

These minutes have not been approved by the Board

MINUTES OF THE MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
January 27, 2025

1. ROLL CALL

The Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Vice Chair, Shannon Bingham, at 9:01a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower-Level Otoe 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 1.16.2025

The following members were present and answered roll call:

Members Present (9):

Matt Bavougian, Member via Webex
Shannon Bingham, Vice-Chair via Webex
Ruth Lucas, Member via Webex
Harold “Buddy” Sims, Secretary via Webex
Siobhan “Chevy” Kozisek, Member via Webex
Jane Nims, Member
Leslie Reed, Member
Bridget Anderson, Member
Marie Nordboe, Member via Webex

Members Absent (1):

Keri Fisher, Member

Others Present:

Jessica Dean, Health Licensing Coordinator, Licensure Unit
TJ O’Neill – Assistant Attorney General
Danielle Sund, DHHS Attorney
Mark Meyerson, Trevor Klaussen-DHHS Investigation Unit
Sean Loving-Program Manager, Licensure Unit

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: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

3. APPROVAL OF MINUTES: (11/4/2024 with amendments)

MOTION: Anderson moved, seconded Sims, to adopt the minutes with corrections. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

4. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Bavougian moved, seconded by Nims, to enter into closed session at 9:05am 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: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

11:58 am 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)

Deborah Schlosser-

MOTION: Sims moved, seconded by Anderson to recommend to deny. Basis misrepresentation of facts to obtain a credential and unlicensed practice. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Krista Lewis-

MOTION: Bavougian moved, seconded by Kozisek to recommend issuing the license with a 2 year Probation, no solo practice, no money handling, quarterly reports, and Successfully complete the jurisprudence examination within 90 days. Basis of conviction history. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Brianne Herd-

MOTION: Sims moved, seconded by Reed to recommend issuing the license with a Censure, \$500 civil penalty and Successfully complete the jurisprudence examination within 90 days. Basis on practicing without a license. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Jeanette Martinez-

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

Emily Ostrand-

MOTION: Reed moved, seconded by Sims to recommend 1 year probation, supervision, no solo practice, no convictions during probation, employer reports, board-approved CE ethics exam, \$250 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days. Basis on misrepresentation of facts in attempt to procure a license. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Evelinda's Hair Salon-

MOTION: Sims moved, seconded by Reed to recommend issuing the license with a Censure, \$1500 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days by the owner. Basis is unlicensed facility. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Chastity Roldan-

MOTION: Sims moved, seconded by Bavougian to recommend issuing the license with a Censure, \$500 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days. Basis misrepresentation of facts to obtain a credential and failure to report conviction. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Amanda Lashley-

MOTION: Sims moved, seconded by Anderson to recommend issuing the license with a Censure, \$500 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days. Basis failure to report and misrepresentation of facts to obtain a credential. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Elegant Salon and Spa-

MOTION: Reed moved, seconded by Sims to recommend issuing the license with a Censure, \$7500 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days by the owner. Basis operating a salon without a license. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Tawny McFadden-

MOTION: Anderson moved, seconded by Reed to recommend issuing the license with a Censure, \$500 Civil Money Penalty, an ethics course and Successfully complete the jurisprudence examination within 90 days. Basis for the action is failure to report convictions and misrepresentation of facts to obtain a credential. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Yanim Martinez Lopez-

MOTION: Reed moved, seconded by Anderson to recommend denial. Basis for the action is practicing outside of scope of practice, no facility license, and practicing on an expired license. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Pinkies by the Brain-

MOTION: Anderson moved, seconded by Kozisek to recommend issuing the license with no limitations. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Jennifer Santiago-Medina-

MOTION: Anderson moved, seconded by Sims to recommend issuing the license with a Censure, \$500 Civil Money Penalty and Successfully complete the jurisprudence examination within 90 days. Basis practicing without a license and failure to report conviction. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

6. OPEN SESSION

Verbal agreement to return to open session by all board members at 12:56 pm

7. UPDATES/FOLLOW UP

- a. Legislation- LB 29 – Regulations (Conrad)
LB 82 – Cosmetology Compact (Roundtree)
 1. Hearing 1/31/25 – 1:30
 2. Discussion of ramifications & problemsAnderson moved, seconded by Nordboe to recommend Kozicek to draft a letter and testify. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.
LB 169 – affects taxes for services provided by our licensees, doesn't impact any licenses
- b. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, and Renewals (report attached to agenda)- Board concern regarding exam results

8. Public comment

No public comment.

9. Annual business

- a. Designation of Method for public notice of meetings:
Anderson moved, seconded by Sims to approve the notifications. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.
- b. Board member per diems & compensation recommendations:
Nordboe moved, seconded by Anderson to keep the per diem rates. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.
- c. Board goals for 2025
 - i. Nail tech bill
 - ii. Recommendations for changes in scope of practice, etc (change in statute needed)
 - iii. Relationship building
 - iv. Apprenticeships, distance learning, exams in other languages

- v. Body art jurisprudence exam
- vi. Update definitions for body art in statute
- vii. Civil penalty guidelines (per T.J., there is not really a problem with these as they are currently)
- viii. Requirements for board member seats (defined in statute)

d. Elections of Officers and appointment of investigative consultants

Anderson moved, seconded by Nordboe to recommend the following officers: President Shannon Bingham, Vice Buddy Sims, Secretary Leslie Reed. A voice vote was taken. Voting aye: Reed, Kozisek, Bingham, Sims, Bavougian, Lucas, Nims, Nordboe, Anderson (9). Voting nay: None (0). Absent: Fisher, (1). Vacant positions (3). Motion carried.

Board agreed to the following Investigative Consultants – Matt Bavougian-Body Art, Shannon Bingham-Cosmetology, Nails Buddy Sims, Esthetics Chevy Kozicek, New Member Mentor Marie Nordboe

10. ADJOURNMENT

Loving announced the next meeting is scheduled for 3.3.2025 and declared the meeting adjourned at 4:20 p.m.

Submitted,

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
Summarized by Sean Loving, Licensure Unit