



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

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

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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

May 15-16, 2016

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday May 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: 04/29/16
POSTED: 11/17/15

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

May 15-16, 2016

TENTATIVE OPEN SESSION AGENDA

Sunday, May 15, 2016

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, May 16, 2016

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 Hearing

2. Hope Lawyer, COM 115386 (EXAM), Salon Lofts, BES 2011031263, owner (booth renter), Maplewood

3. Jessica Nyhuis, COA 2005007798 (EXAM), Hollywood Blonde, BES 2012022422, owner (booth renter), St. Charles, Case no. 2014003338

4. John Patterson, BAR 2010002622 (EXAM), Mane Event Barber & Beauty Spa, unlicensed, owner (booth renter), St. Louis, Case no. 2014004783

**5. Lai Thi Ung, COM 2004014014 (EXAM), CES 2012006561 (RECIPROCITY), Kansas City
CONTINUANCE GRANTED**

9:00 a.m. Probation Violation Hearings

6. Nikita Jefferson, COA 2009014471 (EXAM), Studio El, unlicensed, owner (master), St. Louis

7. **Steven Moriarty, BAR 010427 (EXAM), Steve's Barber Shop, unlicensed, owner (master), Wentzville**

8. **Approval of Open Session Minutes**

- January 24-25, 2016
- April 6, 2016

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

10. **Financial Report**

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

- Current Licensee Count
- 2016 NIC Conference

12. **Inspectors Report**

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

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

14. **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 2085-12.020 (Training Kits)
- 20 CSR 2085-12.080 (Training Kits)

15. **Transformed Barber and Cosmetology Academy** – Board to review request to offer Instructor seminar training for 2016.

At the January 2016 meeting the Board voted to table this for discussion at the March 2016 meeting.

16. **NIC Exam Update**

17. **Litigation Counsel Contract Renewal** – Brydon, Swearngen & England

18. **General Counsel** – At the January 2016 meeting the Board voted to have the Executive Director research additional options for use of general counsel during the Sunday portion of each meeting.

19. **Election of Officers** – President, Vice-President, and 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

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**

May 15-16, 2016

The Missouri State Board of Cosmetology and Barber Examiners were called to order in open session by President, Wayne Kindle at 8:02 a.m. on Sunday, May 15, 2015 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, May 15, 2016

Board Members Present:

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

Staff Present:

Emily R. Carroll, Executive Director
Brittany Tomblinson, Processing Technician Supervisor
Brittany Pointer, Processing Technician III
Jamie Cox, Litigation Counsel

1. Approval of Open Session Agenda

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

Motion carried with all members present and participating.

A motion was made by Jacklyn Crow and seconded by Joe Nicholson 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
Jacklyn Crow	aye	Leo Price, Sr.	aye
Joe Nicholson	aye	Christie Rodriguez	aye

Motion carried.

3:34 p.m. The Board recessed in closed session and will reconvene on Monday, May 16, 2016 at 8:00 a.m.

Monday, May 16, 2016

Board Members Present:

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

Staff Present:

Emily R. Carroll, Executive Director
Brittany Tomblinson, Processing Technician Supervisor
Brittany Pointer, Processing Technician III
Sarah Ledgerwood, General Counsel
Jamie Cox, Litigation Counsel

8:02 a.m. Reconvened in Closed Session.

8:47 a.m. Board moved into Open Session.

9:00 a.m. Disciplinary Hearings

2. Hope Lawyer, COM 115386 (EXAM), Salon Lofts, BES 2011031263, owner (booth renter), Maplewood

The Board held a Disciplinary Hearing in open session at 9:14 a.m. for Hope Lawyer. Hope Lawyer was not present and with no 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, Joe Nicholson, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

3. Jessica Nyhuis, COA 2005007798 (EXAM), Hollywood Blonde, BES 2012022422, owner (booth renter), St. Charles, Case no. 2014003338

The Board held a Disciplinary Hearing in open session at 9:11 a.m. for Jessica Nyhuis. Jessica Nyhuis was not present, with no 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, Joe Nicholson, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

4. John Patterson, BAR 2010002622 (EXAM), Mane Event Barber & Beauty Spa, unlicensed, owner (booth renter), St. Louis, Case no. 2014004783

The Board held a Disciplinary Hearing in open session at 9:03 a.m. for John Patterson. John Patterson was present and with no 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, Joe Nicholson, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

**5. Lai Thi Ung, COM 2004014014 (EXAM), CES 2012006561 (RECIPROCITY), Kansas City
CONTINUANCE GRANTED**

9:00 a.m. Probation Violation Hearings

6. Nikita Jefferson, COA 2009014471 (EXAM), Studio EI, unlicensed, owner (master), St. Louis

The Board held a Probation Violation Hearing in open session at 9:22 a.m. for Nikita Jefferson. Nikita Jefferson was not present and with no 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, Joe Nicholson, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

7. Steven Moriarty, BAR 010427 (EXAM), Steve's Barber Shop, unlicensed, owner (master), Wentzville

The Board held a Probation Violation Hearing in open session at 9:28 a.m. for Steven Moriarty. Steven Moriarty was not present and with no 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, Joe Nicholson, Leata Price-Land, Linda Bramblett, Leo Price, Sr., and Christie Rodriguez. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

8. 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 January 24-25, 2016 meeting.

Motion carried with all members present and participating.

A motion was made by Leata Price-Land and seconded by Christie Rodriguez to approve the Open Session Minutes of the April 6, 2016 meeting.

Motion carried with all members present and participating.

9. 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 diem as submitted.

Motion carried with all members present and participating.

10. Financial Report

The Beginning Fund Balance for FY2016 was \$4,807,949.20. As of March 31, 2016 our total revenue received was \$3,105,156.15. Of the Expense and Equipment Appropriation there has been \$226,688.07 expended. Total transfers as of March 31, 2016 are \$1,313,273.67. Leaving the current Fund Balance as of March 31, 2016 at \$6,373,143.6.

A motion was made by Leata Price-Land and seconded by Christie Rodriguez to approve the financial report as submitted.

Motion carried with all members present and participating.

11. Executive Director Report – Emily Carroll

- Current Licensee Count as of April 27, 2016
 - The Executive Director reported the current active total licensee count for all professions is 74,087. The Executive Director reported the current inactive total licensee count for all professions is 3,329. The Executive Director reported full license count is 77,416 for all professions.
- NIC 2016 Annual Conference
 - The Executive Director reported the Annual NIC conference would be held in Tampa, Florida scheduled for September 30 – October 3, 2016. The Executive Director asked if any Board members wished to seek approval to attend the conference.

A motion was made by Jacklyn Crow and seconded by Leata Price-Land to request approval to attend the NIC 2016 Annual Conference, Wayne Kindle and Linda Bramblett further request the Executive Director to submit an out of state travel request for the above members to attend.

A motion was made by Leata Price-Land seconded by Linda Bramblett approval for Emily Carroll to attend the NIC 2016 Annual Conference further request the Executive Director to submit an out-of-state travel request to attend.

Motion carried with all members present participating.

12. Inspectors Report

This is an informational item. Of the 15,410 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are 7,382 remaining.

A motion was made by Leata Price-Land and seconded by Linda Bramblett to approve the inspectors report as submitted.

Motion carried with all members present and participating.

13. President's Report – Wayne Kindle

- Wayne is doing a research on the down fall of barbering profession; he asked Leo Price, Sr. to help with the research. Wayne will bring back the findings at the next Board meeting.

14. 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 2085-12.020 (Training Kits) – Governor's office for final approval
- 20 CSR 2085-12.080 (Training Kits) – Governor's office for final approval

No new updates to the proposed rules available, this was for informational purposes for the Board only.

15. Transformed Barber and Cosmetology Academy – Board to review request to offer Instructor seminar training for 2016.

At the January 2016 meeting the Board voted to table this for discussion at the March 2016 meeting.

A motion was made by Leata Price-Land and seconded by Leo Price, Sr. to approve Transformed Barber and Cosmetology Academy to offer the instructor seminar training as submitted for 2016.

Roll call vote:

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

Christie Rodriguez aye
Motion carried.

16. NIC Exam Update

- The Board held a conference call with Francine Rananto, Senior Manager, Cosmetology/Barber program for Professional Credential Services, Andrea Bledsoe, Chief Customer Officer for Professional Credential Services, Melanie Thompson, President of National Interstate Council (“NIC”) and Rosanne Kinley, Chair for National Examination Committee (“NEC”).
- The Board discussed if there was “drop dead date” for the new exam updates to be launched in each state.
- Christie Rodriguez asked for clarification on the highlight with foil section
- Jacklyn Crow asked about the setup of the “universal” supplies for each section

A motion was made by Joe Nicholson and seconded by Christie Rodriguez to only keep the core areas, further to exclude the manicuring testing portion from the “Class CA-hairdressing and manicuring” exam. Further notify PCS that Missouri requests to launch the new exam content on January 01, 2017. Also the Board request that the PCS examiners not be trained on the new content until after November 01, 2016. Motion carried with all members present and participating.

17. Litigation Counsel Contract Renewal – Brydon, Swearngen & England

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to approve Litigation Counsel Contract for a period of two (2) years.
Motion carried with all members present and participating.

18. General Counsel – At the January 2016 meeting the Board voted to have the Executive Director research additional options for use of general counsel during the Sunday portion of each meeting.

A motion was made by Joe Nicholson and seconded by Leo Price, Sr. to collect more information from current general counsel within Professional Registration to see if any attorneys would serve as general counsel during the Sunday portion of each meeting would be cost efficient.
Motion carried with all members present and participating.

19. Election of Officers

- President – Wayne Kindle
- Vice President – Jacklyn Crow
- Secretary – Joe Nicholson

Open Discussion – Dialog with General Public Attending Open Session
Public members present:

- Scott Sharp, Legislative Representative for the Missouri Association of Cosmetology Schools (“MACS”) reported that “MACS” will submit the Hair Braiding Curriculum proposal to the legislator next year.

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

11:13 a.m. A motion was made by Jacklyn Crow and seconded by Joe Nicholson 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
Jacklyn Crow	aye	Leo Price, Sr.	aye
Joe Nicholson	aye	Christie Rodriguez	aye
Leata Price-Land	aye		

Motion carried.

11:46 a.m. A motion was made by Christie Rodriguez and seconded by Linda Bramblett to move into Open Session.

Roll call vote:

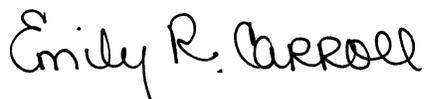
Wayne Kindle	aye	Linda Bramblett	aye
Jacklyn Crow	aye	Leo Price, Sr.	aye
Joe Nicholson	aye	Christie Rodriguez	aye
Leata Price-Land	aye		

Motion carried.

11:47 a.m. A motion was made by Jacklyn Crow and seconded by Christie Rodriguez to adjourn in open session.

Motion carried with all members present and participating.

****Adjournment****



Executive Director

Approved on July 18, 2016