

The Oklahoma State Board of Cosmetology and Barbering met on Monday November 13, 2017 at 2401 NW 23<sup>rd</sup> Street, Suite 84, Testing Center, Oklahoma City OK 73107 at 10:09 a.m. The following persons were present:

#### **BOARD MEMBERS**

- Ken Young, Chair
- Anthony Baldini, Vice Chair
- LaFaye Austin
- Michelle Callicoa
- Bill Helton
- Christy Mather
- Gretchen Payne
- Jeff Sells
- Max Thomas
- Bruce Waight, Sr.

#### **BOARD'S LEGAL ADVISOR**

Grant Moak, Assistant Attorney General

#### **BOARD STAFF**

Sherry G. Lewelling, Executive Director

John Funderburk, Principal Assistant

Janelle Hastings, Administrative Assistant

#### **VISITORS**

**Tina Lansdell, Terry Sanders, Laura Grisso, Darrin Gibson, LauriAnn Gillette, Deanna Christian, Linda Wiist, Buffy Layman, Jay Layman, Cedric Swift, Krissy Miller, Penny Smith, Thao Nguyen Pham, Tammy McAlvain, Asrar Johnson, Terra Close, Octawan Wright, Prophet Kelly Clark, Marques Sutton, Christine Rice, Carrie Boelte, Mattie McAlister, Cherish Ferguson, Jahlyssa Gibson, Najon Watson, Savanna Salazar, Sheyenne Neal, destine Bryer, Rachel Koszczewski, Steve Nash, Latisha Edwards, Adriana Padilla, Christen Foshee, Wendy Valladarez, Maria Torres, Kristy Lara, Donnie Allen, Xanling Liu, Pamela Frye, Cecily Burge, Cherokee Barber Aida Reyes, Marisol Garcia, Shelby Broaddus, Candice O'Dell, Kendalyn Shaw, Kaylin Pierce, Cynthia Atchico**

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### **1. CALL TO ORDER**

Chair Young called the meeting to order.

(The meeting agenda had been properly posted and agenda-ized)

Swearing in of new board members Michelle Calliccoat, Jeffrey Sells and Bruce Waight Sr. by Chair Ken Young.

### **2. ROLL CALL**

**Quorum was established with roll call. The following persons answered roll call:**

1. Ken Young, Chair
2. Anthony Baldini, Vice Chair
3. LaFaye Austin
4. Michelle Calliccoat
5. Bill Helton
6. Christy Mather
7. Gretchen Payne
8. Jeff Sells
9. Max Thomas (note: Mr Thomas had to leave at 12:35 pm)
10. Bruce Waight Sr.

**3. Public Comment – Opportunity for the Board to Receive Public Comment – Each speaker is limited to three minutes. Comments must be related to items listed on the agenda**

No formal requests to speak had been received.

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**4. Discussion and Possible Action To Approve or Disapprove Budget Report (September 1, 2017 to October 31, 2017) – Latisha Edwards, OMES, Agency Business Services**

Ms. Edwards gave a verbal and written report stating that all departments are operating under budget

A motion was made by Mr. Thomas and seconded by Ms. Austin to approve the budget report as presented.

Baldini, yes; Austin, yes; Calliccoat, yes; Mather, yes; Payne, yes; Sells, yes; Thomas, yes; Waight, yes.

Motion carried.

(NOTE: Mr. Helton was out of the room during this vote.)

**5. Discussion and Possible Action To Approve or Disapprove Board Meeting Minutes from September 11, 2017 Board Meeting**

A motion was made by Ms. Payne and seconded by Mr. Thomas to approve the Board Meeting Minutes from September 11, 2017 Board Meeting

Baldini, yes; Austin, yes; Calliccoat, yes; Mather, yes; Payne, yes; Sells, yes; Thomas, yes; Waight, yes.

Motion carried.

(NOTE: Mr. Helton was out of the room during this vote.)

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**6. Discussion and Possible Action Pursuant to OAC 175:20-5-1(C) to Approve, Disapprove or Place Probationary Conditions on Applications for Massage Therapist Licensure Submitted By:**

Yang Ling Liu – Application #173243

Melina Lin – Application #174076

Yijie Wang – Application #174074

Yaqing Wang – Application #157372

Mr. Moak stated that all applicants had withdrawn their applications and no action nor vote were needed.

**7. Director's Report – Sherry G. Lewelling  
Deregulation**

Ms. Lewelling first welcomed the new board members and also Krissy Miller and her students from SW Tech Center in Altus. Ms. Lewelling said the most important item in her report is the threat of deregulation of the cosmetology industry in the State of Oklahoma. She provided statistics and numbers from the National Census Bureau regarding the impact of the industry within the state. The cosmetology industry generates \$600 million a year in services and provides opportunities for more women to own their own businesses. Over the last decade the job market in the Cosmetology industry has increased 24%, which is 20% more than the overall job market during the same time period.

As a regulatory board, we are self sustaining, functioning totally on license fees, we have the lowest licensing fee in the nation (\$25.00 for cosmetology/barber/nail tech/esthetician and we contribute 10% of our revenue to the State's General Fund (over \$600,000 in the past five years) We license 37,000 individual licenses in Oklahoma, 5,600 establishments and 80 schools who educate 3,000-4,000 students on any given day.

Cosmetologists must learn to mix harsh chemicals, use sharp instruments and hot tools on the hair, skin and nails; learn anatomy, physiology, chemistry, and learn the difference between contagious and non-contagious diseases and disorders. The reason we regulate is because of the diseases like MRSA, Hepatitis and others that can be spread from services.

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Directors report, continued.

Ms Lewelling also mentioned the very real concern of the human trafficking industry and how the cosmetology industry is the number 1 portal in human trafficking.

Legislators want to hear from their constituents, we'd rather fight the fight now rather than wait till it's on paper in the form of a bill.

Chair Young opened the floor for public comment.

Comments were heard from Prophet Kelly Clark, Marques Sutton, Krissy Miller, Buffy Layman, Tara Close, LauriAnn Gillette, all expressed valid concerns over the prospect of deregulation and the impact of public safety.

#### 8. Massage Therapy Act – Laura Grisso, Chair

Discussion and Possible Action to Seek Amendments to the Massage Therapy Practice Act (59 O.S. sec. 4200.1 – 4200.14) as recommended by the Advisory Board for Massage Therapy.

Ms. Grisso stated that two major changes were adding requirement for establishment license and reopening the grandfathering period. There was much discussion regarding the requirements for continuing education for Massage Therapists and whether that would place an undue hardship on licensees.

A motion was made by Mr. Thomas and seconded by Ms. Payne to approve Amendments to the Massage Therapy Practice Act (59 O.S. sec. 4200.1 – 4200.14) as recommended by the Advisory Board for Massage Therapy and as recommended by Mr. Moak.

Baldini, yes; Austin, yes; Calliccoat, yes; Helton, no; Mather, no; Payne, yes; Sells, yes; Thomas, yes; Mr. Waight recused himself from this vote.

Motion carried 6-2

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**9. Discussion and Possible Action to Approve the Establishment of Regularly**

Scheduled OSBCB Meetings in 2018, every other month, 2<sup>nd</sup> Monday of the month at 10:00 am.

2018 dates would be as follows:

January 8, 2018  
March 12, 2018  
May 14, 2018  
July 9, 2018  
September 10, 2018  
November 12, 2018

A motion was made by Mr. Helton and seconded by Ms. Austin to approve with corrected dates.

Baldini, yes; Austin, yes; Callicoat, yes; Helton, yes; Mather, yes; Payne, yes; Sells, yes; Waight, yes.

Motion carried.

NOTE: Mr. Thomas had to leave the meeting at 12:35 pm.

**10. Discussion and Possible Action To Approve or Disapprove to allow for 'Specialty' schools (manicure/facial)**

Chair Young emphasized this was on the agenda to generate discussion for future consideration. Currently anyone who wants to open a school and teach only the manicurist course or the facial course must have all the equipment and stations required for FULL cosmetology schools because that is how the rules read.

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11. Discussion and Possible Action to create Hair Cutting License

Again Chair Young emphasized this was on the agenda to generate discussion for future consideration to accommodate those who simply want to do hair and not chemicals or nails or facials.

12. Massage Therapy Rules– Laura Grisso, Chair

Discussion and Possible Action to Publish Notice of Rulemaking Intent pursuant to 75 O.S. sec. 303 to amend permanent rules regarding massage therapy as recommended by the Advisory Board for Massage Therapy. The Board may consider, but is not limited to, the following rules under Chapter 20 of Title 175 of the Oklahoma Administrative Code:

- |             |             |
|-------------|-------------|
| 175:20-5-1  | 175:20-5-2  |
| 175:20-5-5  | 175:20-7-1  |
| 175:20-9-1  | 175:20-9-2  |
| 175:20-11-1 | 175:20-13-1 |

This item was tabled to a later date.

13. New Business Which Could Not Have Been Reasonably Foreseen Prior To Posting Of Meeting Agenda 25 O.S. (A) (9)

No new business was heard.

14. Chair young announced the meeting to be adjourned.

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**Michelle Callicoa**