

MINUTES OF THE MEETING OF
THE BOARD OF COSMETOLOGY, ELECTROLOGY, ESTHETICS,
NAIL TECHNOLOGY, AND BODY ART

April 1, 2019

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 Chair, Vicki Criswell, at 10:30 a.m., in Licensure Unit Conference Room LU-1, Nebraska State Office Building, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Public Meeting Law.

Members Present: The following members answered roll call:

Bridget Anderson, Vice-Chair
Ronald Banse, Member
Vicki Criswell, Chair
Jacqueline Hornig, Member
Melanie Judkins, Member
Ruth Lucas, Member
Marie Nordboe, Member
Becky Pettigrew, Member
Brandy Phillips, Member

Members Absent:

Pam Rowland, Secretary (entered meeting 10:32 a.m.)

Others Present:

Ami Huff, Assistant Attorney General
Kris Chiles, Program Manager, Licensure Unit
Trevor Klaassen, Investigations
Kathleen Krueger, Investigations
Anna Harrison, Compliance Monitor

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Pettigrew moved, seconded by Nordboe, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips (9). Voting nay: None (0). Absent: Rowland (1). Motion carried.

10:32 a.m. - Rowland entered meeting

3. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Pettigrew moved, seconded by Nordboe, to enter into closed session at 10:34 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. Criswell repeated the motion purpose. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Absent: None (0). Motion carried.

10:45 a.m. - Klaassen and Krueger departed meeting

11:20 a.m. - Huff departed meeting

11:21 a.m. - Teresa Hampton, Department attorney, entered meeting

MOTION: Anderson moved, seconded by Pettigrew, to return to open session at 11:31 a.m. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Absent: None (0). Motion carried.

11:31 a.m. - Harrison and Hampton departed meeting
Huff entered meeting

4. APPLICATION REVIEW AND RECOMMENDATIONS – OPEN SESSION

Conviction Reviews:

Walter Taylor – Cosmetologist Reinstatement from Discipline (Voluntary Surrender)

MOTION: Anderson moved, seconded by Pettigrew, to defer and request a pre-reinstatement investigation. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

Kanani Beal – Cosmetologist Applicant

MOTION: Anderson moved, seconded by Nordboe, to recommend offering a probationary license with a 2 year probation to include the standard terms and conditions and the following: no solo practice, quarterly employer reports. Motion based on conviction history. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland (8). Voting nay: Judkins, Pettigrew (2). Abstain: None (0). Absent: None (0). Motion carried.

Janelle Romero – Permanent Color Technician Applicant

MOTION: Nordboe moved, seconded by Rowland, to recommend issuing the license with no terms or conditions. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

Ariel Barber – Tattoo Artist Applicant

MOTION: Rowland moved, seconded by Nordboe, to recommend offering a probationary license with a 2 year probation to include the standard terms and conditions and the following: body fluid screens, abstain from alcohol, quarterly employer reports. Motion based on conviction history and diagnosis. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

Alexander White – Body Piercer Applicant

MOTION: Pettigrew moved, seconded by Nordboe, to deny the application. Motion based on conviction history, concern for public safety and lack of good character. A roll call vote was taken. Voting aye: Anderson, Banse, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland (10). Voting nay: None (0). Abstain: None (0). Absent: None (0). Motion carried.

5. UPDATE ON 2019 LEGISLATIVE BILLS

LB 112 – The bill related to waiving initial licensing fees for young workers, military families, and low income had passed.

LB 607 – LB 607 provides for a new definition of "nail technology" which includes Natural Nail care, defines "pedicuring," and allows for licensure of nail technology apprentice salons. Creates a license for Temporary Body Art Facility and Body Art Guest Artist licenses and updates definition for cosmetic tattooing. LB 607 also allows for all practices licensed under the statute to take licensing examinations in multiple languages. The bill is still in committee.

Rowland provided an update. She will be speaking to the Board of Health and has already talked to one Board of Health member by phone. Tyler, Kolterman's aide, thinks no 407 is needed. Rowland met with Senator Archer of the Health & Human Services Committee this morning regarding what manicuring is vs. nail technology. If the bill does not move out of committee, it will be on the list for next year. Rowland was to meet with Senator Howard this morning but it was rescheduled for 4-22-19.

Horning gave an update on legislation for Florida, Montana, Connecticut and Rhode Island.

6. ADJOURNMENT

Criswell declared the meeting adjourned at 12:02 p.m.

Respectfully submitted,

Pamela Rowland, Secretary

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

Summarized by Nancy Herdman, Health Licensing Coordinator