

These minutes have been approved by the Board 9.11.2023

MINUTES OF THE VIRTUAL MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
July 10, 2023

1. ROLL CALL

The virtual meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Vice Chair, Shannon Bingham, at 10:31 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 5.17.2023 and revised on 5.24.2023.

The following members were present and answered roll call:

Members Present (9):

Matt Bavougian, Member
Jane Nims, Member (in room)
Harold "Buddy" Sims, Secretary
Joann Williams, Member (in room)
Kyoung Bonn, Member (in room)
Leslie Reed, Member
Ruth Lucas, Member
Brandy Phillips, Member (in room)
Shannon Bingham, Vice-Chair

Members Absent (3):

Bridget Anderson, Member
Marie Nordboe, Member
Pamela Rowland, Chair

Others Present:

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

Public on WebEx

A quorum was present, and the meeting convened.

10:34 am Nordboe entered the WebEx

10:35 am Anderson entered the room

2. ADOPTION OF AGENDA

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

3. APPROVAL OF MINUTES:

MOTION: Anderson moved, seconded Nordboe, to approve the minutes from 5.1.2023. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Nordboe, Reed, Sims, Williams (8). Voting nay: None (0). Absent: Rowland (1). Abstain: Bingham, Lucas, Phillips (3) Vacant positions (1). Motion carried.

4. **Updates and Follow-up**

a. 2023 Legislation

- LB 16 Occupational reform and changes to preliminary conviction review
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49705

No updates

- LB 189 Exempt natural hair styling
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50093

No updates

- LB 561 Cosmetology licensure compact
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50571

No updates

b. Body Art-DHHS Legal is reviewing the suggested changes and will update in the future.

c. NIC

- Annual Conference October 27-30, 2023 in Albuquerque, NM
- Sims and Nordboe reported they have registered

d. Esthetic Definitions

- Williams presented the workgroup review of current definitions. The board had discussion and Williams will adjust definitions and present at a future meeting.

10:43 am Rowland entered WebEx

11:30am O'Neill exited room

11:32 am O'Neill entered room

e. Follow up on public question from May meeting (Meticulous Manicurist:

<https://youtu.be/j8PYUSTazHo>)

Sims reviewed video and recommendations of the review with the board:

- The Angel Feet Foot File used in the video is one of the best and safest on the market and can be used in Nebraska.
- The 'Ingrown' tool used is similar to a curette, which would achieve a similar and safer result when used properly.

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

5. **Public Comment**

11:55 am Krueger, Meyerson-investigations entered the room

11:57 am Klassen entered the room

6. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Anderson moved, seconded by Bingham, to enter closed session at 12:10 am 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, Bingham, Bavougian, Nims, Nordboe, Reed, Phillips, Sims, Williams, Rowland (10). Voting nay: None (0). Absent: None (0). Abstain: Lucas (1) Vacant positions (1). Motion carried.

12:58pm Sims exited WebEx
1:05 pm Sims entered WebEx

1:07 pm Board break
1:20 pm Nordboe exited WebEx
1:20 pm Board returned to close session

1:55 pm Verbal agreement from all board members to enter open session.

1:55pm Board return from break

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

Tyayre Lewis-Body Artist

MOTION: Anderson moved, seconded by Bavougian, recommend to issue with a 3-year probation with the following terms and conditions: No solo practice, No money handling, Quarterly employer reports, Random body fluid screens, Abstain from Alcohol/Drug, Report prescribed medication, follow recommendations of assessment and any future recommendations, Comply with criminal probation, quarterly probation report and the Standard Terms and Conditions of probation. Basis: Conviction history and diagnosis. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Natalie Booth-Merica

MOTION: Anderson moved, seconded by Bingham, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Randy Holt Jr

MOTION: Bavougian moved, seconded by Anderson, to recommend deferring to next meeting for more information. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

HD Esthetics

MOTION: Reed moved, seconded by Sims, to recommend issuing the license with no terms or conditions . A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Molly McCorden

MOTION: Phillips moved, seconded by Anderson, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

John Turpen

MOTION: Anderson moved, seconded by Bavougian, to recommend issuance of the license with a 2-year probation, with the following terms and conditions: No solo practice, No money handling, Quarterly Employer Reports, Successfully complete the jurisprudence examination within 90 days. Basis: conviction history. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Emily Allgood

MOTION: Phillips moved, seconded by Sims, to recommend deferring to next meeting for more information. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Arissa Murray-Cosmetologist

MOTION: Anderson moved, seconded by Sims to recommend 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 mandatory report convictions. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Shaun Guynes – Preliminary Conviction Review-Body Art

MOTION: Anderson moved, seconded by Reed, that the convictions, as listed on the application, would disqualify the applicant from obtaining a credential as a Body Artist. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

Ephroen Lovato – Preliminary Conviction Review-Cosmetology

MOTION: Reed moved, seconded by Anderson, that the convictions, as listed on the application, would disqualify the applicant from obtaining a credential as a Cosmetologist. A voice vote was taken. Voting aye: Anderson, Bavougian, Bonn, Nims, Reed, Sims, Williams, Lucas, Phillips, Bingham, Rowland (11). Voting nay: None (0). Absent: Nordboe (1). Vacant positions (1). Motion carried.

10. ADJOURNMENT

Rowland announced the next meeting is scheduled for August 7, 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