



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

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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

November 15-16, 2015

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday November 15th and 16th convening at 8:00 a.m. on Sunday the 15th and 8:00 a.m. on Monday the 16th, 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: 11/12/2015
REVISED: 10/30/2015
POSTED: 10/28/2014

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

November 15-16, 2015

TENTATIVE OPEN SESSION AGENDA

Sunday, November 15, 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, November 16, 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. Deandria Covington, COA 2011031638 (EXAM), Marc Stevens Salon, unlicensed, owner (booth rental), St. Louis

3. DeSean Norman, COA 2011004496 (EXAM), Mane Event Barber & Beauty Spa, BES 2015034429, owner (booth rental), St. Louis

4. Approval of Open Session Minutes

- September 13-14, 2015

5. Approval of Expense Accounts and Per Diems

6. Financial Report

7. **Executive Director's Report** – Emily Carroll
 - Current Licensee Count
 - Newsletter
8. **Inspectors Report**
Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.
9. **President's Report** – Wayne Kindle
10. **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)
11. **Marcia Fialdini Certified Life Coach, New Journey of Transformation, Reno, Nevada** – Board to review proposed instructor continuing education program for 2016.
12. **Associated Hairdressers and Cosmetologist of Missouri, Inc.** – Board to review proposed instructor continuing education program for 2016.
13. **Scheduling 2016 Meeting Dates**
14. **PCS Overview/NIC Exam Update**
At the September 2015 meeting the Board voted 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)
15. **Fish Spa**
Review of Chapter 328 & 329 RSMo. regarding fish spas.
16. **2017 Legislation**
Discussion on any potential Board proposals

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**

November 15-16, 2015

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President Wayne Kindle at 8:00 a.m. on Sunday, November 15, 2015 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, November 15, 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 Tomblinson, Processing Technician Supervisor
Jamie Cox, Litigation Counsel

1. Approval of Open Session Agenda

A motion was made by Joe Nicholson and seconded by Lori Bossert to approve the Open Session Agenda as submitted.
Motion carried.

A motion was made by Christie Rodriguez 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		

Motion carried.

6:25 p.m. The Board recessed in closed session and will reconvene on Monday, November 16, 2015 at 8:00 a.m.

Monday, November 16, 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 Tomblinson, Processing Technician Supervisor
Tom Townsend, General Counsel
Jamie Cox, Litigation Counsel

8:00 a.m. Reconvened in Closed Session.

8:58 a.m. Board moved into Open Session.

9:00 a.m. Disciplinary Hearings

2. Deandria Covington, COA 2011031638 (EXAM), Marc Stevens Salon, unlicensed, owner (booth rental), St. Louis

The Board held a Disciplinary Hearing in open session at 9:04 a.m. for Deandria Covington. Deandria Covington was not present and without counsel for the Disciplinary Hearing. Jamie Cox 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.

9:00 a.m. Probation Violation Hearings

3. DeSean Norman, COA 2011004496 (EXAM), Mane Event Barber & Beauty Spa, BES 2015034429, owner (booth rental), St. Louis

The Board held a Probation Violation Hearing in open session at 9:11 a.m. for DeSean Norman. DeSean Norman was not present and without counsel for the Disciplinary Hearing. Jamie Cox 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 Probation Violation Hearing the Board held its deliberation in Closed Session.

4. Approval of Open Session Minutes

A motion was made by Joe Nicholson and seconded by Christie Rodriguez to approve the Open Session Minutes of the September 13-14, 2015 meeting. Motion carried with all members present and participating.

5. Approval of Expense Accounts and Per Diem

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

6. Financial Report

The Beginning Fund Balance for FY2016 was \$4,807,949.20. As of September 30, 2015 our total revenue received was \$1,970,829.85. Of the Expense and Equipment Appropriation there has been \$87,630.39 expended. Total transfers as of September 30, 2015 are \$449,550.76. Leaving the current Fund Balance as of September 30, 2015 at \$6,241,597.90.

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

7. Executive Director Report – Emily Carroll

- Board licensee totals as of September 30, 2015
 - Active: 79,499
 - Inactive: 3,453
 - Total: 82,952
- Board licensee totals as of November 11, 2015
 - Active: 69,433
 - Inactive: 3,077
 - Total: 72,510
- Remaining 10,442 need to reinstate
- Mailed reinstatement post card to all non-renewed licensees on October 15, 2015

- Currently working on a newsletter. Board is welcome to submit ideas to include.
- Newsletter will inform licensees on regulation updates.
- Drafts will be submitted for review and Board approval.
- Anticipated release date of January 2, 2016.

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

8. Inspectors Report

This is an informational item. Of the 15,554 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are 187 remaining.

A motion was made by Jacklyn Crow and second by Christie Rodriguez to approve the Inspectors report.
Motion carried with all members present and participating.

9. President's Report – Wayne Kindle

- Thank you to Board staff and the work and dedication put into renewals.
- Encourage to stay positive.

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

10. Proposed Rules Update

- 20 CSR 2085-3.010 (Fees) – Governor's office for final approval
- 20 CSR 2085-5.010 (SB106) – Governor's office for final approval
- 20 CSR 2085-5.030 (SB106) – Governor's office for final approval
- 20 CSR 2085-5.030 (State Law Test) – Ready to file upon completion of SB 106 amendments.
- 20 CSR 2085-5.040 (SB106) - Governor's office for final approval
- 20 CSR 2085-7.010 (SB106) – Governor's office for final approval
- 20 CSR 2085-7.030 (SB106) – Governor's office for final approval
- 20 CSR 2085-7.030 (State Law Test) – Ready to file upon completion of SB 106 amendments.
- 20 CSR 2085-7.040 (SB106) -
- 20 CSR 2085-8.060 (Instructor Reinstatement) – Governor's office for final approval
- 20 CSR 2085-8.070 (SB106) - Governor's office for final approval
- 20 CSR 2085-12.010 (Post-Secondary) – effective 11/30/15
- 20 CSR 2085-12.020 (Training Kits) – Governor's office for final approval
- 20 CSR 2085-12.035 (Post-Secondary) – effective 11/30/15

- 20 CSR 2085-12.060 (Post-Secondary) – effective 11/30/15
- 20 CSR 2085-12.080 (Training Kits) – Governor's office for final approval

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

Motion carried with all members present and participating.

11. Marcia Fialdini Certified Life Coach, New Journey of Transformation, Reno, Nevada – Board to review proposed instructor continuing education program for 2016.

A motion was made by Jacklyn Crow and seconded by Joe Nicholson to request the Board's general counsel research 329.085(3) and 20 CSR 2085-8.070(4) to determine if the submitted instructor continuing education proposal meets the requirements for approval.

Motion carried with all members present and participating.

12. Associated Hairdressers and Cosmetologist of Missouri, Inc. – Board to review proposed instructor continuing education program for 2016.

A motion was made by Jacklyn Crow and seconded by Lori Bossert to approve the continuing education proposal for May 22, 2016 as submitted.

Motion carried with all members present and participating.

13. Scheduling 2016 Meeting Dates

- January 24-25, 2016
- March 20-21, 2016
- May 15-16, 2016
- July 17-18, 2016
- September 18-19, 2016
- November 13-14, 2016

A motion was made by Joe Nicholson and seconded by Lori Bossert to approve the tentative 2016 meeting dates.

Motion carried with all members present and participating.

14. PCS Overview/NIC Exam Update

At the September 2015 meeting the Board voted 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)

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Executive Director notify PCS that the Board approves the implementation of the new test content effective January 26, 2016.

Motion carried with all members present and participating.

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to have the Executive Director request a copy of the proposed amended contract with the Board and PCS for review by the Board and legal counsel.

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.

15. Fish Spa

Review of Chapter 328 & 329 RSMo. regarding fish spas.

A motion was made by Joe Nicholson and seconded by Lori Bossert to take no action based on being outside of the Board's jurisdiction.

Motion carried with all members present and participating.

16. 2017 Legislation

Discussion on any potential Board proposals

A motion was made by Joe Nicholson and seconded by Christie Rodriguez to table discussion for the March 2016 meeting.

Motion carried with all members present and participating.

Open Discussion – Dialog with General Public Attending Open Session

Public members present: None

- Potential for providing Executive Director the authority to approve student enrollment applications with convictions by referring to general counsel to draft a probation order for the duration of training.

A motion was made by Joe Nicholson and seconded by Christie Rodriguez to provide a directive to the Executive Director to review all student enrollment applications with convictions, consult with the Board's general counsel and proceed with drafting an order of probation for the duration of training with all standard terms and conditions imposed.

Motion carried with all members present and participating.

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

9:56 a.m. 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		

Motion carried.

10:50 a.m. A motion was made by Joe Nicholson and seconded by Jacklyn Crow to move into Open Session.

Roll call vote:

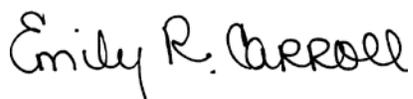
Wayne Kindle	aye	Linda Bramblett	aye
Leo Price, Sr.	aye	Christie Rodriguez	aye
Joe Nicholson	aye	Lori Bossert	aye
Jacklyn Crow	aye		

Motion carried.

10:53 a.m. A motion was made by Jacklyn Crow and seconded by Lori Bossert to adjourn in open session.

Motion carried with all members present and participating.

****Adjournment****



Executive Director

Approved on January 25, 2016