

These minutes have been approved by the Board on 11.6.2023

MINUTES OF THE VIRTUAL MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
October 2, 2023

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 9.21.2023

The following members were present and answered roll call:

Members Present (9):

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

Members Absent (3):

Joann Williams, Member
Ruth Lucas, Member
Marie Nordboe, Member

Others Present:

Dina Mekic, Program Manager, Licensure Unit
Carrie Oldehoeft, Health Licensing Board Coordinator, Licensure Unit
TJ O'Neill, Assistant Attorney General
Danielle Sund, DHHS Attorney

Public in room

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Anderson moved, seconded Sims, to adopt the agenda. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

3. APPROVAL OF MINUTES:

MOTION: Reed moved, seconded Sims, to approve the minutes from 9.11.2023. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

4. Hybrid Program for Distance Learning

Capital Beauty presented to the board how they would like to do a online/in person Hybrid program. The board had an open discussion with the school and proposed sending a representative of the board to their meetings.

MOTION: Anderson moved, seconded Sims, to approve Bingham to represent the board at conversation meetings. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

11:18 am Sims exited room

11:19 am Sims entered room

5. Updates and Follow-up

a. Body Art

Sund, DHHS legal updated the board on how regulation changes work for definitions and that the board will need to reach out to find a Senator for the changes.

b. NIC

- Annual Conference October 27-30, 2023 in Albuquerque, NM
- No additional updates at this time

c. Esthetic Definitions-defer to November meeting

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

- Board discussion on exam failures

11:40 Phillips exited room

6. Public Comment no comments

7. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Anderson moved, seconded by Reed, to enter closed session at 11:43am 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, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

11:43am Anderson and Phillips entered room

10:52 am Klassen and Fossler -investigations entered the room

11:55am Board break

1:12pm O'Neill exited the room

1:15pm O'Neill entered room

1:27 pm board on break

1:40 pm board returned from break

1:41 pm Verbal agreement from all board members to enter open session.

1:44 pm O'Neill exited room

1:45pm O'Neill entered room

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

Kendace's Hair Clinic-Cosmetology Salon

MOTION: Anderson moved, seconded by Sims 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 570 days. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Amekia Wells-Esthetician

MOTION: Sims moved, seconded by Bavougian, to recommend issuing the license with a 2-year probation, quarterly reports, successfully complete the jurisprudence examination within 90 days. Based on conviction history. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Rio Bustamante-Tattoo Artist

MOTION: Reed moved, seconded by Sims, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Rachel Wade-Cosmetology

MOTION: Sims moved, seconded by Anderson, to recommend defer for more information. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Alejandro Monarrez-Permanent Color and Tattoo Artist

MOTION: Bavougian moved, seconded by Anderson, to recommend denial of license. Based on conviction history and not reporting all convictions. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried

Heads Up- Cosmetology Salon

MOTION: Sims moved, seconded by Anderson, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Vibe Studio- Cosmetology Salon

MOTION: Sims moved, seconded by Anderson, , to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Jann Lynch-Cosmetologist

MOTION: Anderson moved, seconded by Sims to recommend issuing the license with a Censure and Successfully complete the jurisprudence examination within 90 days. Based on conviction history and failure to disclose all convictions. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

Correction to 5d—minutes TJ O'Neill was present for AG Office not Jeannie Sims voted Aye and Bavougian abstained.

MOTION: Sims moved, seconded by Anderson, to enter closed session at 1:56pm for the purpose of Conviction Guideline review and for discussions of confidential nature. A voice vote was taken. Voting aye:, Anderson, Bonn, Bavougian, Nims, Sims, Reed, Phillips, Bingham, Rowland (9). Voting nay: None (0). Absent: Williams, Lucas, Nordboe (3). Abstain: None (0) Vacant positions (1). Motion carried.

2:40 pm O'Neill exited

2:41 pm Verbal agreement from all board members to enter open session.

2:42 pm Sims exited

2:43 pm O'Neill entered

2:44 pm Sims entered room

10. ADJOURNMENT

Rowland announced the next meeting is scheduled for November 6, 2023, and declared the meeting adjourned at 3:03pm.

Submitted,

Buddy Sims, Secretary

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by the Licensure Unit