



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Sherry Hess, Acting Division Director
DIVISION OF PROFESSIONAL REGISTRATION

Department of Insurance
Financial Institutions
and Professional Registration
John M. Huff, Director

BOARD OF COSMETOLOGY AND BARBER EXAMINERS

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Emily R. Carroll
Executive Director

Meeting Notice

State Board of Cosmetology and Barber Examiners Division of Professional Registration

Jefferson City, Missouri

January 25-26, 2015

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday January 25th and 26th convening at 8:00 a.m. on Sunday the 25th and 8:00 a.m. on Monday the 26th, at the Division of Professional Registration, located at 3605 Missouri Boulevard, Jefferson City, MO 65109. For individuals with special needs, notification should be forwarded to the Missouri State Board of Cosmetology and Barber Examiners, P.O. Box 1062; 3605 Missouri Boulevard, Jefferson City, Missouri or by calling (573) 751-1052 to ensure available accommodations. The text telephone number for the hearing impaired is 800-735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri State Board of Cosmetology and Barber Examiners is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021 (1), (3), (5), (7), (13) and (14), RSMo, and Chapter 324.001.8 and 324.001.9, RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

REVISED: 01/22/2015
REVISED: 01/09/2015
POSTED: 10/28/2014

**State Board of Cosmetology and Barber Examiners
Division of Professional Registration
3605 Missouri Blvd
Jefferson City, MO 65109**

January 25-26, 2015

TENTATIVE OPEN SESSION AGENDA

Sunday, January 25, 2015

8:00 a.m.

- a.) Call to order
- b.) Roll Call

1. Approval of Open Session Agenda

Closed Session – The Board will move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meetings.

Monday, January 26, 2015

8:00 a.m. The Board will convene in Closed Session

- a) Call to order
- b) Roll call

9:00 a.m. The Board will move into Open Session

9:00 a.m. Disciplinary Hearings

2. Shawn Ruffin, BAR 2005038755 (EXAM), Vegas Cutz, BAS 2009026549, owner (booth renter), Sikeston

3. Danielle Pettis, COA 2002028856 (EXAM), Make Me Ova Hair Salon, unlicensed, owner (booth renter), University City

4. Gayle Powers, unlicensed, Textures Hair Salon, BES 2004023543, owner (mater), Florissant

5. Diep Bao, unlicensed, K-Nails, BES 2001012826, owner (master), Maryland Heights

6. Mark McGuire, CES 2003003552 (EXAM), Camdenton

9:00 a.m. Probation Violation Hearings

7. **Vy Minh Tran, COM 2006001103 (RECIPROCITY), Modern Nails, BES 2010000134, owner (master), Jefferson City**
8. **Leonard Cooper, BAR 2004019255 (RECIPROCITY), The Hood Barbershop, BAS 2009006588, owner (booth renter), Kansas City**
9. **James Price II, BAR 2008008101 (RECIPROCITY), Turn-N-Headz, BAS 2009037633, owner (master) Blue Springs**
10. **Approval of Open Session Minutes**
 - October 26-27, 2014
11. **Approval of Expense Accounts and Per Diem**
12. **Financial Report**
13. **Executive Director Report – Emily Carroll**
 - Current Licensee Count
14. **Inspectors Report**

Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.
15. **President’s Report – Wayne Kindle**
16. **Proposed Rules Update**
 - 20 CSR 2085-5.010
 - 20 CSR 2085-7.010
 - 20 CSR 2085-12.020
 - 20 CSR 2085-12.080
17. **Post-Secondary Education**
18. **NIC/PCS Updated Test Content**
19. **State Law Test –** At the October 2014 meeting the Board voted to have the Executive Director begin drafting the RFP for the state law test for the Board to review at the January 2015 meeting.
20. **Fee Reduction –** At the October 2014 meeting the Board voted to have the Executive Director create an analysis of the Board’s fund if a fee reduction is made to the student enrollment and apprentice enrollment license fee from \$25.00 to \$5.00. Further, bring the full fee reduction analysis to the January 2015 meeting.
21. **Senate Bill 106 –** At the October 2014 meeting the Board voted to table this for further discussion at the January 2015 meeting.
22. **2015 NIC All Regions Meeting - Registration Packet**
23. **Missouri Association of Cosmetology Schools –** Board to review request to offer Instructor continuing education hours for 2015.
24. **Associated Hairdressers and Cosmetologist of Missouri, Inc –** Board to review request to offer Instructor continuing education hours for 2015.

25. Transformed Barber and Cosmetology Academy – Board to review request to offer Instructor continuing education hours for 2015.

26. Election of Officers – At the October 2014 meeting the Board voted to table the election officers until the January 2015 meeting.

- **President**
- **Vice President**
- **Secretary**

Open Discussion – Dialog with General Public Attending Open Session

- Missouri Association of Cosmetology Schools
- Associated Hairdressers and Cosmetologists of Missouri, Inc.
- National Hair Braiders Association
- Leila Cohoon

Upon completion of Open Session, the Board will move into Closed Session.

The Board may move immediately into Closed Session for completion of any unfinished business pursuant to Section 610.021 Subsections (1) (3) (5) (7) and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meeting.

The Board will complete any unfinished business in Closed Session.

Upon completion of Closed Session, the Board will move into Open Session.

****Adjournment****

**State Board of Cosmetology and Barber Examiners
Division of Professional Registration
3605 Missouri Blvd
Jefferson City, MO 65109**

January 25-26, 2015

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:05 a.m. on Sunday, January 25, 2015 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, January 25, 2015

Board Members Present:

Wayne Kindle, President
Jacklyn Crow, Secretary
Lori Bossert, Public Member (absent)
Linda Bramblett, Member
Joe Nicholson, Member
Leo Price, Sr., Member
Leata Price-Land, Member
Christie Rodriguez, Member

Staff Present:

Emily R. Carroll, Executive Director
Emily Reinhard, Administrative Coordinator
Brittany Tomblinson, Processing Technician Supervisor
Greg Mitchell, Litigation Counsel

1. Approval of Open Session Agenda

A motion was made by Jacklyn Crow and seconded by Joe Nicholson to approve the Open Session Agenda as submitted.

Motion carried.

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to move into closed session pursuant to Section 610.021 Subsections (1), (3), (5), (7), and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of

this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meetings.

Roll call vote:

Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Leata Price-Land	aye
Joe Nicholson	aye	Christie Rodriguez	aye
Jacklyn Crow	aye		

Motion carried.

3:11 p.m. The Board recessed in closed session and will reconvene on Monday, January 26, 2015 at 8:00 a.m.

Monday, January 26, 2015

Board Members Present:

Wayne Kindle, President
Jacklyn Crow, Secretary
Lori Bossert, Public Member, (absent)
Linda Bramblett, Member
Joe Nicholson, Member
Leo Price, Sr., Member
Leata Price-Land, Member
Christie Rodriguez, Member

Staff Present:

Emily R. Carroll, Executive Director
Emily Reinhard, Administrative Coordinator
Brittany Tomblinson, Processing Technician Supervisor
Sarah Ledgerwood, General Counsel
Greg Mitchell, Litigation Counsel
Jamie Cox, Litigation Counsel

8:03 a.m. Reconvened in Closed Session.

9:01 a.m. Board moved into Open Session.

9:00 a.m. Disciplinary Hearings

2. Shawn Ruffin, BAR 2005038755 (EXAM), Vegas Cutz, BAS 2009026549, owner (booth renter), Sikeston

The Board held a Disciplinary Hearing in open session at 11:07 a.m. for Shawn Ruffin, d/b/a Vegas Cutz. Shawn Ruffin, d/b/a Vegas Cutz was not present and without counsel for the Disciplinary Hearing. Greg Mitchell represented the Board

of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

3. Danielle Pettis, COA 2002028856 (EXAM), Make Me Ova Hair Salon, unlicensed, owner (booth renter), University City
Hearing withdrawn.

4. Gayle Powers, unlicensed, Textures Hair Salon, BES 2004023543, owner (mater), Florissant

The Board held a Disciplinary Hearing in open session at 10:57 a.m. for Gayle Powers, d/b/a Textures Hair Salon. Gayle Powers, d/b/a Textures Hair Salon was not present and without counsel for the Disciplinary Hearing. Greg Mitchell represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

5. Diep Bao, unlicensed, K-Nails, BES 2001012826, owner (master), Maryland Heights

The Board held a Disciplinary Hearing in open session at 9:12 a.m. for Diep Bao, d/b/a K-Nails. Diep Bao, d/b/a K-Nails was present and without counsel for the Disciplinary Hearing. Greg Mitchell represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

6. Mark McGuire, CES 2003003552 (EXAM), Camdenton

The Board held a Disciplinary Hearing in open session at 11:16 a.m. for Mark McGuire. Mark McGuire was not present and without counsel for the Disciplinary Hearing. Greg Mitchell represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

9:00 a.m. Probation Violation Hearings

7. Vy Minh Tran, COM 2006001103 (RECIPROCITY), Modern Nails, BES 2010000134, owner (master), Jefferson City

The Board held a Probation Violation Hearing in open session at 9:36 a.m. for Vy Tran, d/b/a Modern Nails. Vy Tran, d/b/a Modern Nails was present and without counsel for the Disciplinary Hearing. Jamie Cox represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

8. Leonard Cooper, BAR 2004019255 (RECIPROCITY), The Hood Barbershop, BAS 2009006588, owner (booth renter), Kansas City

The Board held a Probation Violation Hearing in open session at 10:52 a.m. for Leonard Cooper, d/b/a The Hood Barbershop. Leonard Cooper, d/b/a The Hood Barbershop was not present and without counsel for the Disciplinary Hearing. Jamie Cox represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

9. James Price II, BAR 2008008101 (RECIPROCITY), Turn-N-Headz, BAS 2009037633, owner (master), Blue Springs

The Board held a Probation Violation Hearing in open session at 9:52 a.m. for James Price II, d/b/a Turn-N-Headz. James Price II, d/b/a Turn-N-Headz was present and without counsel for the Disciplinary Hearing. Jamie Cox represented the Board of Cosmetology and Barber Examiners and Sarah Ledgerwood served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Leata Price-Land, and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

10. Approval of Open Session Minutes

A motion was made by Leata Price-Land and seconded by Christie Rodriguez to approve the Open Session Minutes of the October 26-27, 2014 meeting.

Motion carried with all members present and participating.

11. Approval of Expense Accounts and Per Diem

A motion was made by Jacklyn Crow and seconded by Leata Price-Land to approve the expense accounts and per diems as submitted.

Motion carried with all members present and participating.

12. Financial Report

The Beginning Fund Balance for FY2014 was \$6,229,373.73. As of December 31, 2014 our total revenue received was \$290,755.33. Of the Expense and Equipment Appropriation there has been \$92,820.31 expended. Total

transfers as of December 31, 2014 are \$753,836.79. Leaving the current Fund Balance as of December 31, 2014 of \$5,673,471.96.

A motion was made by Jacklyn Crow and second by Joe Nicholson to approve the financial report.

Motion carried with all members present and participating.

13. **Executive Director Report** – Emily Carroll

- Current Licensee Count

A motion was made by Joe Nicholson and second by Leata Price-Land to approve the Executive Director report.

Motion carried with all members present and participating.

14. **Inspectors Report**

This is an informational item. Of the 15,630 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are 12,042 remaining.

A motion was made by Linda Bramblett and second by Jacklyn Crow to approve the Inspectors report.

Motion carried with all members present and participating.

15. **President's Report** – Wayne Kindle

- Appreciative for the new Board members
- Excited for the new year and implementing positive changes for the professions

16. **Proposed Rules Update**

- 20 CSR 2085-5.010 – in administration for review
- 20 CSR 2085-7.010 – in administration for review
- 20 CSR 2085-12.020 – in administration for review and fiscal note
- 20 CSR 2085-12.080 – in administration for review and fiscal note

17. **Post-Secondary Education**

- Waiting for the Department of Education to review purposed compliance and approve.
- Ron Holt continues to make contact with Sophia McArdle regarding the status of the Board's proposal of compliance.

18. **NIC/PCS Updated Test Content**

- Board notified PCS that the proposed changes will not be implemented in Missouri until a school overview is scheduled and all Missouri schools have been updated on the examination updates.

- PCS has requested to schedule a school overview via webinar as well as the annual school overview in Columbia, MO.

A motion was made by Joe Nicholson and seconded by Leata Price-Land to have the Executive Director notify Professional Credential Services that the Board requests an in person demonstration of the updated test content with sixty days' notice to all schools. Further, provide a webinar for future use and reference of the updated test content.

Roll call vote:

Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Leata Price-Land	aye
Joe Nicholson	aye	Christie Rodriguez	aye
Jacklyn Crow	aye		

Motion carried.

12:02 p.m. The Board recessed for lunch

12:42 p.m. The Board reconvened in Open Session

19. State Law Test – At the October 2014 meeting the Board voted to have the Executive Director begin drafting the RFP for the state law test for the Board to review at the January 2015 meeting.

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Executive Director draft an amendment requiring that the state law test required for reciprocity be taken by applicants through a test administrator.

Motion carried with all members present and participating.

20. Fee Reduction – At the October 2014 meeting the Board voted to have the Executive Director create an analysis of the Board's fund if a fee reduction is made to the student enrollment and apprentice enrollment license fee from \$25.00 to \$5.00. Further, bring the full fee reduction analysis to the January 2015 meeting.

A motion was made by Jacklyn Crow and seconded by Joe Nicholson to have the Executive Director submit the draft reducing the student and apprentice application license fee from \$25.00 to \$5.00 through the rule making process

Motion carried with all members present and participating.

21. Senate Bill 106 – At the October 2014 meeting the Board voted to table this for further discussion at the January 2015 meeting.

**A motion was made by Jacklyn Crow and seconded by Joe Nicholson to have the Executive Director submit the drafts allowing compliance with Senate Bill 106 through the rule making process
Motion carried with all members present and participating.**

22. 2015 NIC All Regions Meeting - Registration Packet

- Date – February 27, 2015
- Location - Savannah, Georgia

23. Missouri Association of Cosmetology Schools – Board to review request to offer Instructor continuing education hours for 2015.

A motion was made by Leata Price-Land and seconded by Jacklyn Crow to approve the request to offer continuing education for 2015.

Motion carried with all members present and participating.

24. Associated Hairdressers and Cosmetologist of Missouri, Inc – Board to review request to offer Instructor continuing education hours for 2015.

A motion was made by Jacklyn Crow and seconded by Leata Price-Land to approve the request to offer continuing education for 2015.

Motion carried with all members present and participating.

25. Transformed Barber and Cosmetology Academy – Board to review request to offer Instructor continuing education hours for 2015.

A motion was made by Leata Price-Land and seconded by Linda Bramblett to approve the request to offer continuing education for 2015.

Motion carried with Jacklyn Crow, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez present and participating. Joe Nicholson opposed. Wayne Kindle abstained.

26. Election of Officers – At the October 2014 meeting the Board voted to table the election officers until the January 2015 meeting.

A motion was made by Joe Nicholson and seconded by Linda Bramblett to continue the election of officers to the May 2015 meeting.

Motion carried with all members present and participating.

Open Discussion – Dialog with General Public Attending Open Session

Public members present: Leila Cohoon, Betty Sutton and Emerson Sutton, Jr.

- The Missouri Academy of Cosmetology Schools association is currently attending a Department of Education meeting in Kansas City, Missouri.
- Leila Cohoon requested the approval from the Board that all Missouri schools be able to submit proposals to offer continuing education. Further, extend the current deadline of December 31, 2014 for 2015.

- Leila Cohoon, requests the Board add the revisions to SB 808 to section 329 RSMo.
- Leila Cohoon, requests more information clarification regarding the ability to file a lawsuit against a Board. Board members should always be notified prior to accepting a Board membership that they are capable of being named in their official capacity in a lawsuit.
- Leila Cohoon, requests that the Board review the New Jersey and Pennsylvania rules and regulations regarding independent contractors in an effort to protect operators from the Internal Revenue Service.
- Leila Cohoon, believes that the word “Examiners” should be removed from the Board’s official name. Further, the rules and regulations should not be separate for the cosmetology and barber professions.
- Leila Cohoon, would like to see the state law book condensed and updated.

Upon completion of Open Session, the Board will move into Closed Session.

1:52 p.m. A motion was made by Joe Nicholson and seconded by Jacklyn Crow to move into closed session pursuant to Section 610.021 Subsections (1) (3) (5) (7) and (14), RSMo, and Sections 324.001.8 and 324.001.9, RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant, and discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney, for deliberation on discipline, for discussing hiring, firing, disciplining or promoting an employee of this agency, for discussing applicants for licensure, performance evaluations pertaining to individual employees, testing and examination materials, and for the purpose of approving the minutes of one or more previous meeting.

Roll call vote:

Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Leata Price-Land	aye
Joe Nicholson	aye	Christie Rodriguez	aye
Jacklyn Crow	aye		

Motion carried.

3:18 p.m. A motion was made by Joe Nicholson and seconded by Jacklyn Crow to move into Open Session.

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to cancel the March 2015 meeting.

Motion carried with all members present and participating.

3:19 p.m. A motion was made by Joe Nicholson and seconded by Christie Rodriguez to adjourn in open session.

Motion carried with all members present and participating.

****Adjournment****

Emily R. Carroll

Executive Director

Approved on June 1, 2015