

BOARD MEETING AGENDA  
March 11, 2019  
10:00 a.m.  
2401 N W 23<sup>rd</sup>, Suite 84  
Testing Center  
Oklahoma City, Ok. 73107  
Jeff Sells, Vice Chair – Presiding

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1. Call to order

Mr. Sells called the meeting to order.

2. Roll call

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

Jeff Sells, Peggy Avery, Anthony Baldini, Mabelle Callicoat, Bill Helton, Thao Nguyen-Pham  
Tim Perdue, Bruce Waight

Note: LaFaye Austin Christi Mather were not present on this day.

**Board Staff:**

Sherry Lewelling, Director  
John Funderburk, Principal Assistant  
Janelle Hastings, Administrative Assistant  
Donnie Allen, Inspector/Examiner  
Donna Glasper, Inspector/Examiner  
Holli James, Inspector/Examiner  
Latonca Dollarson, Examiner  
Camisha Green, Student Dept.  
LauriAnn "LA" Gillette, Inspector Program Coordinator

**Guests**

Marla Duvall, Latisha Edwards, Mary Elizabeth LeBlanc, Steve Schardin, Rachel Adams, Linda Wiist, Jasa Baird, Laura Grisso, Sharina Killingsworth, Roger Neely

3. Discussion and possible action to approve or disapprove budget report (January 1, 2019 to February 28, 2019)- Latisha Edwards, OMES, Agency Business Services

Ms. Edwards reported that all departments, General Operations, Inspection Program and ISD/Data Processing are all operating under budget.

A motion was made by Mr. Helton and seconded by Ms. Callicoat to approve the budget report for January 1, 2019 to February 28, 2019

**Voting:**

Avery, yes; Baldini yes; Callicoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed

4. Discussion and Possible Action to Approve or Disapprove Board Meeting Minutes from November 5, 2018 and January 14, 2019

A motion was made by Mr. Baldini and seconded by Mr. Helton to approve Board Meeting Minutes from November 5, 2018 and January 14, 2019

**Voting:**

Avery, yes; Baldini yes; Calliccoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed.

5. (8) Human Trafficking 101 Presentation and overview of The Dragonfly Home services- Marla Duvall this item was moved to #5 on the agenda.

Ms. Duvall gave a very informative presentation of The Dragonfly Home, ([www.thedragonflyhome.org](http://www.thedragonflyhome.org)) explained the differences between sex trafficking and human trafficking, and explained some popular misconceptions regarding human trafficking. The Dragonfly Home provides life-saving and life changing care for survivors of human trafficking in Oklahoma City by providing food, clothing, shelter and medical care, as well as counseling, case management and emotional support. The Dragonfly Home ensures human trafficking survivors have everything they need to gain independence. She said they plan to open an emergency shelter in Oklahoma City and their goal is to raise \$350,000 by March 28, 2019.

5. Public comment- Opportunity for the board to receive public comments. Each speaker is limited to three minutes.

Sharina Killingsworth, The Hair Café and Roger Nealy, Barber, approached the board with a dilemma regarding Roger Nealy who (prior to November 1, 2013) was allowed as a Master Barber, to apprentice under the old Barber Advisory Board rules, but after the advisory board merged with the Cosmetology and Barber board was required to obtain a Master Barber Instructor License. Because this was not related to the board agenda it could not be discussed by the board and Ms. Lewelling said it was an agency issue and had already been addressed.

Ms. Lewelling explained that under the old barber law, if a barber had 2 years of experience they could take the barber written exam again and be licensed as an instructor, after the merge in 2013 that was left open as a grandfather for one year, and existing apprenticeships were allowed to finish their training, then after that one year was up barbers then had to comply with the new rules which is the same as for Cosmetology.

6. Director's report - Sherry G. Lewelling

Legislative Update

Ms. Lewelling announced the Rise Program (the cosmetology school at Mabel Bassett Correctional Center) is having their annual fund raiser 'Boots and Bow Ties' gala on March 29, 2019. (<https://www.riseprograminc.com>)

She went on to say that SB 100, (Massage therapy bill) HB 2117 (massage therapy bill) and SB 420 (cosmetology bill) all passed through business and commerce committee. Sen Bergstrom struck the title on SB 100 because we needed to add some things that were not originally in the bill.

Ms. Lewelling added that the Oklahoma Chapter of Massage therapy association, the group that first started the push for licensing, has now decided they do not want establishment authority, there are several groups fighting this legislation for a number of reasons, Massage therapists cannot seem to get on the same page and everyone seems to have a personal agenda. This is the 3<sup>rd</sup> year that we have diligently tried to get legislation passed for the massage therapy industry. It is our mission to protect the health safety and welfare of the public of Oklahoma and without establishment authority we cannot do that. We have unintentionally created a hardship and put several thousand people out of work.

She said Representative Ortega informed me the massage therapy association contacted him and said if he would remove the establishment authority from the bill they would support it. Ms. Lewelling told him that she felt confident she could speak for at least the majority of the board, that NOT having establishment authority was not an option. Both Representative Ortega and Senator Bergstrom agreed with that.

Ms. Lewelling went on to say that the feedback from legislators is that the massage therapists that are against the bill and if we lose the bill again this year she would recommend to the board that we eliminate massage therapy as our responsibility and let them go elsewhere if they choose.

7. Massage Therapy report - Laura Grisso

Ms. Grisso said Sherry and I attended both committee meetings, all Legislators were interested and asked a lot of questions. In regards to opposition she stated although she is not a Massage Therapist herself she does monitor social media. She said there are about 5 groups of people, one out of Tulsa, I would call them extremists, for lack of a better term, they do not want Legislation at all, they say it violates their constitutional rights and they appear to be unlicensed by choice.

The two national Massage Therapy groups, each with about 500-700 Oklahoma members, on a National level those groups are against establishment authority and they see human trafficking or sex trafficking as a law enforcement issue and they are much more based on the medical aspects on massage. AMTA and AMBP are against establishment authority. We are taking an industry that has never been regulated before and trying to regulate it and while most of us are used to that, massage therapists are not and are somewhat afraid of it.

8. Human Trafficking 101 Presentation and overview of The Dragonfly Home services- Marla Duvall

(this item moved up to #5 on the agenda).

9. Update on electronic inspection program and office paperless system - John Funderburk

Mr. Funderburk gave a summary of the new electronic inspection program and said inspectors were all excited about it and looking forward to using it. We had training on March 8 and will begin using on March 12. It will help inspectors and salons, they will be able to access the paperless system with their iPads and take pictures for evidence. He said we will probably have to do some future revisions based on their experience with it.

The bid was placed in December 2016 and was delayed primarily because there were issues with where it be housed our server or OMES, requirements by the state vs what we could do on our own, due to confidentiality law we cannot post unsatisfactory inspections reports to our website, which is being addressed via legislation.

He went on to say the new paperless system is also going well; we had training on January 17 and went live with it January 18, though this is a major change, everyone is enjoying it and will be a great advantage to the agency.

10. Discussion and possible action to approve Bruce Waight to attend the NABBA conference in Nashville, TN February 22 to February 25, 2019

A motion was made by Mr. Helton and seconded by Mr. Baldini to retroactively approve Bruce Waight to attend the NABBA conference in Nashville, TN February 22 to February 25, 2019.

**Voting:**

Avery, yes; Baldini yes; Callicoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed.

11. NABBA Conference report – Bruce Waight

Mr. Waight said the mid-year conference in Nashville was well attended and he was impressed with the large number of students that turned out for Labs, he was asked by the NABBA Chair to join the audit committee. He announced the annual meeting will be in Reno, Nevada September 16, 2019 and they are trying to get as many states involved as possible. One of the biggest topics was the mobile barber shops, most boards were initially against it because of the inspection part of it and were surprised to hear the Oklahoma already had this and many members were in favor of it.

12. Discussion and possible action to approve Laura Bryce and Sherry G. Lewelling to attend the FSMTB Executive Director's meeting in Cleveland, OH April 18<sup>th</sup> and 19<sup>th</sup>, 2019

A motion was made by Mr. Helton and seconded by Mr. Baldini to attend the FSMTB Executive Director's meeting in Cleveland, OH April 18<sup>th</sup> and 19<sup>th</sup>, 2019.

**Voting:**

Avery, yes; Baldini yes; Callicoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed

13. Discussion and possible action to approve Sherry G. Lewelling to attend the NIC Director's meeting in Atlanta, GA May 18<sup>th</sup> to 20<sup>th</sup>, 2019.

A motion was made by Mr. Baldini and seconded by Mr. Helton to approve Sherry G. Lewelling to attend the NIC Director's meeting in Atlanta, GA May 18<sup>th</sup> to 20<sup>th</sup>, 2019.

**Voting:**

Avery, yes; Baldini yes; Calliccoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed

14. Discussion and possible action for a special board meeting to approve proposed rule changes on March 28<sup>th</sup>, 2019 at 10:00 am

Mr. Sells said these are rules that were submitted in January, public comment on March 25 and need a board meeting to vote those in. Mr. Sells and Mr. Moak both stressed the importance that we have a quorum on this day otherwise it would not get done this year.

Ms Lewelling mentioned the Institute for Justice reached out to her and wanted to have a conference call with her regarding public comments and hairbraiders, she told them they would have to be present or submit written statement.

A motion was made by Mr. Baldini and seconded by Ms. Avery to approve a special board meeting to approve proposed rule changes on March 28<sup>th</sup>, 2019. at 10:00 am

**Voting:**

Avery, yes; Baldini yes; Calliccoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed.

15. Discussion and possible action to elect officers

A motion was made by Mr. Helton and seconded by Ms. Avery to nominate Mr. Sells for Chair.

No other nominations were made for Chair.

**Voting:**

Avery, yes; Baldini yes; Calliccoat, yes; Helton, yes; Nguyen-Pham, yes; Perdue, yes; Waight, yes;

Motion passed

**Vice chair**

A motion was made by Mr. Helton and seconded by Ms. Avery to nominate Machele Callicoat for Vice-Chair.

A motion was made by Mr. Waight to nominate himself for Vice-Chair and seconded by Mr. Baldini.

**Voting:**

Avery, Shelli; Baldini Shelli; Callicoat, Shelli; Helton, Shelli; Nguyen-Pham, Shelli; Perdue, Shelli; Waight, Waight;

(For clarification Ms. Callicoat and Mr. Waight each voted for themselves)

Motion passed.

16. New business which could not have been reasonably foreseen prior to posting of meeting agenda 25 O.S. sec.311 (A)(9)

No new business was heard.

17. Board adjournment

Jeff Sells \_\_\_\_\_

Peggy Avery \_\_\_\_\_

Anthony Baldini \_\_\_\_\_

Machele Callicoat \_\_\_\_\_

Bill Helton \_\_\_\_\_

Thao Nguyen-Pham \_\_\_\_\_

Tim Perdue \_\_\_\_\_

Bruce Waight \_\_\_\_\_