

These minutes have not been approved by the Board

MINUTES OF THE MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
March 4, 2024

1. ROLL CALL

The Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Chair, Pamela Rowland, at 10:30 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower-Level Goldenrod Room, 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 2.16.2024, with revisions 2.20.24 and 3.1.2024

The following members were present and answered roll call:

Members Present (10):

Bridget Anderson, Member
Kyoung Bonn, Member
Jane Nims, Member
Pamela Rowland, Chair
Joann Williams, Member
Marie Nordboe, Member
Keri Fisher, Member
Ruth Lucas, Member
Matt Bavougian, Member
Leslie Reed, Member

Members Absent (2):

Shannon Bingham, Vice-Chair
Harold "Buddy" Sims, Secretary

Others Present:

Matt Gelvin, Program Manager, Licensure Unit
Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit
TJ O'Neill – Assistant Attorney General
Danielle Sund, DHHS Attorney
Larry Wiehn-DHHS Investigation Unit
Lindsay Braddock-Unit Administrator Licensure Unit
Sean Loving-Program Manager, Licensure Unit

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, Bonn, Fisher, Williams, Nims, Nordboe, Rowland, Lucas, Bavougian, Reed (10). Voting nay: None (0). Absent: Bingham, Sims (2). Vacant positions (1). Motion carried.

3. APPROVAL OF MINUTES:

10:32am Anna Harrison-Compliance Monitor entered room

MOTION: Anderson moved, seconded Nordboe, to adopt the minutes with corrections of February 5, 2024. A voice vote was taken. Voting aye: Anderson, Bonn, Fisher, Williams, Nims, Nordboe, Rowland, Reed (8). Voting nay: None (0). Absent: Bingham, Sims (2). Abstain: Bavougian, Lucas (2) Vacant positions (1). Motion carried.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Anderson moved, seconded by Nordboe, to enter into closed session at 10:46 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Rowland repeated the motion and purpose. A voice vote was taken. Voting aye: Anderson, Bonn, Fisher, Williams, Nims, Nordboe, Rowland, Lucas, Bavougian, Reed (10). Voting nay: None (0). Absent: Bingham, Sims (2). Vacant positions (1). Motion carried.

Oldehoeft closed the public call-in line.
Wiehn changed the open session sign to closed

11:08 am Wiehn exited room
11:15 am Harrison exited room
11:26 am Board break
11:41 am Board returned to close session

12:30pm Verbal agreement from all board members to enter into open session.

5. OPEN SESSION Application Review and Recommendations (Initial Licensure, Reinstatement, Convictions, Administrative Penalties, and Mail Ballot Reports)

Conviction Reviews and Board Recommendations:

Jon Rhoads

MOTION: Anderson moved, seconded by Nordboe, to recommend to defer for more information. A voice vote was taken. Voting aye: Anderson, Bonn, Fisher, Williams, Nims, Nordboe, Rowland, Bavougian, Reed (9). Voting nay: Lucas (1). Absent: Bingham, Sims (2). Vacant positions (1). Motion carried.

Med Studio Salon

MOTION: Anderson moved, seconded by Nordboe to recommend issuing the license with a Censure and Successfully complete the jurisprudence examination within 90 days by the owner. Basis operating a salon without a license for 102 days. A voice vote was taken. Voting aye: Anderson, Bonn, Fisher, Lucas, Williams, Nims, Nordboe, Rowland, Bavougian, Reed (10). Voting nay: None (0). Absent: Bingham, Sims (2). Vacant positions (1). Motion carried.

Win Star Nail Spa

MOTION: Anderson moved, seconded by Nordboe to recommend issuing the license with a Censure and Successfully complete the jurisprudence examination within 90 days by the owner. Basis operating a salon without a license for 150 days. A voice vote was taken. Voting aye: Anderson, Bonn, Fisher, Lucas, Williams, Nims, Nordboe, Rowland, Bavougian, Reed (10). Voting nay: None (0). Absent: Bingham, Sims (2). Vacant positions (1). Motion carried.

1:08 pm O'Neill exited the room
1:10 Public entered the room

Christina Farahani-Wig stylist

Ms. Farahani present to the board information regarding the clarification for a wig stylist. Questions regarding the need for a person to be licensed when the wig is not on a person. The board had a discussion with Ms. Farahani and gave options for how to change regulations.

1:11pm O'Neill entered the room
1:22pm Braddock exited the room
1:30 pm Braddock entered the room
1:35 pm Bavougian exited the room
1:37 pm Bavougian entered the room
1:47 Public exited the room

UPDATES/FOLLOW UP

- a. Body Art-Bavougian has no updates
- b. Ethics course-list of approved courses sent to Anna Harrison
- c. Cosmetology-Nordboe reported the NIC virtual event April 27, you would also receive 4 hours of CEU's for attending the event
- d. Electrology-No report
- e. Esthetics -Williams has no updates
- f. Nail Technology- No updates
- g. Indoor Tanning Facilities-Bonn reported concern about unlicensed locations in general locations (gyms, apartments) having 24/7 access without supervision
- h. Legislation-Galvin gave an update, see attached
- i. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, and Renewals (report attached to agenda)- Board concern regarding exam results

2:03 pm Gelvin exited room

2:05 pm Gelvin entered room

7. Public comment-no report

12. ADJOURNMENT

Rowland announced the next meeting is scheduled for 4.1.24 and declared the meeting adjourned at 2:06 p.m.

Submitted,

Pam Rowland, Chair
Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
Summarized by the Licensure Unit

LB561 - Adopt the Cosmetology Licensure Compact: establishes a multi-state licensing program for licensed cosmetologists in member states. It will increase mobility for said licensed cosmetologists within the member states of the compact while ensuring safe and reliable services to the public. Carryover bill. Floor debate Jan 9th with AM2071 filed. Recommend board follows LB561 and associated amendments.

LB16 - Require occupational boards to issue certain credentials based on credentials or work experience in another jurisdiction, provide and change requirements regarding applicants with a criminal conviction, provide for jurisprudential examinations and appeals, change requirements for membership of the State Electrical Board, and adopt the Interior Design Voluntary Registration Act. Carryover bill, Feb 2nd Final Reading, then Enrollment and Review. Recommend board tracks LB16 and associated amendments.

LB951 - Adopt the Public Officials on Private Boards Open Meetings Act. No impact on Cosmetology Board. No further action by board.

LB955 requires any person, firm, partnership, association, limited liability company, corporation, or other business entity that sells gift cards or gift certificates to provide notice at the location where the sale occurs alerting customers to protect themselves from gift card scams. The notice will assist consumers in being more aware of gift card scams and will encourage vulnerable consumers to alert law enforcement if they believe they are being scammed. Recommend tracking.

LB961 prohibits noncompete agreements for employees making less than one hundred thousand dollars annually. No action.

LB 993 creates the Apprenticeship Grant Act assists individuals who are underemployed and receive economic assistance to become fully employed and self-sufficient by providing grants to qualified businesses who are partnered with a registered apprenticeship program and who provides on-the-job training and classroom instruction to the employee(s) enrolled in the program. Placed on general file Feb 13th with AM2373. Track

LB1009 removes the limit of attempts allowed for the Barber Board Examination. Previously if an individual failed the examination three times, they would not be allowed to have additional attempts. LB1009 also aligns existing statute. No impact, licensure unit does not license or regulate barbers.