



STATE OF TENNESSEE  
DEPARTMENT OF COMMERCE AND INSURANCE  
STATE BOARD OF COSMETOLOGY AND BARBER EXAMINERS  
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## MINUTES

The State Board of Cosmetology and Barber Examiners held a meeting August 7, 2017 at 10:00 a.m. in Nashville, Tennessee.

The Meeting was called to order by Chairman Ron Gillihan.

Ron Gillihan, Board Chairman welcomed everyone to the Board meeting.

Roxana Gumucio, Executive Director, called roll. The following members were present: Kelly Barger, Jimmy Boyd, Frank Gambuzza, Ron Gillihan, Patricia Richmond, Mona Sappenfield and Amy Tanksley. Not in attendance Brenda Graham and Judy McAllister. Participating by telephonic means Anita Charlton, and Yvette Granger. Ms. Nina Coppinger had to leave meeting shortly after it started.

Others present were: Roxana Gumucio, Executive Director, Cherrelle Hooper, Attorney for the Board, and Betty Demonbreun, Administrative Assistant.

New board member Rebecca Russell was introduced to the board and welcomed.

### MINUTES-

Minutes for the June 5, 2017 board meetings were submitted for changes and/or approval.

Motion made by Patricia Richmond and seconded by Kelly Barger to approve the June 5, 2017 minutes. Motion carried unanimously.

### APPEAR BEFORE THE BOARD-

#### Rule Making Hearing: Mobile Shops

Cherrelle Hooper, Legal Counsel for the Board, presented the Rulemaking Hearing filing form. No questions were received in advance form the general public and these rules have been passed

as emergency rules. Ms. Hooper explained the rulemaking process. She explained the regulatory flexibility addendum and the impact to local government. The board presented their questions. Motion to approve was done by roll call. All voted in favor with minor amendment for grammatical reason.

**New Pyramid Barber and Nail School, New School Application:**

Mr. Cleophus Bryant appeared before the board with attorney Wanda Abioto. They represented the application previously submitted to the Board in April 2017. This is for a New Barber and Cosmetology Specialty School for Manicuring. The business license, floor plan, enrollment agreement, student handout, application and fee were all received timely and have since expired. At the last meeting the board decided to consider the application as long as the former owners of the school did not have anything to do with these two new school licenses. Email correspondence shows that the intent is for Mr. Cleophus Bryant to at some time in the near future have the previous owner, his parent, work with the school.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield to deny the school application. Motion carried unanimously

**Students 2 Masters Barber College LLC, New Barber School Application:**

Mr. Jamal Arnold appeared before the board with a New Barber School located in Memphis. The business contingency plan, floor plan, application and fee were all received timely. This school presented a letter of recommendation form Representative Parkinson in support of all the efforts Mr. Arnold has made. The 15 student contracts could not be emailed in an acceptable format therefore they were provided in paper at the meeting. One blank contract was submitted and made available for the boards review. Mr. Arnold answered questions and provided missing documents. The board requested changes to the student policy, added student information and that the documents were not complete. Board discussed executive director reviewing recommended changes and consulting with them as needed but potentially approving licensure prior to next meeting so school opening is not further delayed.

MOTION made by Frank Gambuzza and seconded by Amy Tanksley to approve the school application once updated information is acceptable to executive director and pending an inspection by a board member and field inspector. Motion carried unanimously.

**The Nail Institute of Memphis, New Specialty Manicure School Application:**

Ms. Kamecha Wilson appeared before the board with a new specialty Manicure School located in Memphis. The floor plan, contract, business license, application and fee were all received

timely. This school also provided the five student contracts. Ms. Wilson answered questions for the board. This will be an apprenticeship school only.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield to approve the school application, pending an inspection by a field inspector. Motion carried unanimously.

**Sweetings Cosmetology Braiding Institute, Change in Location:**

Mrs. Sweetings appeared before the board with a school change in location from Antioch to Nashville. The new school is over 3,000 square feet. The floor plan, application and fee were received.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield to approve change in location, pending an inspection by the field inspector. Motion carried unanimously.

**The Institute of Beauty, New Ownership NHS Specialty School Application:**

Ms. Turner appeared before the board for a new natural hair styling specialty school application for a school located in Bartlett. This school location had a license with co-owners up until July 2017. The partnership dissolved and their decision was to apply for a brand new school license. The floor plan, five student contracts, business license, application and fee were submitted.

MOTION made by Amy Tanksley and seconded by Frank Gambuzza to approve new school license pending an inspection by the field inspector. Motion carried unanimously.

**The Institution School of Cosmetology and Barbering, New Barber School Application:**

Dr. Joyner and Ms. Moten appeared before the board for a New Barber license on a school that is currently licensed as a cosmetology school. This school is located in Memphis. The business contingency plan, floor plan, student contracts, student catalog, application and fee were all received timely. Dr. Joyner answered questions for the board and explained how the building is separated to provide both disciplines.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield to approve the school application pending the inspection from the field inspector. Chairman Gillihan recused himself from vote. Motion carried unanimously.

### **Shear Perfection Academy, Change in Location:**

Co-Owners Elvin Mejia and Helen Tahriri appeared before the board with a school change in location for three separate school licenses. The cosmetology school license 139, located in White House, Tennessee is moving to the Antioch location in suite 162. The current school licenses for that suite: barber school license #68 and cosmetology school license #156 located in suite 162 will be moving next door to suite 163. The move is to have a better location in Antioch where the school has been very successful. Both floor plans were presented and questions answered regarding the layout and services provided. All three applications and fees were received.

MOTION made by Amy Tanksley and seconded by Frank Gambuzza to approve change in location pending the inspection by the field inspector. Motion carried unanimously.

### **APPLICATIONS FOR EXAMINATION-**

Applications for examination for: Jazzmin Campbell, Chasica Fox, Heather McMurray, Janell Morton, Elizabeth Pittman and Shannon Widener . The applicants have felonies within the last three years or are currently incarcerated; the request to take the Tennessee examination is submitted for the board's approval. The required information, disclosure from the student and letter of recommendation are submitted. The Board approved Agreed Orders for a probation period of two years as prepared by legal counsel.

Motion made by Amy Tanksley and seconded by Kelly Barger to approve application for examination with a signed Agreed Order. Motion carried unanimously.

Application to test as an aesthetician with hours from India for Saritha Mannam. Ms. Mannam provided translated certificate of completion showing 750 hours completed in May 2014. She also provided a letter from an employer in Florida stating that she was allowed to shadow the spa president since 2016.

Motion made by Amy Tanksley and seconded by Mona Sappenfield to approve request to take the Tennessee exams. Motion carried unanimously.

Application to test as a master barber with hours from the Dominican Republic for Francisco Regla Rosario. Mr. Regla provide translated certificate of completion showing 1,500 hours were completed in June 2006.

Motion made by Amy Tanksley and seconded by Patricia Richmond to approve request to take the Tennessee exams. Motion carried unanimously.

Application to test as a cosmetologist with hours from Germany for Carina Sextl. Ms. Sextl provided a translated breakdown showing education in cosmetology and aesthetics from 2000 through 2004 with about 2,000 hours between school and apprentice in salons.

Motion made by Patricia Richmond and seconded by Amy Tanksley to approve request to take the Tennessee exams. Motion carried unanimously.

Application to test as a cosmetologist with hours from Russia for Adalatkhan Talipova. Ms. Talipova provided a translated certificate showing completion of 1,800 hours between January 2007 and June 2008.

Motion made by Amy Tanksley and seconded by Kelly Barger to approve request to take the Tennessee exams until all hours are complete. Motion carried unanimously.

## **MISCELLANEOUS REQUESTS –**

### **Request for Waivers, Reconsiderations and Extensions:**

Request for extension of continued education seminar from master barber Kamesha Moore-Thomas Smith. Pursuant to Tenn. Code Ann. §62-3-124 (b) an instructor must complete the 16 hours of an approved training program. It is at the board's discretion to approve up to one additional year extension for good cause. Ms. Moore-Thomas provided a letter explaining that in 2016 she missed completing this requirement due to a tragic medical situation. She provided hospital records for the board review.

MOTION made by Frank Gambuzza and seconded by Patricia Richmond to approve request. Motion carried unanimously.

Request for extension of continued education seminar from Vicki Robin Scott. Pursuant to Tenn. Code Ann. § 62-4-114(a) (2) an instructor may request this waiver one time when all other requirements have been met. Ms. Scott requested information timely for the extension but did not follow.

MOTION made by Frank Gambuzza and seconded by Patricia Richmond to approve request. Motion carried unanimously.

## **APPLICATIONS FOR RECIPROCITY-**

Application for reciprocity of cosmetologist license from Texas for Hussein Abdulkreen Hadi Albayati. Certification shows initial licensure in February 2017 with 2,000 hours accepted from Jordan by examination. Mr. Albayati provided certified educational equivalencies documents showing 2,000 clock hours between January 2014 and January 2015.

Recommendation - is that the applicant take the Tennessee exams.

MOTION made by Amy Tanksley and seconded by Kelly Barger to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from New York for Andria Brennan. Certification shows initial licensure in September 2008 with 600 hours by exam. Ms. Brennan provided tax records for proof of work experience but she is missing 2013. Her address is listed as Connecticut and Hawaii and the only license she holds is from New York. Also provided is a letter explaining that she was a consultant in those States and that there were exceptions she worked under so she did not require a license.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Patricia Richmond and seconded by Kelly Barger to approve recommendation. Motion carried unanimously.

Application for reciprocity of aesthetician license from Florida for Anne Dang. Certification shows initial licensure in September 2009 with only 240 hours required in Florida and no exams. Ms. Dang is also licensed in California and provided proof of work experience from 2010 – 2015 as a manicurist and aesthetician. She was originally licensed in 1998 in Florida as a nail specialist and allowed to upgrade to full specialist in 2009. Her letter asks the board to waive the exams since she has been working in the industry for almost 20 years.

Recommendation - is that the applicant take the Tennessee exams.

MOTION made by Mona Sappenfield and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Kelley Fugatt. Certification shows license issued in July 2015 with 1,200 hours and no practical exam. Ms. Fugatt provided a letter from her employer saying she worked at a salon in Fort Myers Florida since July 2012, attended all professional development training and continued to grow professionally.

Recommendation - is that the applicant take the Practical exam.

MOTION made by Amy Tanksley and seconded by Kelly Barger to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from New York for Kari Krause. Certification shows license issued in March 2012 with 1,000 hours by examination. Ms. Krause provided an explanation of lack of work experience due to her husband being in the military and their moves to Texas and Belgium. Consideration for military spouses should be given to Ms. Krause.

Recommendation - is that the applicant take the Tennessee exams.

MOTION made by Patricia Richmond and seconded by Mona Sappenfield to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Michigan for Dhuha Mahal. Certification shows initial licensure in March 2017 by reciprocity from Iraq. Ms. Mahal provided both PSI exam results. She explained to the board that the language would be a problem and Michigan allows interpreters to be part of the exam process.

Recommendation - is that the applicant take the Practical exam.

MOTION made by Frank Gambuzza and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from California for Nhuan Mai. Certification shows initial licensure in October 2013 with 400 hours by examination. Ms. is also licensed in Louisiana and Oklahoma. She provided tax records from 2012 – 2016 showing proof of Nail and Spa ownership in South Carolina, Georgia, Texas and the States she is licensed in.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Mona Sappenfield and seconded by Amy Tanksley to approve recommendation. Motion carried unanimously.

Application for reciprocity of cosmetology license from Florida for Morgan Slepinski. Certification shows license issued in December 2014 with 1,200 hours and no practical exam. Ms. Slepinski provided an email explaining that she completed an additional 500 hours in a school that closed. She interned at a salon for two years and at two other shops covering close to the five previous years.

Recommendation - is that the applicant take the Practical exam.

MOTION made by Amy Tanksley and seconded by Kelly Barger to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from Indiana for Megan Minser. Certification shows initial licensure in 1998 with 300 hours with both exams. Ms. Minser is also licensed in Virginia, Arizona and Georgia. Most of the work experience she was able to provide is in the aesthetics discipline. She is a licensed aesthetician in Tennessee and met since June 2017.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Amy Tanksley and seconded by Patricia Richmond to approve recommendation. Motion carried unanimously.

Application for reciprocity of manicurist license from North Carolina for Am Thi My Thanh. Certification shows initial licensure in January 2010 with 300 hours and both exams. Ms. Thanh provided tax records for 2010 – 2014 but does not have anything for the last two years.

Recommendation - is that the applicant be approved for reciprocity.

MOTION made by Kelly Barger and seconded by Mona Sappenfield to approve recommendation. Motion carried unanimously.

### **LEGAL REPORT- STAFF ATTORNEY**

The Complaint Committee of the State Board of Cosmetology and Barber Examiners met at 9:00 AM on Monday, August 7<sup>th</sup> to review the allegations of **25** complaints and make recommendations to the Board.

Attending were Board members Frank Gambuzza, Ron Gillihan and Amy Tanksley.

The meeting adjourned at 9:35AM.

MOTION made by \_\_\_\_\_ and seconded by \_\_\_\_\_ for approval of the Legal Report as amended. Motion carried unanimously.

The meeting stopped for a lunch break at Noon and resumed at 1:04 PM. Legal Counsel, Pamela Spicer, explained that the informal hearing was required in the event anyone wanted to contest or add information regarding the suspension of the licenses. A telephonic summary suspension hearing took place on July 28, 2017. Ms. Spicer read the suspension information affecting shop licenses: #37544 and #37497 for Shine Nails and the personal license #113097 for Loi Lam, acting as the manager of the shop. The board agreed to have the summary suspension remain in effect until the formal hearing process could be had.

Motion carried unanimously by roll call including two participants telephonic. Vote was unanimous.

### **Cosmetology Consent Orders and Agreed Citations – June - Totaling \$29,407**

The final financial reports for 2016 – 2017 fiscal year should be provided at the October board meeting. It looks like the board will close with a little over 100 thousand; final numbers will be presented when they are available.

### **NEW BUSINESS**

At the June 2017 board meeting, the board discussed reviewing and making additional recommendations to update the equipment and student kits for the cosmetology and the barber rules. Board members were emailed a document that included the current information to continue the conversation and for legal counsel to have a good start to updating rules.

The next round of proposed rule changes will also address a couple of clean up items. Board members were emailed a document that included the current information and proposed language for updating the rules.

1. Barber School requiring fifteen (15) student contracts, and
2. Continued Education extensions for instructors

The Board was up for Sunset public hearing in front of the Governors Operating Subcommittee on July 20, 2017. All the information requested for the hearing was presented in advance and all questions were answered. The Subcommittee approved the board to continue operations for the next four (4) years.

### **Additional Questions:**

### **Motion to adjourn**

MOTION to adjourn made by Patricia Richmond and seconded by Frank Gambuzza. Motion carried unanimously.