

Minutes

The Tennessee State Board of Cosmetology held a meeting June 6, 2011, at 9:00 a.m. CST, in Nashville, Tennessee.

The following members were present: Linda Colley, Board Chairman, Nina Coppinger, Co-Chairman, June Huckleby, Muriel Smith, Diana Buchanan, Virgilene Lotze, Pearl Walker and Janet Wormsley.

Others present: Beverly Waller Board Director, Terrance Bond Attorney for the Board and Hazel Buttrey Licensing Technician.

Meeting was called to order by Board Chair Linda Coley.

Linda Colley, Board Chairman welcomed everyone to the board meeting and acknowledged the cosmetology school in attendance.

Minutes for the May 2, 2011 Board meeting submitted for approval.

Minutes mailed to Board Members were missing pages five (5) and seven (7). Corrected minutes will be mailed to Board Members for approval at the August 1, 2011 board meeting.

APPEAR BEFORE THE BOARD-

Rod Edmondson President of a company called "Shears Point" requested to appear before the Board today to advise the Board of his company and what they do. Mr. Edmondson is a license master barber in Tennessee and his company hires license barbers and cosmetologist to work in facilities that the company has contracts with. Several of these facilities are state facilities at this time and the company is currently in contract negotiations for others facilities. Seasoned Barbers and Cosmetologist are hired to start the projects and later newly licensed individuals are hired and trained in an apprentice program and it is a paid position. Mr. Edmondson stated he is very passionate about the hair industry and the main objectives of this company is to decrease the number of individuals that perform services that are not license and also to train new licensees and help develop skills that sometime

are missed in school. The Board thanked Mr. Edmondson for the information.

Erin Buchholz is before the Board at the request of the Board. At the May 2, 2011 board meeting the Board reviewed the application for reciprocity submitted by Ms. Buchholz. Certification of licensing from the Oregon State Board verifies Ms. Buchholz hold an aesthetician license, hair design license and nail technology license. All license was issued 06/03/08 by examination and the certification indicates these were individual license (license numbers ending in 39, 40 and 41). Documentation from the school details 2300 hours. The combination of 2300 hours is 150 safety sanitation, 100 career development, 350 nails technology, 250 esthetics and 1450 hair design. Ms. Buchholz explained to Board Members the process for how she obtained the license she holds in the State of Oregon.

MOTION made by Pearl Walker and seconded by Nina Coppinger to approve Ms. Buchholz for reciprocity of cosmetology license. Motion carried unanimously.

Mr. Hung Huynh requested to appear before the Board today concerning his application for reciprocity which was presented to the Board at the May 2, 2011 meeting. Mr. Huynh applied for manicurist license by reciprocity. He was originally license as a cosmetologist in New York which required 1000 hours. He obtained manicurist license in Minnesota by passing the manicurist examination in that state. The Board voted he would be required to pass the Tennessee State Board manicurist examination to qualify for manicurist license in Tennessee. Mr. Huynh would like to question the Board as to why he is required to take the examination in Tennessee. Mr. Benjamin Pongsaavanh stated he is a friend of Mr. Huynh and addressed the Board at Mr. Huynh's request because he has difficulty with the English language.

MOTION made by June Huckleby and seconded by Muriel Smith the previous vote requiring Mr. Huynh to take the manicurist examination in Tennessee stands. Motion carried unanimously.

Carol A. Bakowicz requested to appear before the Board today requesting to be grandfathered in as an aesthetician. Ms. Bakowicz presented documentation of her training in esthetics.

MOTION made by Muriel Smith and seconded by Pearl Walker to decline Ms. Bakowicz's request to be grandfathered in as an aesthetician. Motion carried unanimously. The Board stated she may submit an application for the esthetician examination with proof of instruction in the esthetics curriculum for presentation to the Board for review.

COSMETOLOGY SCHOOL APPLICATIONS-

Application for change of ownership for Franklin Hair Academy located 595 Hillsboro Rd. Ste. #325 Franklin, Tennessee.

MOTION made by Nina Coppinger and seconded by Muriel Smith to approve the application for change of ownership. Motion carried unanimously.

Application for change of name for Academy of Esthetics & Hair Design located 2221 Jacksboro Pike Suite #16C LaFollette, Tennessee to Collins School of Cosmetology.

MOTION made by Nina Coppinger and seconded by Pearl Walker to approved the application for change of name. Motion carried unanimously.

Application for new school of Cosmetology Universal Salon Academy which was presented to the Board at the May meeting. The School has been inspected by the Board Member and Board Inspector, was found to be in compliance with all requirements for a school of cosmetology in Tennessee and approval to open was granted. Requesting approval to issue license.

MOTION was made by Nina Coppinger and seconded by Diana Buchanan to issue school license. Motion carried unanimously.

APPLICATIONS FOR EXAMINATION-

Application for examination from Jay Dee Harris, Katrina Taylor, Labrina Hoskins, Teresa Buck, Anita Schuff, Kristi Todd, Julie Tunstill, Rebecca Starkey, Bridgette Wyche, Chiuna Davis and Lisa Marie Woods who have felonies presented to the Board. All required information has been submitted the disclosure of requested information from the applicant and letter of examination recommendation from the cosmetology school attended.

MOTION made by Muriel Smith and seconded by Nina Coppinger to approve the applications for examination. Motion carried unanimously.

SEMINAR EXTENSION REQUEST-

Request for extension from the 2011 instructor seminar from Patricia Ann Thomas due to financial difficulties. If you will notice her license does not expire until 06/30/2012. If she does not attend in 2011 there will only be 1 seminar held prior to the expiration date of her license in 2012. I checked her seminar attendance location that seminar is not where she usually attends.

MOTION made by Nina Coppinger and seconded by Muriel Smith to decline the request for an extension. Motion carried unanimously.

SEMINAR APPROVAL REQUEST-

Request approval of continuing educational seminar for required 16 hours. The seminar is sponsored by the Alabama United Stylist and Barbering Association and you have the agenda for the 2 day seminar.

MOTION made by Muriel Smith and seconded by Nina Coppinger to decline the request for seminar approval. Motion carried unanimously.

SHOP APPLICATIONS-

Applications for Beautiful Eyebrow shops three locations, 5252 Hickory Hollow #2099 Antioch, Tennessee, 1800 Galleria Blvd #1680 Franklin, Tennessee and 2082 Gallatin Pike North, Madison, Tennessee presented to the Board. Litigation attorney for the Board Laura Betty explained to Board Members the applications were presented to the Board Members due to numerous notices of violations issued for unlicensed shops and unlicensed individuals performing services at these locations.

MOTION made by Nina Coppinger and seconded by Muriel Smith to deny the shop applications. Motion carried unanimously.

APPLICATIONS FOR RECIPROCITY-

Application for reciprocity of cosmetology license from Florida for Tammy D. Shahan. Certification from the Florida State Board verifies 1200 hours in the curriculum and no five (5) year work history.

MOTION made by Nina Coppinger and seconded by Diana Buchanan applicant is required to complete three hundred (300) hours of instruction in the cosmetology curriculum in a license school and pass the state board cosmetology examination. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Teresa Calkins. Certification from the Florida State Board verifies 1200 hours in the curriculum and no five (5) year work history.

MOTION made by Nina Coppinger and seconded by June Huckleby applicant is required to complete three hundred (300) hours of instruction in the cosmetology curriculum in a license school and pass the state board cosmetology examination. Motion carried unanimously.

Application for reciprocity of manicurist license from Florida from Yen Huynh. Certification from the Florida State Board verifies Ms. Huynh license as a full specialist which is 240 hour in the manicure curriculum and 260 in the skin care curriculum. The work history she submitted does not give dates of employment for proof of a recent and consistent five (5) year work history and it states she was employed as a full specialist and Tennessee does not have a license of that type.

MOTION made by Nina Coppinger and seconded by Janet Wormsley applicant is required to complete three hundred sixty (360) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination to qualify for manicurist license and/or complete four hundred ninety (490) hours of instruction in the esthetics curriculum and in a license school and pass the state board esthetics examination to qualify for aesthetician license. Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia from Tan H. Phan. Certification from the Georgia State Board verifies applicant completed 525 hours in the curriculum and original date of license

10/24/2008 so no five year work history. Applicant also received license in Alabama by reciprocity from Georgia.

MOTION was made by Nina Coppinger and seconded by Muriel Smith applicant is required to complete seventy-five (75) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination. Motion carried unanimously.

Application for reciprocity of manicurist license from California from Tri Nguyen. Certification from the California State Board verifies 400 hours in the curriculum. The documentation submitted for proof of work history is for 2005, 2007, 2009, and 2010. Five year work history should be for 2006, 2007 2008, 2009 and 2010.

MOTION made by Nina Coppinger and seconded by Pearl Walker applicant is required to complete two hundred (200) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination. Motion carried unanimously.

Application for reciprocity of manicurist license from California for Hung Khac Chau. Certification from the California State Board verifies 400 hours in the curriculum and original date of licensing as 10/01/10 therefore no five (5) year work history.

MOTION made by Nina Coppinger and seconded by Muriel Smith applicant is required to complete two hundred (200) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination. Motion carried unanimously.

Application for reciprocity of manicurist license from Georgia for Bao Hai Nguyen. Certification from the Georgia State Board verifies 525 hours in the curriculum and original date of licensing as 04/21/2011 therefore no five (5) year work history.

MOTION made by Nina Coppinger and seconded by Pearl Walker applicant is required to complete seventy-five (75) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination. Motion carried unanimously.

Application for reciprocity of aesthetician license from Colorado for Jami Carlisle. Applicant hold a license issued by the Georgia State Board. Applicant completed 604.93 hours of instruction in the esthetics curriculum in Colorado and became license 05/01/07 in that state. Therefore no five year work history.

MOTION made by Nina Coppinger and seconded by Janet Wormsley applicant is required to complete one hundred forty five point seven (145.07) hours of instruction in the aesthetician curriculum in a license school and pass the state board aesthetician examination. Motion carried unanimously.

Application for reciprocity of cosmetology instructor license for Amber Rose Clark. Applicant is license as a cosmetologist in Colorado and completed 1800 hours in the curriculum and she want to use the additional 300 hours to receive credit to obtain reciprocity of cosmetology instructor license. Her original date of licensing is 09/22/09.

MOTION made by Nina Coppinger and seconded by Diana Buchana to approve reciprocity of cosmetology license only. Applicant does not meet the qualifications for cosmetology instructor license in Tennessee. Motion carried unanimously.

Application for reciprocity of cosmetology license from Kentucky for Jeanel Welch. Certification of licensing from the Kentucky State Board verifies applicant is license as an apprentice cosmetologist after completion of 1800 hours.

MOTION made by Nina Coppinger and seconded by Diana Buchana applicant is required to take the Tennessee State Board Cosmetology examination. Motion carried unanimously.

Application for reciprocity of manicurist license from Ohio for Catherine Allison. Certification from the Ohio State Board verifies applicant received license in that state by reciprocity from Minnesota in 1981. Letter from the Minnesota State board states they have no record of licensure for Catherine Allison.

MOTION made by Nina Coppinger and seconded by Janet Wormsley to request applicant appear before the Board. Motion carried unanimously.

Application for reciprocity of aesthetician license from Indiana for Melissa Haemmerle. Applicant completed 700 hours in the esthetics curriculum and original date of licensing as 11/15/10. No five (5) year work history.

MOTION made by Nina Coppinger and seconded by Janet Wormsley applicant is required to complete fifty (50) hours of instruction in the aesthetician curriculum and pass the state board aesthetician examination. Motion carried unanimously.

Application for reciprocity of cosmetology license from Eva Monge-Ayala from San Salvador. Applicant has submitted documentation which states she completed 1800 hours of study at Marta Rina Cosmetic Institute.

MOTION made by Muriel Smith and seconded by Nina Coppinger applicant is required to take the Tennessee State Board Cosmetology examination. Motion carried unanimously.

Application for reciprocity of aesthetician license from Dalia Atteya from Egypt. The certificate from the Egyptian Beauty Center states she completed 470 hours in skin care course and 280 hours in eyebrow threading course.

MOTION made by Nina Coppinger and seconded by Diana Buchana applicant is required to complete two hundred eighty (280) hours of instruction in the esthetics curriculum and pass the state board aesthetician examination. Motion carried unanimously.

Application for reciprocity of cosmetology license from Columbia for Clara Scoggins. The Board previously reviewed her application and requested a breakdown of the curriculum she completed in Columbia in the cosmetology curriculum and she has submitted the requested information for the Board's review.

MOTION made by Nina Coppinger and seconded by Muriel Smith applicant is required to complete five hundred fifty (550) hours of instruction in the cosmetology curriculum in a license school and pass the state board cosmetology examination. Motion carried unanimously.

Application for reciprocity of manicurist license from Pennsylvania for Carol Gockley. Pennsylvania requires 200 hours of instruction in the nail technician curriculum. For proof of the 5 year work history she has

submitted a letter from someone who states they were the manager of Garmans "The Salon" and the applicant worked doing nails from 2006 to 2007. The applicant submitted a letter stating the salon owner is deceased and the salon is not longer open. She has submitted copies of federal tax documentation for 2008, 2009 and 2010 which states her occupation as self employed but list the principal business as nail salon: service and business name Body Treats LLC.

MOTION was made by Muriel Smith and seconded by Nina Coppinger to approve the application for reciprocity. Motion carried unanimously.

MISCELLANEOUS-

The Board office received an email requesting clarification to feather hair accessories/extension if a license was required to perform that procedure.

MOTION made by Muriel Smith and seconded by Pearl Walker to request the individual to appear before the Board to demonstrate "feather hair accessories/extensions. Motion carried unanimously.

Request from Eboni Agbontaen for approval to retain hours completed in the cosmetology curriculum that are expired. Applicant originally enrolled in the curriculum in 08/13/2000 and completed the curriculum in 09/13/2010.

MOTION made by Muriel Smith and seconded by Janet Wormsley to request Ms. Agbontaen to appear before the Board. Motion carried unanimously.

Clarification as to a previous ruling by the board that cosmetologist may use straight razor on the head or hairline.

MOTION made by Muriel Smith and seconded by June Huckleby the previous ruling stands. Motion carried unanimously.

Request from First Broad Street United Methodist Church to place a shop in the church. They will offer services to the disadvantaged in the community. The question is the shop will not have an entrance from the outside. You must enter the church to access the shop.

MOTION made by Pearl Walker and seconded by Muriel Smith to request additional information. Motion carried unanimously.

Application for instructor examination received from Brittany Briggs but the applicant exceeded the 6 month completions time for the curriculum. She has submitted a letter explaining her situation and the two (2) leaves of absences she took during her enrollment in the instructor curriculum.

MOTION made by Muriel Smith and seconded by Nina Coppinger to approve the application for examination. Motion carried unanimously.

Request from Hieu Bui to take the manicurist examination. Applicant submitted an application for reciprocity of cosmetology license in August 2010 with educational documentation from beauty college in Vietnam. The Board voted he would need to complete additional hours (256) and pass the state board cosmetology examination to qualify for cosmetology license in Tennessee. The applicant has completed the 256 hours but is now requesting to take the manicurist examination not the cosmetology examination. Educational documentation from the beauty college in Vietnam stated he completed five hundred forty eight (548) hours in manicuring.

MOTION made by Nina Coppinger and seconded by June Huckleby to qualify for the manicurist examination applicant will be required to complete fifty-two (52) hours of instruction in the manicurist curriculum in a license school and pass the state board manicurist examination. Motion carried unanimously.

CONSENT ORDERS- \$12250.00

A- Nails
1230 Breezy Valley Drive
Cordova, TN 38018

Violation issued October 21, 2010
Pd \$500.00 on 4-15-2011

Brow Art
4465 Poplar Ave.
Memphis, TN 38117

Violation issued August 12, 2009
Pd \$3000.00 on 5-26-2011

Elegant Nails
1951 Madison Street
Clarksville, TN 37043

Violation issued October 2, 2010

Pd \$1000.00 on 5-26-2011

Elite Nails
2801 Wilma Rudolph Blvd.
Clarksville, TN 37040

Violation issued October 17, 2009
Pd \$1500.00 on 5-12-2011

Fancy Nails
8621 Meadow Vale Drive
Memphis, TN 38125

Violation issued October 19, 2010
Pd \$750.00 on 4-11-2011

Miller-Motte Technical College
221 Dunbar Cave Rd.
Clarksville, TN 37043

Complaint
Pd \$1000.00 on 4-20-2011

Nail Art
1575-B Ft. Campbell Blvd.
Clarksville, TN 37042

Violation issued October 7, 2010
Pd \$3000.00 on 4-20-2011

Sumthin' Unique
513 Hedgemont Avenue
Fayetteville, TN 37334

Violation issued August 4, 2010
Pd \$1000.00 on 4-28-2010

T. Nails
11463 Old Nashville Hwy
Smyrna, TN 37167

Violation issued June 30, 2010
Pd \$500.00 on 3-30-2010

MOTION made by June Huckeby and seconded by Muriel Smith to accept consent orders. Motion carried unanimously.

LEGAL REPORT-

RE-PRESENTED MATTERS:

1. 2009026751

The Board previously authorized settlement by Consent Order, payment of a \$1,000.00 civil penalty upon review of a November 25, 2009 Notice of Violation alleging unlicensed operation of a cosmetology shop. (The owners of the shop

later applied for an obtained a cosmetology shop license.) The area inspector now reports that the shop appears to be closed for business.

Recommendation: Close and flag.

NEW PRESENTATIONS:

2. 2011007811

A student who previously attended night classes at a licensed cosmetology school states that the instructor for her program repeatedly cancelled scheduled classes, citing “low attendance” as the reason for the cancellations. Additionally, the student states that she rarely ever received direct instruction and was made to perform a service on a client after she had only accumulated twenty (20) hours of curriculum instruction. The school states that the instructor referenced in the complaint no longer works for the school and that the night program is temporarily suspended due to low participation. According to the school, a new program instructor has been hired and plans are being made to reinstate the night program.

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

3. 2011008631

The Complainant indicates that she now wishes to withdraw her complaint against a licensed cosmetology school.

Recommendation: Close.

4. 2011005211

A former student at a licensed cosmetology school alleges that the school is overcrowded and noisy, that instructional rooms are too small, that students are unruly and that the school permits or encourages students to sanitize practice implements by washing them in the bathroom sink. The school states that it has a legally acceptable student teacher ratio (80 students, 5 instructors) and that its facilities were approved by the Board. Relative to implement sanitation, the school states the following: “Our facility is over twenty (20) years old and was approved by the TN State Board of Cosmetology for [sic] program approval.” They also have the option of using the shampoo bowls just as the cosmetology students do.”

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

MOTION made by Muriel Smith and seconded by Nina Coppinger to accept the legal report. Motion carried unanimously.

MOTION to adjourn made by Muriel Smith and seconded by June Huckleby. Motion carried unanimously.