## State Board of Cosmetology May 2, 2022

1 2

### BOARD MEMBERS:

Professional and Occupational Affairs
Tammy Y. O'Neill, Professional Member, Chairperson
Nicole Weakland, Professional Member, Vice Chairperson
Elisa Brown, Professional Member, Secretary - Absent
Deborah M. Craft, Professional Member

Stephen J. Szabo, Professional Member - Absent Kristal L. Ferron, Consumer Protection Member Felicia L. Brown-Haywood, Professional Member Jennifer A. D'Amato-Dow, Professional Member Teresa Whisler, Professional Member

Arion R. Claggett, Acting Commissioner, Bureau of

#### BUREAU PERSONNEL:

Shana M. Walter, Esquire, Board Counsel
Garrett A. Rine, Esquire, Board Prosecution Liaison
Kenneth J. Suter, Esquire, Board Prosecutor
Colby B. Widdowson, Esquire, Board Prosecutor
Kayla R. Bolan, Esquire, Board Prosecutor
Valerie Eaton, Board Administrator
Andrew LaFratte, MPA, Executive Policy Specialist,
Department of State

#### ALSO PRESENT:

Aaron Shenck, Director, Pennsylvania Association of Private School Administrators

Debbie Dunn, President, Pennsylvania Association of Private School Administrators; Owner, Lancaster School of Cosmetology

Ashley Rivera, Lords & Ladies Salon and Medical Spa Philip Harris, Work-Based Education Coordinator, Berks Career & Technology Center

Linzi Biesinger, Owner, Altoona Beauty School Barbara Sprindis, Program Manager, Pearson VUE Karen Kaminski, Allure Salon Suite Consulting, LLC

43 Barbara Sprindis, Program Manager, Pea 44 Karen Kaminski, Allure Salon Suite Con 45 Bob Bazant, President, Penn Commercial 46 Business/Technical School

Business/Technical School Chris Lammando, Gmerek Government Relations, Inc. Anthony Fanuccio

# $\frac{\text{State Board of Cosmetology}}{\text{May 2, 2022}}$

ALSO PRESENT: (cont.)

Cindy Levi, Vice President of Operations, Innovative Salon Concepts Shawn Conder, Account Manager, PSI Services LLC

Sargent's Court Reporting Service, Inc. (814) 536-8908

4 State Board of Cosmetology 1 2 May 2, 2022 \* \* \* 3 4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at 5 9:00 a.m. the Board entered into Executive Session 6 with Shana M. Walter, Esquire, Board Counsel, for the purpose of conducting quasi-judicial deliberations on a number of matters currently pending before the Board and to receive the advice of counsel. The Board 10 returned to open session at 10:30 a.m.] \* \* \* 11 [Shana M. Walter, Esquire, Board Counsel, reminded 12 13 everyone that the meeting was being recorded, and 14 voluntary participation constituted consent to be 15 recorded. 1 \* \* \* 16 17 The regularly scheduled meeting of the State 18 Board of Cosmetology was held on Monday, May 2, 2022. 19 Tammy Y. O'Neill, Professional Member, Chairperson, 20 called the meeting to order at 10:31 a.m. 21 Roll Call 22 23 [Roll call was taken by Chair O'Neill. A quorum was 24 noted to be present.]

\* \* \*

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   Approval of Minutes of March 7, 2022
1
2
   CHAIR O'NEILL:
3
                  First on the agenda is approval of the
 4
                  Minutes from our last meeting on March
5
                  7, 2022.
6
                       Could I get a motion?
7
   MS. CRAFT:
                  Motion to accept.
9
   CHAIR O'NEILL:
10
                  Second?
11
   MS. BROWN-HAYWOOD:
12
                  I second.
13
   CHAIR O'NEILL:
14
                  Roll call of Board members for approval.
15
16
                  Arion Claggett, aye; Tammy O'Neill, aye;
17
                  Nicole Weakland, aye; Deborah Craft,
18
                  aye; Kristal Ferron, aye; Felicia Brown-
19
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
20
                  Teresa Whisler, aye.
21
   [The motion carried unanimously.]
22
23
   Report of Board Prosecution
24
   [Garrett A. Rine, Esquire, Board Prosecution Liaison,
25
   presented the Consent Agreement for Case No. 19-45-
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6 1 012171.] \* \* \* 2 3 [Garrett A. Rine, Esquire, Board Prosecution Liaison, on behalf of Colby B. Widdowson, presented the Consent 5 Agreement for Case No. 21-45-018566.] \* \* \* 6 [Garrett A. Rine, Esquire, Board Prosecution Liaison, on behalf of Kayla R. Bolan, presented the Consent Agreement for Case No. 19-45-017616.] 10 11 [Kenneth J. Suter, Esquire, Board Prosecutor, 12 presented the Consent Agreements for Case No. 21-45-009806, Case No. 20-45-014616, and Case No. 20-45-13 002824.1 14 15 MS. WALTER: Pursuant to Section 708(a)(5) of the 16 Sunshine Act, the Board entered into 17 18 Executive Session this morning at 9 a.m. 19 to discuss agenda items 2 through 7, 2.0 which are the Consent Agreements, as 2.1 well as items 8 through 27. 2.2 At this time, I believe the Board 2.3 would entertain a motion to accept the 2.4 Consent Agreements at items 2 through 7 25 on the agenda.

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MS. CRAFT:
1
2
                  I so move.
3
   CHAIR O'NEILL:
 4
                  We have a motion.
5
   MS. BROWN-HAYWOOD:
6
                  I second.
7
   CHAIR O'NEILL:
                  Roll call.
9
10
                  Arion Claggett, aye; Tammy O'Neill, aye;
11
                  Nicole Weakland, aye; Deborah Craft,
12
                  aye; Kristal Ferron, aye; Felicia Brown-
13
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
14
                  Teresa Whisler, aye.
15
   [The motion carried unanimously. The Respondent's
16
   name in item 2 at Case No. 19-45-012171 is Cu Cam Phu
17
   t/d/b/a Oregon Beauty; item 3, Case No. 20-45-009806,
18
   Helen's Spa and Nails; item 4, Case No. 20-45-014616,
19
   Gloria Harrelson; item 5, Case No. 20-45-002824, Le
20
   Reve Rittenhouse Spa aka La Reve Rittenhouse Day Spa;
21
   item 6, Case No. 21-45-018566, ??? 13:29 22:10 VOICE
22
   9:10; and item 7, Case No. 19-45-017616, Pro's Nails.]
2.3
24
   Report of Board Counsel- Proposed Adjudications and
25
     Orders
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8 1 MS. WALTER: 2 I believe the Board would entertain a 3 motion to adopt as final the Proposed Adjudications at items 8 and 12 on the 4 5 agenda. Number 8 is Ground Zero Mount Airy, Case No. 19-45-016782. Number 12 6 is Harrison Hackworth, Case No. 21-45-014615. 8 9 CHAIR O'NEILL: 10 Could I get a motion? 11 MS. CRAFT: 12 Motion to approve. MS. BROWN-HAYWOOD: 13 14 I second. 15 CHAIR O'NEILL: 16 Roll call vote. 17 18 Arion Claggett, aye; Tammy O'Neill, aye; 19 Nicole Weakland, aye; Deborah Craft, 20 aye; Kristal Ferron, aye; Felicia Brown-21 Haywood, aye; Jennifer D'Amato-Dow, aye; 22 Teresa Whisler, aye. 23 [The motion carried unanimously.] \* \* \* 24 25 MS. WALTER:

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9
                  I believe the Board would entertain a
1
2
                  motion to direct Board counsel to draft
3
                  Final Adjudications and Orders in the
 4
                  following cases: Number 9, Diona
5
                  Nichols, Case No. 20-45-001456; number
 6
                  10, Danyelle Van Orden, Case No. 20-45-
                  003613; number 11, Beauty Nails, Case
8
                  No. 19-45-014333.
   CHAIR O'NEILL:
10
                  Could I have a motion?
11
   MS. CRAFT:
12
                  Motion.
   MS. BROWN-HAYWOOD:
13
14
                  Second.
15
   CHAIR O'NEILL:
16
                  Roll call.
17
18
                  Arion Claggett, aye; Tammy O'Neill, aye;
19
                  Nicole Weakland, aye; Deborah Craft,
20
                  aye; Kristal Ferron, aye; Felicia Brown-
21
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
22
                  Teresa Whisler, aye.
23
   [The motion carried unanimously.]
                               * * *
24
25
   MS. WALTER:
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10 I believe the Board would entertain a 1 2 motion at item 13 on the agenda, Maurice 3 Muhammad, Case No. 21-45-017988 to adopt 4 the hearing examiner's Proposed 5 Adjudication and Order and substitute Board Order. 6 7 CHAIR O'NEILL: Could we get a motion? 9 MS. CRAFT: 10 Motion. 11 MS. BROWN-HAYWOOD: 12 Second. 13 CHAIR O'NEILL: 14 Roll call. 15 16 Arion Claggett, aye; Tammy O'Neill, aye; 17 Nicole Weakland, aye; Deborah Craft, 18 aye; Kristal Ferron, aye; Felicia Brown-19 Haywood, aye; Jennifer D'Amato-Dow, aye; 20 Teresa Whisler, aye. 21 [The motion carried unanimously.] 2.2 23 Report of Board Counsel - Motion to Deem Facts 2.4 Admitted 25 MS. WALTER:

11 Number 14 on the agenda, Katie Morgan. 1 2 I believe the Board would entertain a 3 motion to grant the Motion to Deem Facts Admitted and Enter Default and direct 4 Board counsel to draft a Final 5 6 Adjudication and Order in accordance 7 with the Board's direction. CHAIR O'NEILL: Could I have a motion? 10 MS. CRAFT: 11 Motion. 12 MS. BROWN-HAYWOOD: 13 Second. CHAIR O'NEILL: 14 Roll call. 15 16 Arion Claggett, aye; Tammy O'Neill, aye; 17 18 Nicole Weakland, aye; Deborah Craft, 19 aye; Kristal Ferron, aye; Felicia Brown-20 Haywood, aye; Jennifer D'Amato-Dow, aye; 21 Teresa Whisler, aye. 22 [The motion carried unanimously.] 2.3 24 Report of Board Counsel - Criminal History Record 25 Check

12 1 MS. WALTER: 2 I believe the Board would entertain a 3 motion to grant the Applications for 4 items 15 and 16 on the agenda, Delisha 5 Dean and Paris Bias. 6 CHAIR O'NEILL: Could I have a motion? MS. CRAFT: 9 Motion. MS. BROWN-HAYWOOD: 10 11 Second. CHAIR O'NEILL: 12 13 Roll call. 14 15 Arion Claggett, aye; Tammy O'Neill, aye; 16 Nicole Weakland, aye; Deborah Craft, 17 aye; Kristal Ferron, aye; Felicia Brown-18 Haywood, aye; Jennifer D'Amato-Dow, aye; 19 Teresa Whisler, aye. 20 [The motion carried unanimously.] \* \* \* 21 22 Report of Board Counsel - Act 41/Endorsement 2.3 MS. WALTER: 2.4 I believe the Board would entertain a 25 motion to provisionally deny the

13 Application of Bina Koirala at Case No. 1 2 22-45-004228. 3 CHAIR O'NEILL: Could I have a motion? 4 5 MS. CRAFT: 6 Motion. 7 MS. BROWN-HAYWOOD: Second. 9 CHAIR O'NEILL: 10 Roll call. 11 12 Arion Claggett, aye; Tammy O'Neill, aye; 13 Nicole Weakland, aye; Deborah Craft, 14 aye; Kristal Ferron, aye; Felicia Brown-15 Haywood, aye; Jennifer D'Amato-Dow, aye; 16 Teresa Whisler, aye. [The motion carried unanimously.] \* \* \* 18 Report of Board Counsel - Variance Request

17

19

20 MS. WALTER:

21 I believe the Board would entertain a 22 motion to deny the Variance Request at 2.3 number 18, Hats Off Hair Care at Case 24 No. 22-45-004566.

25 CHAIR O'NEILL:

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14
1
                  Could I have a motion?
2
   MS. CRAFT:
3
                  Motion.
4
   MS. BROWN-HAYWOOD:
5
                  Second.
6
   CHAIR O'NEILL:
                  Roll call.
                  Arion Claggett, aye; Tammy O'Neill, aye;
10
                  Nicole Weakland, aye; Deborah Craft,
11
                  aye; Kristal Ferron, aye; Felicia Brown-
12
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
13
                  Teresa Whisler, aye.
   [The motion carried unanimously.]
14
15
16
   Report of Board Administrator - Applications
   MS. WALTER:
17
                  I believe the Board would entertain a
18
19
                  motion to grant Provisional Licenses to
2.0
                  the following individuals at 19 through
2.1
                  25 on the agenda: 19, Alise Middaugh;
                  20, Cathryn Ellis; 21, Sandrita
2.2
2.3
                  Ouedraogo; 22, Ruzanna Harutyunyan; 23,
2.4
                  Madelyn Koppelman; 24, Alla Vyshnia; 25,
25
                  Amber Howarth.
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15
1
   CHAIR O'NEILL:
2
                  Could I get a motion?
3
   MS. CRAFT:
                  Motion.
4
5
   MS. BROWN-HAYWOOD:
6
                  Second.
7
   CHAIR O'NEILL:
                  Roll call.
9
10
                  Arion Claggett, aye; Tammy O'Neill, aye;
11
                  Nicole Weakland, aye; Deborah Craft,
12
                  aye; Kristal Ferron, aye; Felicia Brown-
13
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
14
                  Teresa Whisler, aye.
15
   [The motion carried unanimously.]
16
17
   MS. WALTER:
18
                  I believe the Board would entertain a
19
                  motion to grant a License by Endorsement
20
                  to Lorena Christina Damasceno Miranda at
21
                  number 26 on the agenda.
22
   CHAIR O'NEILL:
2.3
                  Could I get a motion?
2.4
   MS. CRAFT:
25
                  Motion.
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16
1
   MS. BROWN-HAYWOOD:
2
                  Second.
3
   CHAIR O'NEILL:
                  Roll call.
 4
5
                  Arion Claggett, aye; Tammy O'Neill, aye;
6
                  Nicole Weakland, aye; Deborah Craft,
                  aye; Kristal Ferron, aye; Felicia Brown-
9
                  Haywood, aye; Jennifer D'Amato-Dow, aye;
10
                  Teresa Whisler, aye.
11
   [The motion carried unanimously.]
                               * * *
12
13
   Report of Board Administrator - Variance Request
14
   MS. WALTER:
                  I believe the Board would entertain a
15
16
                  motion to grant a Variance Request for
17
                  Faith Through Fingers Salon at number 27
18
                  on the agenda.
19
   CHAIR O'NEILL:
20
                  Could I get a motion?
21
   MS. CRAFT:
22
                  Motion.
2.3
   MS. BROWN-HAYWOOD:
24
                  Second.
25
   CHAIR O'NEILL:
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17 1 Roll call. 2 3 Arion Claggett, aye; Tammy O'Neill, aye; 4 Nicole Weakland, aye; Deborah Craft, 5 aye; Kristal Ferron, aye; Felicia Brown-Haywood, aye; Jennifer D'Amato-Dow, aye; 6 7 Teresa Whisler, aye. [The motion carried unanimously.] 9 10 Report of Board Chairperson - No Report \* \* \* 11 12 Report of Acting Commissioner 13 [Arion R. Claggett, Acting Commissioner, Bureau of 14 Professional and Occupational Affairs, informed Board 15 members that the department was in the process of 16 replacing the Pennsylvania Licensing System (PALS) and 17 should have the new system identified and in place by the end of 2023.] 18 \* \* \* 19 20 Report of Board Counsel - Motions to Deem Facts 21 Admitted \* \* \* 22 23 Report of Board Administrator - No Report 2.4 25 Appointment - Berks Career & Technology Center

- 1 [Ashley Rivera, Human Resources and Recruiting
- 2 | Manager, Lords & Ladies Salon and Medical Spa,
- 3 addressed the impact the pilot program had on
- 4 employees and students in the schools by having a
- 5 | mentor and being in the salon environment.
- 6 Philip Harris, Work-Based Education Coordinator,
- 7 | Berks Career & Technology Center, stated the
- 8 enrollment in their cosmetology program at both the
- 9 East Campus in Oley and West Campus in Leesport was
- 10 almost 100 students. He commented that the first year
- 11 the Board allowed the pilot program and Berks Career &
- 12 Technology Center offered it that the Center dealt
- 13 | with just Lords & Ladies.
- 14 Mr. Harris noted placing 12 cosmetology students
- 15 with 11 of them completing their hours much earlier
- 16 than normal and passing the test, getting their
- 17 | license, and all but move into a co-op placement just
- 18 prior to graduation. He mentioned the program had
- 19 great success and was excited to hear that the Board
- 20 extended it into the second school year, noting the
- 21 same success this year. He reported that every
- 22 student in the first year who completed the process in
- 23 the pilot program was still working in their
- 24 locations.
- 25 Ms. Walter informed everyone that Senate Bill

1 1196 and Senate Bill 1197 were sent to the
2 Professional Licensure Committee and were voted out of
3 the committee, and legislation is directly addressing
4 cosmetology and barber career and technology center
5 (CTC) students to be able to continue the co-op kind

of work and receive compensation.

- Mr. Harris addressed the benefits on the
  education side regarding high schools. He mentioned
  being able to extract some of the seniors from a full
  classroom to get one-on-one education at their
  placement, which also allows teachers in the building
  to go from one-on-five to possibly one-on-two to be
  able to provide more value to the education of each
  student.
  - Ms. Brown-Haywood thanked everyone involved in the proactive educational process and was hopeful that it established a framework for other kinds of educational disciplines to go forward with such success.
  - Ms. Rivera requested feedback regarding the addition of another layer of education for a whole market of people who have always wanted to be part of our industry but work full-time or are a stay-at-home parent and cannot fit that into their schedule. She stated it would be in alignment with the in-salon

clinical hours with the addition of an online entity
to that by combining the two together to open more
opportunity and jobs for people who want to be
involved in the beauty industry.

Ms. Walter stated the Board does not have the authority to give permission that is contrary to what is in the Cosmetology Law and suggested Ms. Rivera contact her local legislator if she wants to go beyond the distance education and do something in addition to what is already in the Cosmetology Law.

Ms. Walter also noted the apprentice program, where students would get their 2000 hours in a salon and is another option for individuals who want to have salon experience and get their school hours.

Aaron Shenck, Executive Director, Pennsylvania
Association of Private School Administrators, asked
Ms. Rivera for clarification as to what would be
different than the law amended to allow for the up to
50 percent online.

Ms. Rivera stated the practical would be in the salon just as with the CTC schools. She explained that students would complete 50 percent of the hours online and then go into a salon and finish the rest, which would be the practical part of it. She commented that she is essentially proposing a school

21

1 | without a building, which makes it different.

2 Debbie Dunn, Owner, Lancaster School of

3 | Cosmetology/President, Pennsylvania Association of

4 Private School Administrators, asked where she could

5 | find answers to questions concerning the current

6 proposal.

Ms. Walter suggested Ms. Dunn contact Senator

Martin with any questions or concerns. She stated the

Board completed a bill analysis as required, and it is

10 | now with the legislature.

Chair O'Neill thanked Mr. Harris and Ms. Rivera
for their presentation.]

13 \*\*\*

14 Public Comment

15 [Nathan Walk, Owner, Walk with Scissors, (A Nathan

16 Walk Cosmetology Academy), requested information

17 regarding turnaround time in cosmetology school

18 | licensure.

Ms. Eaton informed Mr. Walk that the general

20 processing time is four to six weeks. She stated the

21 application is sent for inspection once it is approved

22 and to allow an additional 10-15 business days for the

23 inspector to contact them.

Linzi Biesinger asked whether Senate Bill 1196

25 and Senate Bill 1197 are specifically limited to high

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22
   school CTCs.
1
2
        Ms. Walter explained that it is only for high
3
   school CTCs and to speak with members of the
   legislature with any concerns.]
                               * * *
5
6
   Adjournment
   CHAIR O'NEILL:
                  Motion to adjourn?
   MS. CRAFT:
10
                  Motion.
11
   MS. BROWN-HAYWOOD:
12
                   I second.
13
   CHAIR O'NEILL:
14
                   Thank you everyone.
15
   [The motion carried unanimously.]
16
17
   [There being no further business, the State Board of
   Cosmetology Meeting adjourned at 11:19 a.m.]
18
                               * * *
19
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I hereby certify that the foregoing summary minutes of the State Board of Cosmetology meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Cosmetology meeting.

CERTIFICATE

Minute Clerk

Sargent's Court Reporting

Service, Inc.

Hannah Bartkowski,

		24
1 2		STATE BOARD OF COSMETOLOGY REFERENCE INDEX
1 2 3 4 5 6 7		May 2, 2022
6 7 8	TIME	AGENDA
9 10	9:00 10:30	Executive Session Return to Open Session
11 12	10:31	Official Call to Order
13 14	10:33	Roll Call
15 16	10:34	Approval of Minutes
17 18	10:35	Report of Board Prosecution
19 20 21	10:46	Report of Board Counsel
21 22 23	10:54	Report of Board Administrator
24 25	10:55	Report of Acting Commissioner
26 27 28	10:56	Appointment - Berks Career & Technology Center
29	11:08	Public Comment
30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50	11:19	Adjournment