in question was room numbers. The board asked that Ms. Beverly Waller and Mr. Terrance Bond review the documents and make decision.

Chairman Linda Colley asked each board inspector to introduce themselves and tell what region they represent.

## **STAFF ATTORNEY REPORT**

Mr. Terrance Bond, Staff Attorney discussed the contract with PSI. Mr. Bond states an RFP will need to be completed. Mr. Bond talked about the bidding process and the terms of the contract with the board members.

Mr. Terrance Bond, Staff Attorney discussed with the board members the process of hearing cases. Mr. Bond stated that he would like approval from the board to present cases for formal hearings to the Administrative Law Judge.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Judy Golden to approve Mr. Terrance Bond, Staff Attorney to present cases to the Administrative Law Judge. Motion carried unanimously.

All recommendations adopted as recommended except #8.

### 1. 200901695-1

Student complaint alleges that when she requested a withdrawal from this licensed school of cosmetology, she was told that the withdrawal would take thirty (30) days to complete. The student states that she believes that the school administrator is delaying her withdrawal in order to secure additional loan or

grant monies in the student's name. The executive director for the school responded that the student was told her financial aid exit interview packet would be sent to her within thirty (30) days of her withdrawal. The director also stated that at the time of the withdrawal, the student had attended class for a majority of the semester and that all financial aid due the student had been drawn down, meaning that the school could not receive additional monies for the student. The director states further that the student's refund calculation showed that the student carries an outstanding balance with the school.

Recommendation: Close with no action.

2. 200901899-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

3. 200901728-1

Consumer complaint alleges that the consumer was "verbally attacked" by an employee at a licensed natural hairstyling shop. The consumer further states that she believes that some of the employees at the shop are unlicensed. The owner of the shop responds that she did not witness the alleged verbal dispute, but that upon learning of the dispute, she fired the employee allegedly involved and personally apologized to the consumer.

Recommendation: Close with a letter of warning re: professionalism.

4. 200901395-1

Administrative office complaint alleges that a licensed cosmetology school admitted an instructor trainee on inadequate proof of high school achievement. The school provided a copy of a high school diploma issued to the trainee prior to his enrollment at the cosmetology school.

Recommendation: Close with no action.



5. 200901917-1

Student complaint alleges that the financial aid advisor failed to submit documents on behalf of the student that were necessary for her to receive veteran's education benefits. The school owner responded that the advisor did transmit the documents, but that the documents were returned by the veteran's administration as incomplete. He states that the advisor did correct and re-submit the documents. The owner provided copies of the original, incomplete submission as well as the corrected submission.

Recommendation: Close with no action.

6. 200901866-1

Student complaint alleges that she nearly slipped and fell at a licensed cosmetology school after a student failed to properly clean up a wax spill.

Recommendation: Close with no action.

7. 200901980-1

Notice of Violation issued August 26, 2009 states that the inspector found work stations as well as tools and implements in this licensed cosmetology shop to be in a very unsanitary condition. The inspector also noted that none of the stylists present were wearing identification tags. The inspector reports that he has warned licensees in the shop concerning sanitation during previous inspections.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,500.00 civil penalty.

8. 200901982-1

September 4, 2009 Notice of Violation states that the inspector observed an unlicensed individual providing license-required service to a client in a licensed manicure shop. The inspector states that the individual abandoned the service he was performing and exited the building upon noticing her entry. According to the inspector, the owner of the shop denied the individual's presence, and even continued to deny his presence after another client stated that the same individual had provided license-required service to her prior to the inspector's arrival.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$2,000.00 civil penalty.

FINAL RECOMMENDATION: Raise the civil penalty to \$3,000.00. Board approved.

9. 200901983-1

August 20, 2009 Notice of Violation states that the inspector observed an unlicensed individual providing license-required service to a client in a licensed manicure shop. The inspector states that the individual abandoned the service she was performing and exited the building upon noticing her entry.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,500.00 civil penalty.

10. 200901984-1

August 19, 2009 Notice of Violation states that the inspector found a wax machine, which was hot to the touch, in a manicure room of a licensed full service cosmetology shop.

Recommendation: Close with no action.

11. 200901986-1

August 13, 2009 Notice of Violation states the inspector observed two (2) unlicensed individuals providing license-required service to a client in a licensed manicure shop. The inspector states that the individuals abandoned the services they were performing and exited the building upon noticing his entry. According to the inspector, the owner denied that the individuals were performing services and indicated that they left the building because the inspector "scared them" when he entered the building.

*Prior History*

*2008- unlicensed operator, paid 1,500.00 civil penalty and signed consent order.*

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$3,000.00 civil penalty.

12. 200901988-1

August 13, 2009 Notice of Violation states that the inspector found an unlicensed individual providing license-required service to a client in a licensed manicure shop. The inspector states that the individual abandoned the service he was performing and stated that he was the receptionist after the inspector identified himself. The inspector also states that several spa tubs were not properly sanitized and that a drill used in the spa had not been sanitized after use.

*Prior History*

*2006- unlicensed operator, paid \$1,000.00 civil penalty and signed consent order.*

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$2,000.00 civil penalty.

13. 200901798-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

14. 200901808-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

15. 200901981-1

September 1, 2009 Notice of Violation states that the inspector observed a licensed cosmetologist providing license-required service to a client in a licensed cosmetology shop while the cosmetologist's license was expired and had been expired since June 30, 2009. The cosmetologist's license is now current.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty.

16. 200901873-1

Administrative office complaint states that a licensed school of cosmetology admitted a student without proper proof of high school attendance or educational achievement.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

17. 200901867-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

18. 200902066-1

August 27, 2009 Notice of Violation states that the inspector found a wax machine, which was ready for use, in a licensed manicure shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$750.00 civil penalty.

19. 200902068-1

September 9, 2009 Notice of Violation states that the inspector found that the owner of a licensed cosmetology shop failed to give notice to the board prior to the relocation of his shop. The inspector observed the owner practicing cosmetology at the new location during the inspection. The owner has now given notice and obtained an inspection of the relocated shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$500.00 civil penalty.

20. 200902069-1

September 10, 2009 Notice of Violation states that the inspector observed the owner of a licensed cosmetology shop relocated her cosmetology shop without providing prior notice to the board and obtaining an inspection of the relocated shop. The inspector observed the owner providing license-required service to a client at inspection time. A change of location application has not been filed with the board as of the date of this summary.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

21. 200801436-1

Consumer complaint alleges that a licensed cosmetologist was rude to her while she was receiving service in a licensed cosmetology shop. The Respondent failed to respond to the complaint.

Recommendation: Issue a letter of warning regarding professional conduct.

22. 200901880-1

July 30, 2009 Notice of Violation states that the inspector found a licensed cosmetology shop operating while no manager was present. The inspector further states that an individual who is a cosmetology student according to department records was serving as manager of the shop and had performed license-required services upon clients in the shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

23. 200901881-1

July 30, 2009 Notice of Violation does not provide sufficient information to determine whether a violation of law was observed during the inspection.

Recommendation: Close with no action.

24. 200901882-1

July 31, 2009 Notice of Violation states that the inspector observed an unlicensed individual performing license-required service on a client in a licensed manicure shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

25. 200901946-1

August 6, 2009 Notice of Violation states that the inspector observed a licensed cosmetologist providing license-required service to a client in a licensed cosmetology shop while her license to practice cosmetology was expired and had been expired since February 28, 2009. The license is now current.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$500.00 civil penalty.

26. 200901947-1

August 6, 2009 Notice of Violation states that the inspector observed a licensed cosmetologist providing license-required service to a client in a licensed cosmetology shop while her license to practice cosmetology was expired and had been expired since February 28, 2009. The license is now current.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$500.00 civil penalty.

27. 200901948-1

August 6, 2009 Notice of Violation states that the inspector observed a licensed cosmetologist providing license-required service to a client in a licensed cosmetology shop while her license to practice cosmetology was expired and had been expired since February 28, 2009. The license is now current.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$500.00 civil penalty.

28. 200901949-1

August 14, 2009 Notice of Violation states that the inspector observed an unlicensed individual performing license-required service on a client in a licensed manicure shop. The inspector states that the owner of the shop did confirm that the individual observed providing the service did not hold a valid, board-issued license.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$1,000.00 civil penalty.

29. 200901804-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and \$1,000.00 civil penalty.

30. 200901594-1

Student complaint alleges that a licensed school of cosmetology failed to dismiss a student who allegedly had contracted conjunctivitis. The student alleges that this is a violation of the board rule prohibiting students with infectious or communicable diseases from providing service in a school or shop.

Recommendation: Close with no action.

31. 200901658-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator did provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Close with no action.

32. 200901459-1

Administrative office complaint alleges that a licensed school of cosmetology admitted a student without proof of adequate high school education or sufficient achievement on the G.E.D. exam. School administrator failed to provide proof that the school kept records showing that the student had completed at least two (2) years of high school education or successfully completed the G.E.D. exam prior to admission to the licensed school.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

33. 200901378-1

Consumer complaint alleges that the consumer contracted cellulitis and experienced pain and discomfort as a result of a pedicure that she received at a licensed manicure shop. The consumer states that she believes the owner of the shop should compensate her at least five hundred dollars (\$500.00) for her injuries. The manager and the licensed manicurist who performed the service both respond to the complaint. Both stated that the consumer never contacted them prior to filing the complaint to discuss the service or her alleged adverse reaction to same.

Recommendation: Close with no action.

34. 200901487-1

Administrative office complaint alleges that a licensed cosmetology school admitted an instructor trainee on inadequate proof of high school achievement. The school provided a copy of a high school diploma issued to the trainee prior to his enrollment at the cosmetology school.

Recommendation: Close with no action.

35. 200901224-1

Student complaint alleges that the school is refusing to allow her to attend classes. The school owner states that the student was removed from the school for extremely disruptive conduct. The owner states when the student was informed that some of her hours would not be credited toward her education because they were earned more than seven (7) years prior to her enrollment at the school, the student became agitated and engaged in several verbal altercations with school staff, one of which culminated in the school summoning the police to escort the student from the campus.

Recommendation: Close with no action.

36. 200901456-1

July 11, 2009 Notice of Violation states that the inspector observed an unlicensed individual providing license-required service to a client in a licensed manicure shop. The inspector also states that two (2) licensed manicurists in the shop failed to wear identification tags while providing license-required services to clients.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,500.00 civil penalty.

37. 200901410-1

June 10, 2009 Notice of Violation states that the inspector observed two (2) unlicensed individuals providing license-required services to clients in a licensed manicure shop. The inspection also observed one (1) licensed manicurist who was not wearing an identification tag while providing service to a client. The inspector also reported that the shop license and most recent grade sheet were not displayed.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$2,500.00 civil penalty.



38. 200901408-1

June 12, 2009 Notice of Violation states that the inspector found four (4) service-ready work stations and two (2) individuals wearing smocks in a licensed cosmetology shop. According to the inspector, only one license to practice cosmetology was displayed in the shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

39. 200901078-1

Consumer complaint states that the consumer noticed after removing her acrylic nails that green circular lines were present on some of her nails. The consumer believes that she has contracted a nail fungus and is concerned about the license status of the manicure shop where she received service. According to departmental records, the shop is licensed and has received recent inspection scores of 98 (June 26, 2009) and 100 (December 12, 2008).

Recommendation: Close with no action.

40. 200901489-1

July 22, 2009 Notice of Violation states that the inspector observed that the owner of a cosmetology shop had relocated the shop without obtaining an inspection and license for the new location. According to departmental records, the license for the old shop location is delinquent and no new shop license has been issued.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty with instructions to CEASE and DESIST operating at the new location until a shop license has been obtained.

41. 200901063-1

Student complaint alleges that the cosmetology school she previously attended will not release her hours even though they have been paid. The school administrator states that the student was withdrawn from the school after she failed to return to school following an approved leave of absence. According to the administrator, the school performed a refund calculation after the student's withdrawal and determined that the student currently has an unpaid account with the school.

Recommendation: Close with no action.

42. 200902080-1

September 4, 2009 Notice of Violation states that the inspector observed an unlicensed individual providing license-required service to a client in a licensed manicure shop.

Recommendation: Authorize formal hearing with authority to settle by Consent Order and payment of a \$1,000.00 civil penalty.

43. 200902081-1

July 30, 2009 Notice of Violation states that the inspector observed an unlicensed individual providing license-required service to a client in a licensed manicure shop. This is the third violation for unlicensed activity that this shop has received since July 9, 2008.

Recommendation: Authorize formal hearing.

44. 200900595-1/Docket Number 12.09-103294A

Board approval of a Consent Order in settlement of a contested case proceeding is required.

(Verbal explanation to follow)

Recommendation: Approve settlement of the contested case by Consent Order.

MOTION was made by Ms. June Huckleby and seconded by Ms. Nina Coppinger to approve the recommendations. Motion carried unanimously.

## **OTHER BUSINESS**

Application for reciprocity of cosmetology license from India for Ms. Archana Patel was presented at the August board meeting. The board voted to request additional information of hours of instruction and breakdown of courses covering cosmetology curriculum in India. Ms. Patel presented the information.

MOTION was made by Ms. Nina Coppinger and seconded by Ms. Muriel Smith to take an additional 590 hours then take and pass the cosmetology examination to become licensed in the State of Tennessee. Motion carried unanimously.

Application for reciprocity of aesthetician license from California for Ms. Any Elizabeth Cole was submitted. Ms. Cole completed 600 hours in aesthetics curriculum in California. No five year work history.

MOTION was made by Ms. Judy Golden and seconded by Ms. Nina Coppinger to request Ms. Cole obtain an additional 150 hours then take and pass the aesthetician examination to become licensed in the State of Tennessee. Motion carried unanimously.

Mr. Terrance Bond, Staff Attorney discussed the dress code for the students at the testing site. Mr. Bond states that the dress code has become an issue at PSI. PSI asked the board if something could be done about the way the students are dressed with taking the examination. The students should be in school uniform with the name of the school covered. Previously, it was stated at a board meeting that they could not be turned away for testing. Mr. Terrance Bond stated that he would review the issue of the dress code and would advise the board at the next meeting.

MOTION was made by Ms. Muriel Smith and seconded by Ms. Judy Golden to adjourn the meeting.