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State of Missouri

Kathleen (Katie) Steele Danner, Division Director  
DIVISION OF PROFESSIONAL REGISTRATION

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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

**September 13-14, 2015**

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday September 13<sup>th</sup> and 14<sup>th</sup> convening at 8:00 a.m. on Sunday the 13<sup>th</sup> and 8:00 a.m. on Monday the 14<sup>th</sup>, 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: 8/31/2015  
POSTED: 10/28/2014

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

**September 13-14, 2015**

**TENTATIVE OPEN SESSION AGENDA**

**Sunday, September 13, 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, September 14, 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. Walter Parson, COA 080196, Ballwin**

**3. Approval of Open Session Minutes**

- July 19-20, 2015
- Ratify August 5, 2015 mail ballot
- August 10, 2015

**4. Approval of Expense Accounts and Per Diems**

**5. Financial Report**

**6. Executive Director's Report – Emily Carroll**

- Current Licensee Count
- Renewal Update

**7. Inspectors Report**

Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.

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

**9. Proposed Rules, Drafts and Updates**

- 20 CSR 2085-3.010 (Fees)
- 20 CSR 2085-5.010 (SB106)
- 20 CSR 2085-5.030 (SB106)
- 20 CSR 2085-5.030 (State Law Test)
- 20 CSR 2085-5.040 (SB106)
- 20 CSR 2085-7.010 (SB106)
- 20 CSR 2085-7.030 (SB106)
- 20 CSR 2085-7.030 (State Law Test)
- 20 CSR 2085-7.040 (SB106)
- 20 CSR 2085-8.060 (Instructor Reinstatement)
- 20 CSR 2085-8.070 (SB106)
- 20 CSR 2085-12.010 (Post-Secondary)
- 20 CSR 2085-12.020 (Training Kits)
- 20 CSR 2085-12.035 (Post-Secondary)
- 20 CSR 2085-12.060 (Post-Secondary)
- 20 CSR 2085-12.080 (Training Kits)

**10. PCS Report** - At the July 2015 meeting the Board requested the Executive Director to request a report from Professional Credential Services showing the number of candidates that have failed any portions of the examination(s) three (3) times or more in the past two (2) calendar years.

**11. PCS Overview/NIC Exam Update**

**10:00 a.m. Appointment**

**12. Melisa Coleman-Dukes, Intrinsic Image LLC, Overland** – Board to review proposal for apprentice supervisor seminar training.

At the July 2015 meeting the Board voted to have the Executive Director to invite Melisa Coleman-Dukes to meet with the Board at the next meeting.

**Board Discussion**

**13. Board Directive** - At the July 2015 meeting the Board voted to request the Executive Director to begin drafting changes to 20 CSR 2085-9.020 requiring a minimum of three (3) hours of attendance at a cosmetology and/or barber apprentice supervisor training. Also draft requirements to submit an apprentice supervisor seminar training course.

**14. Board Directive** - At the July 2015 meeting the Board voted to request the Executive Director to begin a draft to require barber statutes and regulations to more closely mirror cosmetology statutes and rules for a 2017 Legislative proposal. Draft is requested the Board for review before the end of 2015.

**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

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**

**September 13-14, 2015**

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:01 a.m. on Sunday, September 13, 2015 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

**Sunday, September 13, 2015**

**Board Members Present:**

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

**Staff Present:**

Emily R. Carroll, Executive Director  
Emily Conde, Administrative Coordinator  
Brittany Pointer, Processing Technician III  
Gregory 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 Jacklyn Crow and seconded by Lori Bossert 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	Christie Rodriguez	aye
Joe Nicholson	aye	Lori Bossert	aye
Jacklyn Crow	aye	Leata Price-Land	aye

Motion carried.

**5:23 p.m. The Board recessed in closed session and will reconvene on Monday, September 14, 2015 at 8:00 a.m.**

**Monday, September 14, 2015**

**Board Members Present:**

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

**Staff Present:**

Emily R. Carroll, Executive Director  
Emily Conde, Administrative Coordinator  
Brittany Pointer, Processing Technician III  
Tom Townsend, General Counsel  
Diana Carter, Litigation Counsel

**8:01 a.m.** Reconvened in Closed Session.

**8:57 a.m.** Board moved into Open Session.

**9:00 a.m. Disciplinary Hearings**

**2. Walter Parson, COA 080196, Ballwin**

The Board held a Disciplinary Hearing in open session at 9:05 a.m. for Walter Parson. Walter Parson was present via conference call and with counsel for the Disciplinary Hearing. Diana Carter represented the Board of Cosmetology and Barber Examiners and Thomas Townsend served as the Board's legal advisor. Board members present were Wayne Kindle, Jacklyn Crow, Linda Bramblett, Joe Nicholson, Leo Price, Sr., Lori Bossert and Christie Rodriguez. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

**3. Approval of Open Session Minutes**

A motion was made by Lori Bossert and seconded by Joe Nicholson to approve the Open Session Minutes of the July 19-20, 2015 meeting.  
Motion carried with all members present and participating.

A motion was made by Jacklyn Crow and seconded by Joe Nicholson to ratify the August 5, 2015 open mail ballot.  
Motion carried with all members present and participating.

A motion was made by Jacklyn Crow and seconded by Joe Nicholson to approve the Open Session Minutes of the August 10, 2015 meeting.  
Motion carried with all members present and participating.

4. **Approval of Expense Accounts and Per Diem**

A motion was made by Joe Nicholson and seconded by Lori Bossert to approve the expense accounts and per diems as submitted.  
Motion carried with all members present and participating.

5. **Financial Report**

The Beginning Fund Balance for FY2016 was \$4,807,949.20. As of July 31, 2015 our total revenue received was \$495,949.00. Of the Expense and Equipment Appropriation there has been \$16,297.96 expended. Total transfers as of July 31, 2015 are \$150,006.38. Leaving the current Fund Balance as of July 31, 2015 at \$5,134,593.86.

A motion was made by Christie Rodriguez and second by Joe Nicholson to approve the financial report.  
Motion carried with all members present and participating.

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

- Total licensee count is 82,952
- 74,981 postcard renewals and 4,964 paper renewals mailed on July 1, 2015
- 38,247 Licensees have renewed to date
- 68% have renewed online
- All renewals postmarked by 9/30/2015 will be processed as renewals
- Following the 9/30/2015 renewal deadline a second notice of reinstatement will be mailed to all licensees that have not renewed through 9/30/2017
- Board staff will be in the front conference room at the Division to assist licensees wishing to renew before 9/30/2015.

A motion was made by Jacklyn Crow and second by Joe Nicholson to approve the Executive Director report.  
Motion carried with all members present and participating.

7. **Inspectors Report**

This is an informational item. Of the 15,608 Establishment inspections due to be inspected a minimum of 1 time annually by October 30<sup>th</sup> there are 2,264 remaining.

A motion was made by Christie Rodriguez and second by Lori Bossert to approve the Inspectors report.

Motion carried with all members present and participating.

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

- Thank you to the Board staff for the work done during this renewal period and the effort to progress Board procedures.
- Would like for the Board to be more transparent with the licensees.
- Create informational items notifying licensees of the ability to attend the Boards Open Session.
- Create a comment section on the Boards website for Board members to review and correspond with the public and licensees.
- Work with the various associations as a team in effort to make progress.
- Discuss different ideas at the November meeting.

A motion was made by Joe Nicholson and second by Christie Rodriguez to approve the President's report.

Motion carried with all members present and participating.

9. **Proposed Rules Update**

- 20 CSR 2085-3.010 (Fees) – Department for approval
- 20 CSR 2085-5.010 (SB106) – Division for review
- 20 CSR 2085-5.030 (SB106) – Division for review
- 20 CSR 2085-5.030 (State Law Test) – waiting for SB106 rules to be finalized; then will be submitted through the formal rulemaking process.
- 20 CSR 2085-5.040 (SB106) - Division for review
- 20 CSR 2085-7.010 (SB106) – Division for review
- 20 CSR 2085-7.030 (SB106) – Division for review
- 20 CSR 2085-7.030 (State Law Test) – waiting for SB106 rules to be finalized; then will be submitted through the formal rulemaking process.
- 20 CSR 2085-7.040 (SB106) - Division for review
- 20 CSR 2085-8.060 (Instructor Reinstatement) – Department for review
- 20 CSR 2085-8.070 (SB106) - Division for review
- 20 CSR 2085-12.010 (Post-Secondary) – Emergency provision effective June 7, 2015. Formal rulemaking process in process now; will be effective October 29, 2015.
- 20 CSR 2085-12.020 (Training Kits) – Division for review.

- 20 CSR 2085-12.035 (Post-Secondary) – Emergency provision effective June 7, 2015. Formal rulemaking process in process now; will be effective October 29, 2015.
- 20 CSR 2085-12.060 (Post-Secondary) – Emergency provision effective June 7, 2015. Formal rulemaking process in process now; will be effective October 29, 2015.
- 20 CSR 2085-12.080 (Training Kits) – Division for review.

All rules are posted on the Board's website when they are out for comments.

A motion was made by Jacklyn Crow and seconded by Lori Bossert to approve the proposed rules updated.

Motion carried with all members present and participating.

**10. PCS Report** - At the July 2015 meeting the Board requested the Executive Director to request a report from Professional Credential Services showing the number of candidates that have failed any portions of the examination(s) three (3) times or more in the past two (2) calendar years.

- 9 candidates have failed the examination three (3) times within the past two (2) years.
- 7 candidates were Missouri candidates
- 2 candidates were out of state candidates

A motion was made by Joe Nicholson and seconded by Christie Rodriguez to take no action at this time.

Motion carried with all members present and participating.

**11. PCS Overview/NIC Exam Update**

- Conference held August 17, 2015 in Columbia, Missouri
- 52 instructors and 22 schools were present at the conference
- Questions regarding the date the changes would go into effect
- No negative feedback received in the Board office or PCS regarding the update.
- Notification would be sent to all Missouri schools prior to the updates being implemented.
- Board has the right to look into other testing options outside of offering the NIC examination.
- The Board has the candidates' best interest in mind.
- The Board has the authority to offer the examination as opposed to delegating out the service.

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Executive Director bring the current examination contract to the November meeting for discussion in closed session. Further, research other states that are not offering the NIC examination for the following information:

- Examination provider
- Cost of examinations

- Examination location(s)

Motion carried with all members present and participating.

A motion was made by Joe Nicholson and seconded by Leo Price, Sr. to table the current examination updates until further discussion regarding the research found of other states examination processes.

Motion carried with all members present and participating.

### **10:00 a.m. Appointment**

**12. Melisa Coleman-Dukes, Intrinsic Image LLC, Overland** – Board to review proposal for apprentice supervisor seminar training.

At the July 2015 meeting the Board voted to have the Executive Director to invite Melisa Coleman-Dukes to meet with the Board at the next meeting.

A motion was made by Joe Nicholson and seconded by Lori Bossert to approve the apprentice supervisor seminar proposal as submitted.

Motion carried with all members present and participating.

A motion was made by Joe Nicholson and seconded by Lori Bossert to have the Executive Director or Board staff periodically audit the seminar providers.

Motion carried with all members present and participating.

### **Board Discussion**

**13. Board Directive** - At the July 2015 meeting the Board voted to request the Executive Director to begin drafting changes to 20 CSR 2085-9.020 requiring a minimum of three (3) hours of attendance at a cosmetology and/or barber apprentice supervisor training. Also draft requirements to submit an apprentice supervisor seminar training course.

- The current requirement imposed on Barber apprentice supervisors of eight (8) hours attendance at a seminar is located in 328, RSMo and would require a legislative change.

A motion was made by Joe Nicholson and seconded by Lori Bossert to table for discussion at the November 2015 meeting.

Motion carried with all members present and participating.

**14. Board Directive** - At the July 2015 meeting the Board voted to request the Executive Director to begin a draft to require barber statutes to more closely mirror cosmetology statutes for a potential 2017 Legislative proposal. Draft is requested by the Board for review by the end of 2015.

A motion was made by Joe Nicholson and seconded by Lori Bossert to table for discussion at the November 2015 meeting.

Motion carried with all members present and participating.

### **Open Discussion** – Dialog with General Public Attending Open Session

Public members present: None

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

**10:10 a.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 meetings.

Roll call vote:

Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Christie Rodriguez	aye
Joe Nicholson	aye	Lori Bossert	aye
Jacklyn Crow	aye		

Motion carried.

**10:23 a.m.** A motion was made by Joe Nicholson and seconded by Jacklyn Crow to move into Open Session.

Roll call vote:

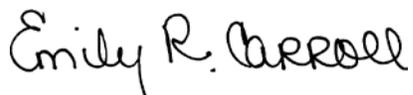
Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Christie Rodriguez	aye
Joe Nicholson	aye	Lori Bossert	aye
Jacklyn Crow	aye		

Motion carried.

**10:23 a.m. A motion was made by Joe Nicholson and seconded by Jacklyn Crow to adjourn in open session.**

Motion carried with all members present and participating.

**\*\*Adjournment\*\***



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Executive Director

Approved on November 16, 2015