

The Oklahoma State Board of Cosmetology met on Monday, February 9, 2015 at 10:00 a.m. at 2401 NW 23rd Street, Suite 84, Oklahoma City, OK 73107. The following persons were present:

BOARD MEMBERS

Ken Young, Chair
LaFaye Austin
Anthony Baldini
Rick Bennett
Tammy Graham
Pamela Martin
Gretchen Payne
Janet Dale Webb

BOARD'S LEGAL ADVISOR

Kim Heaton, Assistant Attorney General

BOARD STAFF

Sherry G. Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Donnie Allen, Inspector
Sandy Merriman, Inspector
Vicki Middleton, Inspector
Elaine Klemme, Inspector
Krissy Straub, Inspector

VISITORS

Rosemary Greenlee
Bruce Waight

CALL TO ORDER

Chair Young called the meeting to order and confirmed that the meeting agenda had been posted and agenda-ized.

ROLL CALL

The following persons answered roll call: Young, Baldini, Bennett, Graham, Martin, Payne and Webb (Thomas, Fisher and Helton were not present).

CONSIDERATION/REVIEW OF PUBLIC COMMENT REGARDIN RULES

Page 2

February 9, 2015

Special Board Meeting

Chair Yung stated that no one appeared to provide public comment at the Public Comment Hearing on February 6, 2015 and no one had submitted comments in writing regarding the rules. He read the Guidelines for the Special meeting.

Chair Young asked that the Board consider rules in groupings of related subject matter and not individually. No Board opposition was heard.

A motion was made by Mr. Bennett and seconded by Mr. Baldini to approve Board Rules 175:1-1-2, 175:10-17-1 and 175:10-17-3 as presented.

Ms. McRee stated that in Rule 175:10-17-3 that there was a typographical error and the rule number cited within should be 175:10-7-17 (and not 17:10-7-17).

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

Discussion began regarding the presentation of amendments to rules 175:1-5-4 and 175:1-5-15. The Board determined it was necessary to include Barbers and Cosmetologists in each fine possibility. Ms. Heaton recommended that the Board consider APA requirements and that cosmetologists were not given notice on this significant change and not given opportunity to comment. Chair Young asked for research to be done at a break later in the meeting and go back to these to rule considerations.

A motion was made to approve all amendments to proposed Chapter, Subchapter headings and Part headings as presented.

A motion was made by Mr. Bennett and seconded by Ms. Payne to approve all amendments to proposed Chapter, Subchapter headings and Part headings as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

Page 3

February 9, 2015

Special Board Meeting

A motion was made by Mr. Baldini and seconded by Ms. Webb to approve the amendments as presented to Rules 175:10-3-31 and 175:10-9-1 and also deleted the words "(for each additional 5 students)" in (a) 17 and 18 of Rule 175:10-3-31.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Mr. Bennett and seconded by Mr. Baldini to approve the amendments to Rules 175:10-3-34, 175:10-3-38, 175:10-3-39, 175:10-3-40, 175:10-3-41 and 175:10-3-43 including amending the word sterilization to disinfection in Rule 175:10-3-43 in (b) (1).

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Ms. Martin and seconded by Ms. Graham to approve the amendments as presented to Rules 175:10-3-54, 175:10-5-2, 175:10-7-5, 175:10-7-6, 175:10-7-13, 175:10-7-14, 175:10-7-15, 175:10-7-17, 175:10-7-18, 175:10-7-28, 175:10-7-30, 175:10-7-50 and 175:10-7-54.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Ms. Graham and seconded by Ms. Martin to approve the amendments as presented to Rules 175:10-11-2 and 175:10-13-1.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, no.

Motion carried.

A motion was made by Ms. Martin and seconded by Mr. Baldini to approve the amendments to Rule 175:10-13-2 as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.
Motion carried.

A motion was made by Ms. Graham and seconded by Mr. Baldini to approve the amendments to Rule 175:10-9-55.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.
Motion carried.

Ms. Heaton advised that Rule 175:10-7-32 could not be considered because it was listed as on the agenda as 175:10-7-31.

A motion was made by Ms. Payne and seconded by Mr. Baldini to approve amendments to Rule 175:10-3-45. Chair Young explained the first part of the amendments in the rule.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, no; Payne, yes; and Webb, yes.
Motion carried.

Chair Young asked that the Board consider resending the vote so that everyone has had the opportunity to read the entire amendments in the rule.

Ms. Payne made a motion, seconded by Mr. Baldini to resend the original vote to approve amendments to Board rule 175:10-3-45.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.
Motion carried.

Page 5
February 9, 2015
Special Board Meeting

Ms. Payne made a motion, seconded by Mr. Baldini to approve amendments to Rule 175:10-3-45 as presented in its entirety.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, no; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Mr. Baldini and seconded by Ms. Payne to approve the amendments to Board Rule 175:10-3-79.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Ms. Martin and seconded by Mr. Baldini to approve the amendments to rule 175:10-7-2 as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Ms. Webb and seconded by Ms. Payne to approve amendments to Board rules 175:10-9-25 as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.

Motion carried.

A motion was made by Ms. Martin and seconded by Ms. Graham to revoke rule 175:15-1 thru 175:15-13-2 including Appendixes A, B and C as presented.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.
Motion carried.

The Board took a short break. Chair Young called the meeting back to order. He stated that after talking to Ms. Heaton and researching the matter it might be the safest route to approve rules 175:1-5-4 and 175:1-5-15 as presented other than amending the words sanitation to disinfection in (5) and (9) in rule 175:1-5-15.

A motion was made by Ms. Payne and seconded by Ms. Graham to approve Board rules 175:1-5-4 and 175:1-5-15 and amend the words sanitation to disinfection in (5) and (9) in rule 175:1-5-15.

VOTING: Austin, yes; Baldini, yes; Bennett, yes; Graham, yes; Martin, yes; Payne, yes; and Webb, yes.
Motion carried.

The meeting was adjourned.

Ken Young, Board Chair

Anthony Baldini

LaFaye Austin

Rick Bennett

Tammy Graham

Pamela Martin

Gretchen Payne

Janet Dale Webb