

MINUTES OF MEETING
Kansas Board of Cosmetology

November 09, 2015

The Kansas Board of Cosmetology held a Board meeting on Monday, November 09, 2015 at 9:30 a.m. at the Board office at 714 S.W. Jackson Street, Suite 100, Topeka, Kansas. Minutes were recorded by the Board Secretary.

Board Members Present:

David Yocum, Chair
Matthew Goss, Member
Tina Burgardt, Member
Kimberly Holm, Member
Kathryn Skepnek, Member
Janey McCarthy, Member

Staff Present:

Chiquita Coggs, Executive Director
Laurel Lowrie, Legal Assistant
Ms. Gloeckner, Board Secretary

Board Legal Counsel Present:

Athena Andaya, General Counsel

Public Comment

Ms. Grishom spoke to the Board expressing her frustration with a past facility licensing error and current facility licensing procedures relating to the following agenda item, "Required Separations-Cosmetology Professions."

Call to Order

Mr. Yocum, Chair, called the meeting to order at 9:41 a.m.

Agenda Addition/Deletions

Motion to move agenda item, "Required Separations-Cosmetology Professions" up on the agenda (Holm/Burgardt). Motion passed unanimously.

Approval of the prior Board minutes

Motion to approve the September 14, 2015 Board minutes (Burgardt/Skepnek). Motion passed unanimously.

Required Separations-Cosmetology Professions

Motion that Mr. Yocum and Ms. Skepnek meet with the KBOC (Kansas Board of Cosmetology) staff and KDHE (Kansas Department of Health and Environment) staff to discuss massage therapy within facilities licensed by the KBOC (Burgardt/Skepnek). Motion passed unanimously.

Budget Report

The Budget report was provided in the Board packet.

Director's Report

Ms. Coggs informed the Board that she hopes to have the vacant positions currently open with the Board filled within the next three weeks.

Ms. Coggs informed the Board of receiving a letter from KBOB (Kansas Board of Barbering) proposing a meeting with KBOC, KBOB, Mr. Yocum, and Representative Sloan to discuss the MOU (Memorandum of Understanding).

Ms. Coggs reported to the Board that she had a meeting with Senator Pilcher-Cook and the Senator seemed open to the idea of a name change for the Board. Ms. Coggs asked the Board members to provide possible name suggestions.

Board Name Change Survey

Motion to provide a survey to licensees regarding the Board name change (Goss/Holm). Motion passed unanimously.

Recess

Motion to recess for 10 minutes (Burgardt/Goss). Motion passed unanimously.

Call to Order

Mr. Yocum, Chair, called the meeting back to order at 11:11 am

EOQ (Employee of the Quarter) Award

Inspector Ava Fiene was presented to the Board as the new recipient of the Employee of the Quarter Award.

Department Reports (Licensing/Enforcement)

Ms. Lowire and Ms. Gloeckner provided the department reports to the Board.

MOTION FOR EXECUTIVE SESSION CONSULTATION WITH LEGAL COUNSEL REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION, K.S.A. 2014 Supp. 75-4319(b)(2)

I move that the Board recess into executive session for consultation with our legal counsel, Athena Andaya, Deputy Attorney General, on a legal matter protected by the attorney-client privilege, in order to protect the privilege and the Board's position regarding interpretation of policy. In addition, I move that Ms. Coggs, Ms. Lowrie, and Ms. Gloeckner be present in the executive session to aid the Board in their discussions. The Board will reconvene the open

meeting in this same location in 10 minutes at 11:40 p.m. (Holm/Burgardt). Motion passed unanimously.

Call to Order

Mr. Yocum, Chair, called the meeting back to order at 11:41 a.m.

Nail technology and cosmetology curriculum/hour updates

Motion to establish Ms. Skepnek, Mr. Yocum, and Ms. Burgardt as a Board subcommittee to work on the needed curriculum updates for the cosmetology and nail technology programs.

Lunch

Motion to recess for 30 minutes (Goss/Holm). Motion passed unanimously.

Call to Order

Mr. Yocum, Chair, called the meeting back to order at 12:32 p.m.

Agenda Addition/Deletions

Motion to add “Reciprocity” to the agenda under “Old Business” and move the agenda item, “Rachel Stiawalt re Instructor Application” down one (Holm/Burgardt). Motion passed unanimously.

Request of Emily Bowman re Apprentice Application

Motion to repeal Board Policy # 011-12 Late Application for Apprentice Licensure, approve the apprentice hours, and talk to Ergometrics regarding the possibility of late apprentice alerts (Goss/Skepnek). Motion favored (Skepnek, Yocum, Goss, McCarthy). Motion opposed (Holm, Burgardt). Motion defeated.

Motion to approve apprentice hours (Burgardt/Goss). Motion favored (Skepnek, Yocum, Goss, McCarthy, Burgardt). Motion opposed (Holm). Motion passed.

Motion to repeal Board Policy # 011-12 Late Application for Apprentice Licensure (Goss/Skepnek). Motion favored (Skepnek, Yocum, Goss, McCarthy). Motion opposed (Holm, Burgardt). Motion defeated.

Motion to have the DA (Disciplinary Action) Panel review Board Policy # 011-12 Late Application for Apprentice Licensure for possible updates and/or changes (Skepnek/Goss). Motion passed unanimously.

Recess

Motion to recess until 1:55 p.m. (Goss/Skepnek). Motion passed unanimously.

Call to Order

Mr. Yocum, Chair, called the meeting to order at 1:55 p.m.

Request of Rachel Stiawalt re Instructor Application

Motion to approve instructor hours for Ms. Stiwalt (Burgardt/Skepnek). Motion passed unanimously.

Instructor Permit

Motion to allow staff to prepare forms and collect the fees for the issuance of instructor permits (Goss/Burgardt). Motion passed unanimously.

Fine Schedule-Cosmetology Professions

Ms. Lowrie informed the Board that the legal department is working on revising the current fine schedule for Board fines.

Changes to the KBOC Infection Control Regulations

Motion that Board staff pursues changes needed (Goss/Skepnek). Motion passed unanimously.

MOTION FOR EXECUTIVE SESSION CONSULTATION WITH LEGAL COUNSEL REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION, K.S.A. 2014 Supp. 75-4319(b)(2)

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Call to Order

Mr. Yocum, Chair, called the meeting to order at 2:50 p.m.

Reciprocity

Motion that the Board only accept training hours for out-of-state applicants that are verified by the state regulatory Board in which they received the training (Skepnek/Burgardt). Motion passed unanimously.

New School Application Competency Testing

Motion to approve competency testing be included in the School Applications to ensure competency of the applicants (Burgardt/Skepnek). Motion passed unanimously.

Employee Grievance Procedure

Tabled to the December 14 Board meeting agenda.

KDADS- Facility Licensure and Inspections

Tabled to the December 14 Board meeting agenda.

Adjournment

Motion to adjourn the meeting 3:10 p.m. (Goss/Skepnek). Motion passed unanimously.