



Creating a State of Health

**Minutes of the February 6, 2015  
Regular Meeting of the Consumer Protection Licensing Advisory Council  
Oklahoma State Department of Health – Room 136-S  
1000 Northeast 10<sup>th</sup> Street, Oklahoma City, Oklahoma 73117**

**Open Meeting Act: Announcement of filing of meeting and posting agenda in accordance with the Open Meeting Act.** Announcement of the meeting was filed with the Secretary of State November 18, 2014. The agenda was posted on February 4, 2015 in the basement of the Oklahoma State Department of Health.

**Call to order: Roll call and announcement of quorum.** Craig Myers, Chair, called the Consumer Protection Licensing Advisory Council meeting to order at 9:00 a.m. at the Oklahoma State Department of Health, 1000 NE 10<sup>th</sup> Street, Oklahoma City, Oklahoma.

A quorum was met with the presence of Bryan Alexander, Michael Grim, Erin Meier, and Craig Myers. Bradley Lamprich was not present.

**Introductions:** There were no introductions.

**Review and Approval of Minutes November 14, 2014 special meeting.** A motion was made by Craig Myers to approve the minutes. Bryan Alexander – second. Bryan Alexander – yes; Michael Grim – yes; Craig Myers – yes; Erin Meier – yes. Motion passed.

**Update and Discussion Regarding Amendments to Oklahoma Administrative Code (OAC) 310:265 Subchapter 3. Examinations.** Lynnette Jordan presented to the CPL Advisory Council a written notification signed by Governor Mary Fallin, January 20, 2015, approving emergency rulemaking on 310:265-3-1 and 310:265-3-2. Career Tech was contacted regarding the development and proctoring of the Hearing Aid Exam. Career Tech requested that the CPL Advisory Council develop the hearing aid questions for the test.

**Discussion and Update on the OSDH Medical Micropigmentation Workgroup regarding the evaluation of laws and rules relating to OAC 310:234 Medical Micropigmentation.** The following workgroup summary was presented by Lynnette Jordan to the CPL Advisory Council:

Workgroup Members

Jennifer Conking – Certified Medical Micropigmentologist & Instructor

Deborah Corwin, DDS – Dentist

Lynnette Jordan – OSDH Administrative Programs Manager

Dawna Mainard, RN, Certified Medical Micropigmentologist

Teresa Martinez – OSDH Administrative Assistant II

Erin Meier – Certified Medical Micropigmentologist

Dr. Mendy Terrell – Terrell Clinic

## Goal

Utilizing stakeholders, internal partners and external partners to evaluate the current Medical Micropigmentation rule (310:234) to ensure best practices and safety of public health are being met and identify necessary modifications.

## Overview for Discussion

- Reinstatement [310:234-3-2(c)(3)]  
*(3) \$375.00 for reinstatement of certification if the renewal of the certification is 30 days or more after the expiration date*  
Currently, a Certified Medical Micropigmentologist (CMM) may reinstate anytime for \$375 if more than 30 days late:
  - 6 months expired = \$375
  - 3 years expired = \$375
  - 10 years expired = \$375

No additional information is required to reinstate and no limitation is placed upon reinstatement

**(Recommendation by Erin Meier, CMM to CPL Advisory Council that this be changed to require retesting after CMM has been expired for one year)**

- Reciprocity [310:234-3-3.1.(4)]  
*(4) Provides documentation verifying possession of licensing or certification from another state in good standing.*
  - Documentation of any licensure or active licensure?

**(Erin Meier, CMM recommends that the licensure be active and in good standing, as she commented that when CMM has been inactive for a period of time they tend to lose eye and hand coordination)**

- Injection of local anesthesia [310:234-9-2. Prohibited acts]  
*(e) Injection of local anesthesia shall only be administered by a certified micropigmentologist who is currently licensed as a nurse, a physician assistant or dental hygienist. The certified micropigmentologist not recognized by law to provide local anesthesia by other regulatory boards shall only administer infiltration by topical local anesthesia. These specified individuals may administer local anesthesia as allowed by their respective certified boards under which they practice.*
  - Request of workgroup member and previous request (Spring 2014) from dentist request allowance of a CMM that has taken local anesthetic training and licensed to do so
  - Previous board discussions dating back prior to 2013 had concerns relating to unlicensed personnel providing local anesthesia on the face

**(Erin Meier, CMM recommends to only allow licensed medical professionals to do injections, she explained that medical professionals are trained on how to treat patients who have an allergic reaction, etc. to injections)**

- Consent Form Statement [310:234-9-4 Client records]

*(b) The certified person shall ask the client to sign a Release Form confirming that the above information was obtained or attempted to be obtained.*

- In an effort to provide a thorough informed consent, recommendation to add a statement that must be read and initialed by the client: "I understand that I must have a driver if I have taken pain medication, muscle relaxers, anti-depressants/anxiety medications, Benadryl or any other medication that could affect my driving ability."

**(Erin Meier, CMM recommends adding this language to the regulations)**

- Unlicensed Technicians
  - Question regarding stricter guidelines and/or fines for unlicensed technicians applying permanent makeup illegally (i.e., nail salons and/or tattoo shops that are not in a physician office).

**(There was discussion by the CPL Advisory Council to look further into this problem, and to perhaps even make it against regulations to offer this service in establishments that are not in a physician office)**

- Annual Training
  - Currently, there are no annual training requirements
  - Request to consider annual Bloodborne Pathogens training.
  - Online refresher courses are available
  - Keep CMM up to date and knowledgeable with protocol/regulations
  - Safety net for physicians/dentists to know CMM is up to date
  - Department could monitor/verify trainings during renewal application

**(Erin Meier, CMM stated that most states require annual Blood-Borne Pathogen Training, CPR, and First Aid. It is her recommendation that Oklahoma should also require this training)**

**Reports:** Lynnette Jordan presented the Occupational Licensing & Consumer Protection Divisions Licensing Program Reports for February 6, 2015 to the Council, which reflected the following:

**Diagnostic X-Ray Facility Permit Program**

- 1,406 Active Dental/Podiatric Permits
- 397 Active Veterinary Permits
- 1,263 Active General Chiropractor/Clinic/Hospitals/Physicians Permits
- 1,417 estimated X-Ray inspections remaining for the year of 2015

**Hearing Aid Dealers & Fitters Licensing Program**

- 147 Active Hearing Aid Dealer and Fitter Licenses
- 3 Hearing Aid Dealer and Fitter Temporary Licenses

**Medical Micropigmentation Certification Program**

- 112 Active Certifications

**Discussion and Update on the OSDH Diagnostic X-Ray Systems Workgroup regarding the evaluation of laws and rules relating to OAC 310:281 Diagnostic X-Ray Systems.** Bryan Alexander reported that he had found individuals who would be willing to work on the X-Ray workgroup. However, it was general consensus of the individuals contacted and that of Bryan Alexander that the current X-Ray System Industry Regulations are working well and that the industry is regulated by other entities in addition to Oklahoma regulations and at this time they don't feel anything needs to be addressed.

**Next Regularly Scheduled Meeting Dates.** The following meeting dates were announced: May 1, 2015 9:00 a.m.; August 7, 2015 9:00 a.m.; November 6, 2015 9:00 a.m.

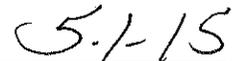
**Adjournment:** A motion was made by Craig Myers to adjourn the meeting at 9:50 a.m.. Bryan Alexander – second. Michael Grim – yes; Craig Myers – yes; Bryan Alexander – yes. Erin Meier – yes. Motion passed.

**Minutes Approved**

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Chair or Secretary Signature

  
Date Approved by Vote