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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF COSMETOLOGY
VIA VIDEOCONFERENCE**

TIME: 10:32 A.M.

Monday, March 1, 2021

State Board of Cosmetology
March 1, 2021

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BOARD MEMBERS:

Theodore Stauffer, Executive Secretary, Bureau of Professional and Occupational Affairs, on behalf of K. Kalonji Johnson, Commissioner, Bureau of Professional and Occupational Affairs
Tammy Y. O'Neill, Chair, Professional Member
Felicia Brown-Haywood, Vice Chair, Professional Member - Absent
Tracy E. Bruno, Secretary, Professional Member
Kristal L. Ferron, Consumer Protection Member
Carolyn R. Folk, Professional Member - Absent
Elisa Brown, Professional Member
Stephen J. Szabo, Professional Member
Paul J. DeSabato, Public Member
Nicole Weakland, Professional Member

BUREAU PERSONNEL:

Alexandra "Sasha" Sacavage, Esquire, Board Counsel
Garrett A. Rine, Esquire, Board Prosecution Liaison
James Ritchie Espino Ostman, Esquire, Board Prosecutor
Kayla R. Bolan, Esquire, Board Prosecutor
Carolyn A. DeLaurentis, Deputy Chief Counsel, Prosecution Division
Heather J. McCarthy, Esquire, Senior Prosecutor
Kelly I. Diller, Board Administrator

1 ***

2 State Board of Cosmetology

3 March 1, 2021

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Board entered into Executive Session
7 with Alexandra "Sasha" Sacavage, Esquire, Board
8 Counsel, for the purpose of conducting quasi-judicial
9 deliberation and to receive legal advice regarding
10 items on today's agenda. The Board returned to open
11 session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Cosmetology was held on Monday, March 1,
15 2021. Tammy Y. O'Neill, Chair, Professional Member,
16 called the meeting to order at 10:32 a.m.

17 ***

18 [Alexandra "Sasha" Sacavage, Esquire, Board Counsel,
19 announced the Board met in Executive Session prior to
20 today's meeting. She also reminded everyone the
21 meeting is being recorded, and those attending the
22 meeting are consenting to being recorded.]

23 ***

24 Roll Call

25 [Roll call was taken by Chair O'Neill.]

1 ***

2 Approval of Minutes

3 MS. SACAVAGE:

4 I believe the Board would entertain a
5 motion to approve the minutes from the
6 prior Board meeting on January 4, 2021.

7 Could I have a motion?

8 CHAIR O'NEILL:

9 Motion to approve?

10 MS. WEAKLAND:

11 I approve.

12 MS. BRUNO:

13 I second.

14 CHAIR O'NEILL:

15 All in favor, say aye.

16 [The motion carried unanimously.]

17 ***

18 Report of Prosecutorial Division

19 [Garrett A. Rine, Esquire, Board Prosecution Liaison,
20 presented the Consent Agreement for Case No. 21-45-
21 000545.]

22 ***

23 [Kayla R. Bolan, Esquire, Board Prosecutor, presented
24 the Consent Agreements for Case No. 19-45-003884, Case
25 No. 18-45-005421, and Case No. 18-45-006946.]

1 ***

2 [James Ritchie Espino Ostman, Esquire, Board
3 Prosecutor, presented the Consent Agreement for Case
4 No. 19-45-008112.]

5 ***

6 [Garrett A. Rine, Esquire, Board Prosecution Liaison,
7 notified the Board that the prosecution division came
8 to an agreement with victim/witness advocacy
9 assistance to assist victims of certain crimes or
10 transgressions. He commented that it probably would
11 not fall into the purview of cosmetology as a Board
12 but is open to any victims that may be affected by the
13 transgressions of any respondents.]

14 ***

15 Report of Board Counsel

16 [Alexandra "Sasha" Sacavage, Esquire, Board Counsel,
17 noted the Board considered five Consent Agreements,
18 two Motions to Enter Default and Deem Facts Admitted,
19 two Applications for Review, three Act 41
20 Applications, and five variance requests during
21 Executive Session.]

22 ***

23 MS. SACAVAGE:

24 I believe the Board would entertain a
25 motion to accept the Consent Agreement

1 at agenda Item No. 2, Case No. 21-45-
2 000545.

3 Could I have someone make a motion,
4 please?

5 MS. BROWN:

6 I make a motion.

7 CHAIR O'NEILL:

8 I make the second motion.

9 MS. SACAVAGE:

10 All approve? Any opposed? Any
11 recusals?

12 [The motion carried unanimously. Case No. 21-45-
13 000545 is BPOA v. Brandon Edward Kelly.]

14 ***

15 MS. SACAVAGE:

16 I believe the Board would entertain a
17 motion to reject the Consent Agreement
18 at agenda Item No. 3, Case No. 19-45-
19 003884 because it is too lenient.

20 Could I have a motion?

21 CHAIR O'NEILL:

22 Motion.

23 MS. BRUNO:

24 I second.

25 MS. SACAVAGE:

1 All approve? Any opposed? Recusals?

2 [The motion carried unanimously.]

3 ***

4 MS. SACAVAGE:

5 I believe the Board would entertain a
6 motion to accept the Consent Agreement
7 at agenda Item No. 4, Case No. 19-45-
8 008112.

9 Could I have a motion?

10 CHAIR O'NEILL:

11 I'll make a motion.

12 MS. BROWN:

13 Second.

14 MS. SACAVAGE:

15 All approve? Any opposed? Any
16 recusals?

17 [The motion carried unanimously. Case No. 19-45-
18 008112 is BPOA v. Nation Nails & Spa LLC.]

19 ***

20 MS. SACAVAGE:

21 I believe the Board would entertain a
22 motion to accept the Consent Agreement
23 at agenda Item No. 5, Case No. 18-45-
24 005421.

25 Could I have a motion?

1 CHAIR O'NEILL:

2 Motion.

3 MS. BROWN:

4 Second.

5 MS. SACAVAGE:

6 All in favor? Opposed? Any recusals?

7 [The motion carried unanimously. Case No. 18-45-
8 005421 is BPOA v. Kelly L. Hartman.]

9 ***

10 MS. SACAVAGE:

11 I believe the Board would entertain a
12 motion to accept the Consent Agreement
13 at Case No. 18-45-006946.

14 Could I have a motion?

15 CHAIR O'NEILL:

16 Motion.

17 MS. BROWN:

18 I'll second.

19 MS. SACAVAGE:

20 All in favor? Any opposed? Any
21 recused?

22 [The motion carried unanimously. Case No. 18-45-
23 006946 is BPOA v. Jennifer Steber aka Jennifer Kotch
24 d/b/a The Chop Shop.]

25 ***

1 Motions to Enter Default and Deem Facts Admitted

2 MS. SACAVAGE:

3 Would the Board entertain a motion to
4 grant the motion to Enter Default and
5 Deem Facts Admitted and direct Board
6 counsel to issue a Final Adjudication
7 and Order in due course for Item No. 7,
8 Rain Le, Case No. 17-45-03765?

9 CHAIR O'NEILL:

10 Motion.

11 MS. BRUNO:

12 Second.

13 MS. SACAVAGE:

14 All in favor? Any opposed? Any
15 recusals?

16 [The motion carried unanimously.]

17 ***

18 MS. SACAVAGE:

19 Would the Board entertain a motion to
20 grant the motion to Enter Default and
21 Deem Facts Admitted and direct Board
22 counsel to issue a Final Adjudication
23 and Order in due course for Billy Phan
24 d/b/a Super Nails, Case No. 18-45-
25 007039?

1 Could I have a motion?

2 CHAIR O'NEILL:

3 Motion.

4 MS. WEAKLAND:

5 Second.

6 MS. SACAVAGE:

7 All in favor? Any opposed?

8 [The motion carried unanimously.]

9 ***

10 Applications for Review

11 MS. SACAVAGE:

12 Would the Board entertain a motion to
13 grant the commonwealth appeal and uphold
14 the citation of Britney Kohler d/b/a
15 Revive Spa, Case No. 19-45-004266?

16 Could I have a motion?

17 CHAIR O'NEILL:

18 Motion.

19 MS. BROWN:

20 I second.

21 MS. SACAVAGE:

22 All in favor? Any opposed? Any
23 recusals?

24 [The motion carried unanimously.]

25 ***

1 All in favor? Any opposed? Any
2 recusals?

3 [The motion carried unanimously.]

4 ***

5 MS. SACAVAGE:

6 I believe the Board would entertain a
7 motion to provisionally deny the
8 Variance Request for KB Salon.

9 Could I have a motion?

10 MR. SZABO:

11 I'll make a motion.

12 CHAIR O'NEILL:

13 Second the motion.

14 MS. SACAVAGE:

15 All in favor? Any opposed? Any
16 recusals?

17 [The motion carried unanimously.]

18 ***

19 MS. SACAVAGE:

20 I believe the Board would entertain a
21 motion to provisionally deny the
22 Variance Request for Sunithreads.

23 Could I have a motion?

24 CHAIR O'NEILL:

25 Motion.

1 MR. SZABO:

2 Second.

3 MS. SACAVAGE:

4 All in favor? Any opposed? Any
5 recusals?

6 [The motion carried unanimously.]

7 ***

8 MS. SACAVAGE:

9 I believe the Board would entertain a
10 motion to provisionally deny the
11 Variance Request for Luxy Beauty LLC.
12 Could I have a motion?

13 MS. BRUNO:

14 I'll motion.

15 MS. WEAKLAND:

16 Second.

17 MS. SACAVAGE:

18 All in favor? Any opposed? Any
19 recusals?

20 [The motion carried unanimously.]

21 ***

22 MS. SACAVAGE:

23 Next on the agenda, No. 15, I believe
24 the Board would entertain a motion to
25 provisionally deny the Variance Request

1 for Heart & Sol Salon.

2 Could I have a motion?

3 CHAIR O'NEILL:

4 Motion.

5 MS. BROWN:

6 Second.

7 MS. SACAVAGE:

8 All in favor? Any opposed? Any
9 recusals?

10 [The motion carried unanimously.]

11 ***

12 MS. SACAVAGE:

13 I believe the Board would entertain a
14 motion to provisionally deny the
15 Variance Request for Back Room Nail Bar.

16 May I have a motion?

17 CHAIR O'NEILL:

18 Motion.

19 MS. BRUNO:

20 Second.

21 MS. SACAVAGE:

22 All in favor? Any opposed? Any
23 recusals?

24 [The motion carried unanimously.]

25 ***

1 recusals?

2 [The motion carried unanimously.]

3 ***

4 MS. SACAVAGE:

5 I believe the Board would entertain a
6 motion to provisionally deny the
7 Variance Request of Emerald Beauty and
8 Healing.

9 Could I have a motion?

10 CHAIR O'NEILL:

11 Motion.

12 MS. BROWN:

13 I second.

14 MS. SACAVAGE:

15 All in favor? Any opposed? Any
16 recusals?

17 [The motion carried unanimously.]

18 ***

19 Report of Commissioner - No Report

20 ***

21 Report of Board Chair - No Report

22 ***

23 Report of Board Administrator - No Report

24 ***

25 Report of Committees - No Report

1 ***

2 Miscellaneous

3 [Alexandra "Sasha" Sacavage, Esquire, Board Counsel,
4 noted the next scheduled meeting date is May 3, 2021.

5 Ms. Diller referred to term limits and exam
6 statistics of January 4, 2021 through February 16,
7 2021, on the agenda for the Board's review.

8 Ms. Diller informed the Board that an alternate
9 member was needed for the Probable Cause Screening
10 Committee.

11 Chair O'Neill volunteered to be the alternate
12 member of the Probable Cause Screening Committee.]

13 ***

14 MS. SACAVAGE:

15 Could I have a motion to add Tammy
16 O'Neill as the alternate member of the
17 Probable Cause Committee?

18 MS. BROWN:

19 I motion.

20 MS. BRUNO:

21 I second.

22 MS. SACAVAGE:

23 All in favor? Any opposed? Any
24 recusals?

25 [The motion carried unanimously.]

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Adjournment

MS. SCAVAGE:

Could I have a motion to adjourn the meeting?

MS. BROWN:

I make a motion.

MS. BRUNO:

I second.

MS. SCAVAGE:

All in favor? Opposed? Any recusals?


[The motion carried unanimously.]

[There being no further business, the State Board of Cosmetology Meeting adjourned at 11:04 a.m.]

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CERTIFICATE

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.


Morgan McKendrick,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF COSMETOLOGY
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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:32	Official Call to Order
10:32	Roll Call
10:34	Approval of Minutes
10:34	Report of Prosecutorial Division
10:45	Report of Board Counsel
10:50	Motions to Enter Default and Deem Facts Admitted
10:51	Applications for Review
10:53	Applications
11:00	Miscellaneous
11:04	Adjournment