



OKLAHOMA STATE BOARD OF COSMETOLOGY AND BARBERING

BOARD MEETING AGENDA

March 14, 2022

11:10 a.m.

Oklahoma History Center, Chesapeake Event Room

800 Nazih Zuhdi Dr.

Oklahoma City, Ok. 73105

Machele Callicoat, Chair - Presiding

1. Call to order

Chair Callicoat called the meeting to order

2. Roll call

A quorum was established with roll call. The following members were present.

Machele Callicoat, Chair

Christy Mather Vice Chair Arrived Late at 11:46 am

Peggy Avery

Austin Hodges

Leah Longest

Greg Mitchell

Thao Nguyen Pham

Erin Pierce

Heather Sinclair

Kathy Whitson

Note: Christie Luther was not present on this day

BOARD'S LEGAL COUNSEL

Ashton Poarch, Thomas Schneider

BOARD STAFF

Sherry G. Lewelling, Executive Director

John Funderburk, Principal Assistant

Janelle Hastings, Administrative Assistant

Asrar Johnson, Inspector/Examiner

Caroline Hagberg, Inspector/Examiner

Danielle Andrews, Inspector/Examiner

Donna Glasper, Inspector/Examiner

Elaine Klemme, Inspector/Examiner

Latonca Dollarson, Examiner

Amanda Otero, Inspection Coordinator

Dave Laurence, Licensing Department

Lori Cutchin, Massage Program Coordinator

Melinda Chris Dobie, Student Registrar

Lisa Potts, Customer Service Representative

Shayla Mederis, Temporary Employee



OKLAHOMA STATE BOARD OF COSMETOLOGY AND BARBERING

VISITORS

Laura Grisso Eyster, Linda Wiist, Dennese King, Michael Pugliose, Brandy Bahm, Derrick Sinclair, Max Thomas, Dayton Walker, Laura Bryce, Krissy Miller, Bill Helton, Shelion Wakes, Clint Malnex, Michelle McFarland, Elena Leggins, Larry Coleman

3. This regularly scheduled meeting of the Oklahoma Cosmetology and Barbering Board has been convened in accordance with the Oklahoma Open Meeting Act.
4. Discussion and Possible Action to Approve or Disapprove Board Meeting Minutes from January 10, 2022.

A motion was made by Mr. Mitchell and seconded by Ms. Sinclair to approve Board Meeting Minutes from January 10, 2022

VOTING

Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

5. Discussion and possible action to approve or disapprove budget report (January 1, 2022 to February 28, 2022) – Brandy Bahm, OMES, Agency Business Services

A motion was made by Mr. Mitchell and seconded by Ms. Hodges to approve budget report (January 1, 2022 to February 28, 2022) – Brandy Bahm, OMES, Agency Business Services

VOTING

Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed



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6. Discussion and possible action regarding individual proceedings held pursuant to Article II of the Administrative Procedures Act. By Vote, the Board may render a final or intermediate decision on any individual proceeding. Further, the Board may vote to enter executive session to discuss any individual proceeding pursuant to 25 O.S. § 307(B)(8). Should the Board enter executive session, a vote to exit executive session shall be publicly cast. Possible motion and vote to enter Executive Session regarding individual proceedings for the following citations:

Citation Number 00044 Luxe Beauty Co. Owner – Bailee N Keele;

A motion was made by Ms. Whitson and seconded by Ms. Hodges to uphold the citation.

VOTING

Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

Citation Number 00045 Kenna Scott Taylor;

A motion was made by Ms. Pierce and seconded by Ms. Sinclair to uphold the citation

VOTING

Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed



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Citation Number 00046 Katelynn Giahau Chau;

A motion was made by Ms. Whitson and seconded by Ms. Sinclair to uphold the citation.

VOTING

Mather, yes; Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

Citation Number 00047 Nail Concepts & Spa Owner – Hoi Van Tran;

A motion was made by Ms. Sinclair and seconded by Ms. Nguyen Pham to uphold citation.

VOTING

Mather, yes; Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

Citation Number 00053 Empire Nails and Spa Owner – My H Nguyen;

A motion was made by Ms. Hodges and seconded by Ms. Avery to uphold the citation

VOTING

Mather, yes; Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed.



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Citation Number 00056 Sapphire Nail & Spa Owner – Anh Q Pham;
A motion was made by Ms. Pierce and seconded by Mr. Mitchell to uphold the
citation.

VOTING

Mather, yes; Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes;
Sinclair, yes; Whitson, yes.

Motion passed

Citation Number 00058 Nail Concepts & Spa Owner – Hoi Van Tran;

A motion was made by Ms. Avery and seconded by Ms. Nguyen Pham to
uphold the citation.

VOTING

Avery, yes; Hodges, yes, Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes;
Whitson, yes.

Motion passed

Citation Number 00200 Fade N Up Barber Shop Owner – Corey E Sutter;

A motion was made by Ms. Hodges and seconded by Ms. Pierce to dismiss this citation.

VOTING

Mather, yes; Avery, yes; Hodges, yes, Mitchell, no; Nguyen Pham, yes; Pierce, yes;
Sinclair, no; Whitson, no.

Motion passed



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Citation Number 00207 Faded Canvas Barber Studio Owner – Joseph D Howard II,

This citation was paid and not contested.

Citation Number 00208 Alex Torres;

This citation was paid and not contested

Citation Number 00209 Charles Baker;

This citation was paid and not contested

Citation Number 00210 Shellion Walker;

This citation was paid and not contested

Citation Number 00213 Daniel Ramirez This citation was paid and not contested

Citation Number 00214 The Exclusive Studio Owner – Rosa Retamosa Guzman This citation was paid and not contested

Citation Number 00215 Elahna Jamieson

A motion was made by Ms. Sinclair and seconded by Mr. Mitchell to uphold the citation

VOTING

Avery, yes; Hodges, yes, Mitchell, no; Nguyen Pham, yes; Pierce, yes; Sinclair, no; Whitson, no.

Motion passed



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Citation Number 00216 The Nails Bar Owner – Thanh Thi Phan

A motion was made by Ms. Avery and seconded by Ms. Whitson to uphold the citation.

VOTING

Avery, yes; Hodges, yes, Mitchell, no; Nguyen Pham, yes; Pierce, yes; Sinclair, no; Whitson, no.

Motion passed

Citation Number 00251 Dayton Walker

A motion was made by Ms. Pierce and seconded by Ms. Sinclair to uphold the citation.

VOTING

Avery, yes; Hodges, yes, Mitchell, no; Nguyen Pham, yes; Pierce, yes; Sinclair, no; Whitson, no.

Motion passed



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7. Director's report and possible discussion– Sherry G. Lewelling Inspections

Ms. Lewelling said she had 13 workdays left until retirement adding that she had taken care of 80K licensees and now was time to take care of herself.

She provided some inspection totals and travel costs for Inspectors for the months of January and February 2022.



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8. Massage Therapy Report and possible discussion– Laura Grisso-Eyster

Ms. Grisso Eyster reported that the Massage Therapy Advisory Board was scheduled to meet on February 17, 2022, but that meeting was cancelled at the last minute, as there were not enough members to make a quorum. The next scheduled meeting is scheduled for April 21, 2022. Ms. Grisso Eyster also reported on several bills that are or were being considered.



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9. Legislative Committee Update and possible discussion and action – Machele Callicoat

Ms. Callicoat said that Ms. Grisso Eyster covered everything she planned to report on.

No action taken on this item.

10. Performance Committee Update and possible discussion and action – Kathy Whitson

Ms. Whitson reported that the committee met twice and discussed how the new directors performance should be evaluated.

No action was taken on this item.

11. Hiring Committee Update and possible discussion and action – Christy Mather

Ms. Mather reported that the committee should have all applications ready to review, the Board will have the decision.

No action was taken on this item.



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12. Discussion and possible action to enter into executive session pursuant to 25 O.S. §307(B)(1) to discuss transition plan for retiring Executive Director, Sherry G. Lewelling. Should the Board enter executive session, a vote to exit executive session shall be publicly cast. Discussion and possible action on appointing an Interim Executive Director.

A motion was made by Ms. Mather and seconded by Ms. Pierce to enter into executive session

VOTING

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

*****EXECUTIVE SESSION*****

A motion was made by Ms. Pierce and seconded by Ms. Hodges to re enter open session

VOTING

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed



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A motion was made by Ms. Hodges and seconded by Ms. Sinclair to appoint John Funderburk as interim director, with the provision he cannot hire or fire any employees, give raises but can hire a temp. do not have our permission to hire fire raises, no large decisions made during this time, just manage office on day to day basis.

Voting:

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

A motion was made by Ms. Mather and seconded by Ms. Avery to allow Mr. Funderburk the freedom to hire a temporary employee if needed.

Voting:

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed

13. Discussion and possible action for Board Members to attend CLEAR, Council on Licensure, Enforcement & Regulation, training.

A motion was made by Ms. Hodges and seconded by Ms. Whitson to approve Board members attending CLEAR, Council on Licensure, Enforcement & Regulation, training.

VOTING

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed



OKLAHOMA STATE BOARD OF COSMETOLOGY AND BARBERING

14. Discussion and possible action to adopt permanent rules pursuant to 75 O.S. sec. 303. The Notice of Rulemaking Intent for the proposed rules was published in Volume 39, Number 7, of the Oklahoma Register on December 15, 2021 and Volume 39, Number 9 of the Oklahoma Register on January 18, 2022. A public hearing was held on March 7, 2022.

CHAPTER 1. ADMINISTRATIVE OPERATIONS

Subchapter 1. General Provisions

175:1-1-2. Definitions

Subchapter 5. Rules of Practice

175:1-5-4. Board Sanctions

175:1-5-13 Agency rulemaking

175:1-5-15. Schedule of fines

CHAPTER 10. LICENSURE OF COSMETOLOGISTS, BARBERS, SCHOOLS AND RELATED ESTABLISHMENTS

SUBCHAPTER 3. Licensure of Schools

PART 5. Equipment and Curriculum Requirements

175:10-3-37. Master cosmetology instructor course entrance and curriculum requirements

175:10-3-46. Master Barber instructor course, entrance and curriculum requirements

SUBCHAPTER 7. Sanitation, Disinfection and Safety Standards for Establishments and Schools

175:10-7-18. Disinfection precautions before and after each patron service

175:10-7-28. Product use, knowledge and procedures

SUBCHAPTER 9. Licensure of Cosmetologists, Barbers and Related occupations

PART 3. State Board Examination

175:10-9-32. Failure to pass examination; re-taking failed portion; review hours

175:10-9-33. Review of hours required after failure to timely register for examination or to apply for license

175:10-9-36. Examination for hairbraiding technician certification

175:10-9-37. Examination for threading technician license

PART 5. Demonstrators; Cosmetic Studios; Trade Shows; Guest Artists; Wig Dressing; Other Practices of Cosmetology and Barbering

175:10-9-55. Practices of cosmetology and barbering

A motion was made by Ms. Mather and seconded by Ms. Sinclair to adopt permanent rules as stated above, and change 174:10-7-28 (e) to read "Only professional products allowed in school to meet educational requirements."

VOTING

Mather, yes; Avery, yes; Hodges, yes; Mitchell, yes; Nguyen Pham, yes; Pierce, yes; Sinclair, yes; Whitson, yes.

Motion passed



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15. Recognition of departing Executive Director, Sherry G. Lewelling

Chair Callicoat presented Ms. Lewelling with a commendation from Gov. Stitt recognizing her 24 years of service with the Oklahoma State Board of Cosmetology and Barbering and special gifts from the Board and from her employees.

Ms. Callicoat thanked Ms. Lewelling for her service and long lasting positive and meaningful changes, always fighting for our licenses, being a true trail blazer, her guidance and encouragement has helped many on the board and within the agency, for being a great and courageous leader, she has rallied the industry when needed and provided expertise for all licensees.

23.24 part 2

Ms. Lewelling thanked everyone for the privilege of serving

Sherry G. Lewelling
Executive Director



J. Kevin Stitt
Governor

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16. New business which could not have been reasonably foreseen prior to posting of meeting agenda 25 O.S.§.311 (A)(10).

17. Board adjournment

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OKLAHOMA STATE BOARD OF COSMETOLOGY AND BARBERING

Note: The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item. Any conflicts of interest on any agenda item must be disclosed prior to discussion of that item and that board member must recuse from voting on it.

MACHELE CALLICOAT, CHAIR
CHRISTY MATHER, VICE CHAIR
PEGGY AVERY
AUSTIN HODGES

GREG MITCHELL
THAO NGUYEN PHAM
ERIN PIERCE
HEATHER SINCLAIR
KATHY WHITSON