



Jeremiah W. (Jay) Nixon
Governor
State of Missouri

Kathleen (Katie) Steele Danner, Division Director
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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

July 17-18, 2016

The Missouri State Board of Cosmetology and Barber Examiners will meet on Sunday and Monday July 17th and 18th convening at 8:00 a.m. on Sunday the 17th and 8:00 a.m. on Monday the 18th, 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: 7/1/16
POSTED: 11/17/15

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

July 17-18, 2016

TENTATIVE OPEN SESSION AGENDA

Sunday, July 17, 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, July 18, 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 Hearings

2. Kelvin Anderson, BAR 2012016134, Head Hunters Hair Salon, BAS 2012040618, owner (booth renter), St. Louis

3. Crystal Burton, COA 106890, Crystal Burton (Mane Event Barber & Beauty Spa), 2016006150, owner (booth renter), St. Louis

4. Jennifer Duong, COA 100043, Jennifer Duong Hair Studio, BES 2004008522, owner (booth renter), St. Louis

9:00 a.m. Probation Violation Hearings

5. Harold Salone, BAR 010337 (EXAM), Cherokee Cuts, unlicensed, owner (booth renter), St. Louis

6. **Qiana Dunlap, COA 2005017638 (EXAM), Cherokee Kuts, unlicensed, owner (booth renter), St. Louis**
7. **Tuyen Nguyen, COM 2009003100 (EXAM), Fashion Nails, BES 2009039743, owner (master), Caruthersville**
8. **Tyrone Steward, BAR 2005000092 (EXAM), A Few Good Men Barber Shop, BES 2012031736, owner (booth renter), Sikeston**
9. **Approval of Open Session Minutes**
 - May 15-16, 2016
10. **Approval of Expense Accounts and Per Diems**
11. **Financial Report**
12. **Executive Director's Report – Emily Carroll**
 - Current Licensee Count
 - 90th Annual Conference: National Association of Barber Board of America
13. **Inspectors Report**

Report provided by Inspector Supervisor reflecting number of inspections conducted for the month.
14. **President's Report – Wayne Kindle**
15. **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)
16. **NIC Exam Update/School Overview**
17. **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. At the May 2016 meeting the Board voted to have the Executive Director collect more information from current general counsel within Professional Registration to see if any attorneys would serve as general counsel for the Sunday portion of each meeting.
18. **Legislation –** Discussion for 2017 legislative 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**

July 17-18, 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, July 17, 2016 at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

Sunday, July 17, 2016

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
Christine Kiefer, Member

Staff Present:

Emily R. Carroll, Executive Director
Emily Conde, Administrative Coordinator
Greg Mitchell, 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 Joe Nicholson and seconded by Linda Bramblett 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	absent	Christine Kiefer	aye

Motion carried.

11:00 a.m. The Board recessed in closed session and will reconvene on Monday, July 18, 2016 at 8:00 a.m.

Monday, July 18, 2016

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
Christine Kiefer, Member

Staff Present:

Emily R. Carroll, Executive Director
Emily Conde, Administrative Coordinator
Thomas Townsend, General Counsel
Jamie Cox, Litigation Counsel

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

8:46 a.m. Board moved into Open Session.

9:00 a.m. Disciplinary Hearings

2. Kelvin Anderson, BAR 2012016134, Head Hunters Hair Salon, BAS 2012040618, owner (booth renter), St. Louis

The Board held a Disciplinary Hearing in open session at 9:58 a.m. for Kelvin Anderson. Kelvin Anderson was not present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

3. Crystal Burton, COA 106890, Crystal Burton (Mane Event Barber & Beauty Spa), 2016006150, owner (booth renter), St. Louis

The Board held a Disciplinary Hearing in open session at 9:30 a.m. for Crystal Burton. Crystal Burton was present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

4. Jennifer Duong, COA 100043, Jennifer Duong Hair Studio, BES 2004008522, owner (booth renter), St. Louis

The Board held a Disciplinary Hearing in open session at 9:50 a.m. for Jennifer Duong. Jennifer Duong was not present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Disciplinary Hearing the Board held its deliberation in Closed Session.

9:00 a.m. Probation Violation Hearings

5. Harold Salone, BAR 010337 (EXAM), Cherokee Cuts, unlicensed, owner (booth renter), St. Louis

The Board held a Violation Hearing in open session at 9:00 a.m. for Harold Salone. Harold Salone was present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Violation Hearing the Board held its deliberation in Closed Session.

6. Qiana Dunlap, COA 2005017638 (EXAM), Cherokee Kuts, unlicensed, owner (booth renter), St. Louis

The Board held a Violation Hearing in open session at 10:12 a.m. for Qiana Dunlap. Qiana Dunlap was not present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Violation Hearing the Board held its deliberation in Closed Session.

7. Tuyen Nguyen, COM 2009003100 (EXAM), Fashion Nails, BES 2009039743, owner (master), Caruthersville

The Board held a Violation Hearing in open session at 10:04 a.m. for Tuyen Nguyen. Tuyen Nguyen was not present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Violation Hearing the Board held its deliberation in Closed Session.

8. Tyrone Steward, BAR 2005000092 (EXAM), A Few Good Men Barber Shop, BES 2012031736, owner (booth renter), Sikeston

The Board held a Probation Violation Hearing in open session at 10:17 a.m. for Tyrone Steward. Tyrone Steward was not present and without counsel for the Probation Violation 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, Christie Rodriguez, and Christine Kiefer. At the conclusion of the Probation Violation Hearing the Board held its deliberation in Closed Session.

9. Approval of Open Session Minutes

A motion was made by Christie Rodriguez and seconded by Linda Bramblett to approve the Open Session Minutes of the May 15-16, 2016 meeting. Motion carried with all members present and participating.

10. Approval of Expense Accounts and Per Diem

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

11. Financial Report

The Beginning Fund Balance for FY2016 was \$4,807,949.20. As of May 31, 2016 our total revenue received was \$3,203,888.68. Of the Expense and Equipment Appropriation there has been \$239,159.98 expended. Total transfers as of May 31, 2016 are \$1,461,802.00. Leaving the current Fund Balance as of May 31, 2016 at \$6,310,875.90.

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.

12. Executive Director Report – Emily R. Carroll

- Board licensee totals as of June 27, 2016
 - Active: 74,474
 - Inactive: 3,337
 - Total: 77,811
- National Association of Barber Boards of America Annual Conference September 18-22, 2016 to be held in Columbus, Ohio

A motion was made by Joe Nicholson and seconded by Jacklyn Crow for the Executive Director to seek approval for Wayne Kindle and Leo Price, Sr. to attend the National Association of Barber Boards of America Annual Conference. Motion carried with all members present and participating.

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

13. Inspectors Report

This is an informational item. Of the 15,153 Establishment inspections due to be inspected a minimum of 1 time annually by October 30th there are 5,456 remaining.

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

14. President's Report – Wayne Kindle

- Discouraged by attempts to bridge the gap between barbers
- Newer generation of barbers do not see the harm in potential deregulation and/or are not aware
- Leo Price, Sr. offered to obtain information from the St. Louis area
- Barbers lack of continuing education may be reason for licensee decline

A motion was made by Christie Rodriguez and seconded by Linda Bramblett to approve the President's Report. Motion carried with all members present and participating.

15. 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

A motion was made by Lori Bossert and seconded by Joe Nicholson to request the Executive Director submit the one-time fee reduction proposal through the formal rule making process.

Motion carried with all members present and participating.

16. NIC Exam Update/School Overview

- Board staff will be in attendance at the school overview
- Timed sections have been adjusted
- Overview will go in order of schedule

A motion was made by Christie Rodriguez and seconded by Lori Bossert to approve the updated NIC exam information as submitted.

Motion carried with all members present and participating.

17. 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.

At the May 2016 meeting the Board voted to have the Executive Director collect more information from current general counsel within Professional Registration to see if any attorneys would serve as general counsel for the Sunday portion of each meeting.

- Executive Director was not able to collect information from other Board's within Professional Registration
- Option to post job opportunity through online websites or the Missouri Bar website
- Board members to provide potential firms information to Executive Director

A motion was made by Joe Nicholson and seconded by Jacklyn Crow to place the General Counsel job opportunity on the Missouri Bar Association website and other outlets deemed necessary.

Motion carried with all members present and participating.

18. Legislation – Discussion for 2017 legislative proposals

A motion was made by Jacklyn Crow and seconded by Lori Bossert to not pursue any new legislation for 2017.

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	Christine Kiefer	aye

Motion carried.

Open Discussion – Dialog with General Public Attending Open Session
Public members present: Leila Cohoon, Linda Clifford, Scott Sharp

- Scott Sharp: The Missouri School Association is proposing a single license that allows estheticians to perform manicuring services. License would include 1150 training hours (750 esthetic hours and 400 manicuring hours). Students would no longer have to be dual enrolled in order to receive esthetic and manicuring training.
- Linda Clifford: Frequent reciprocity with the State of Kansas. Kansas currently requires 1000 esthetic hours and at this time Missouri estheticians are unable to reciprocate.
- Christie Rodriguez: Creating the additional esthetic license would not assist Missouri licensees to reciprocate to Kansas. Kansas esthetic license does not currently include manicuring, therefore, the hour breakdown by subject area would not be the same.

11:11 a.m. A motion was made by Christie Rodriguez 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
Leo Price, Sr.	aye	Christie Rodriguez	aye
Joe Nicholson	aye	Lori Bossert	aye
Jacklyn Crow	aye	Christine Kiefer	aye

Motion carried.

12:17 p.m. A motion was made by Christie Rodriguez and seconded by Lori Bossert 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	Christine Kiefer	aye

Motion carried.

12:17 p.m. A motion was made by Christie Rodriguez and seconded by Jacklyn Crow to adjourn in open session.
Motion carried with all members present and participating.

****Adjournment****

Emily R. Carroll

Executive Director

Approved on November 14, 2016