

These minutes were approved by the Board on April 3, 2023

MINUTES OF THE MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
March 6, 2023

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Vice-Chair, Shannon Bingham, at 10:30 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower-Level Morrill Room (Room B), Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby and posted 3.1.2023.

The following members were present and answered roll call:

Members Present (10):

Bridget Anderson, Member
Matt Bavougian, Member
Shannon Bingham, Vice-Chair
Jane Nims, Member
Marie Nordboe, Member
Pamela Rowland, Member
Harold "Buddy" Sims, Secretary
Joann Williams, Member
Leslie Reed, Member
Kyoung Bonn, Member

Members Absent (2):

Ruth Lucas, Member
Brandy Phillips, Chair

Others Present:

Matt Gelvin, Program Manager, Licensure Unit
Carrie Oldehoeft, Health Licensing Board Coordinator, Licensure Unit
TJ O'Neill, Assistant Attorney General
Suzanna Glover-Ettrich, DHHS Attorney (Webex)
Public (on phone call)

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Anderson moved, seconded Nordboe, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried.

3. APPROVAL OF MINUTES:

MOTION: Anderson moved, seconded Rowland, to approve the minutes from 2.6.2023 with corrections. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried.

4. *Officer Election – Chair Stepping down from position

MOTION: Sims, seconded by Bavougian, to elect the Pam Rowland as Chair starting as of today 3.6.2023. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried.

5. **Updates and Follow-up**

a. **LEGISLATIVE UPDATES (LB 16, LB 189, LB 561, other)**
No updates currently

- LB 16 Occupational reform and changes to preliminary conviction review
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49705
- LB 189 Exempt natural hair styling
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50093
- LB 561 Cosmetology licensure compact
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50571

b. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, and Renewals
(report attached to agenda)

6. **Public Comment**

7. **INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION**

MOTION: Anderson moved, seconded by Sims, to enter closed session at 10:47am pm for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose.

8. **WORKING LUNCH**

11:00 am Meyerson, Krueger (Investigations) entered room

11:05 am Klassen (Investigations) entered room

11:20 am Meyerson exited room

11:21 am Williams exited room

11:31 am Krueger exited room

11:40 Break

11:50 Board back in closed session

12:43 pm Verbal agreement from all board members to enter open session.

9. **Open Session:** Application Review and Recommendations (Initial Licensure, Reinstatement, Convictions, Administrative Penalties, and Mail Ballot Report Outs)

12:43 pm O'Neil exited room

12:46pm O'Neil entered room

Conviction Reviews and Board Recommendations:

Jessica Pfeifer – Cosmetologist

MOTION: Sims moved, seconded by Bavougian, to recommend issuance of the license with a 6-month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Failure to report convictions on application. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose.

Nicole Garcia-Cosmetologist

MOTION: Sims moved, seconded by Anderson, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose.

Shelby Cizek-Cosmetologist

MOTION: Bavougian moved, seconded by Bingham, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Madeline Chmura – Cosmetologist

MOTION: Anderson moved, seconded by Sims, to recommend deferring to next meeting. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Lawless Ink– Body Art Facility

MOTION: Bavougian moved, seconded by Bingham, to recommend issuance of the license with a 1-year probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days by the owner, and the Standard Terms and Conditions of probation. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Dierdra Oborny – Cosmentologist

MOTION: Bingham moved, seconded by Nordboe, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Isaac Huerta – Tattoo Artist - Reinstatement

MOTION: Anderson moved, seconded by Sims, to recommend deferring to next meeting. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Dana Drees- Cosmetologist - Reinstatement

MOTION: Sims moved, seconded by Bavougian, to recommend reinstatement of the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

Josue Sanchez – Tattoo Artist

MOTION: Sims moved, seconded by Nordboe, to recommend reinstatement of the license with a 6-month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Failed to report convictions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose

10. Closed Session Conviction Guidelines and discussion

MOTION: Anderson moved, seconded by Bingham, to enter closed session at 12:53 pm for the purpose of hearing discussions of confidential nature. A voice vote was taken. Voting aye: Anderson, Bavougian, Bingham, Williams, Nims, Nordboe, Rowland, Sims, Reed, Bonn (9). Voting nay: None (0). Absent: Phillips, Lucas (2). Vacant positions (1). Motion carried. Rowland repeated the motion and purpose.

2:25 pm

Verbal agreement from all board members to enter open session.

12. ADJOURNMENT

Rowland announced the next meeting is scheduled for April 3, 2023, and declared the meeting adjourned at 2:35p.m.

Submitted,

Buddy Sims, Secretary
Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
Summarized by the Licensure Unit