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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

TIME: 9:02 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

May 1, 2017

State Board of Cosmetology
May 1, 2017

BOARD MEMBERS:

Ian J. Harlow, Commissioner of
Professional and Occupational Affairs - Absent
Stephen A. Wallin, Teacher, Professional Member, Chair
James Farrell, Public Member, Vice Chair
Deborah S. Neatock, Public Member, Secretary
Susanne M. Philo, Professional Member
Jade E. Roetz, Professional Member - Absent
Francesca M. DiSanti, Professional Member - Absent
Elisa Gonzalez, Professional Member
Jennifer Thomson, Consumer Protection Member
Addrean Hahn, Professional Member

BUREAU PERSONNEL:

Ariel O'Malley, Esquire, Board Counsel
Glenn Masser, Esquire, Board Prosecutor
Timothy Smith, Esquire, Board Prosecutor
Caroline Bailey, Esquire, Board Prosecutor
Kelly I. Diller, Board Administrator

ALSO PRESENT:

Henry Pelusi, Studio of Elegance
Erin Boyd, Whirligig
Tami Obremski, Artisan Colour Spa
Sabria Gasper, Artisan Designs
Debbie Weidner, DeRielle Cosmetology Academy
Lillian Brown, DeRielle Cosmetology Academy
Jessica Duggan, Aesthetics with Jessica
Mike Barley, Passion
R.J. Ewanco, Passion
Stephen Szabo
PA Representative Dom Costa
Steven Zidian
Chris Lawondo
Vince Savinelli
Doug Zavinen
Brian Duggan
Bernie Cordial, Chief of Business Licensing
S.J. Szabo

1 ***

2 State Board of Cosmetology

3 May 1, 2017

4 ***

5 [The regularly scheduled meeting of the State
6 Board of Cosmetology was held on Monday, May 1, 2017.
7 Stephen A. Wallin, Teacher, Professional Member,
8 Chair, officially called the meeting to order at 9:02
9 a.m. The Pledge of Allegiance was recited. A roll
10 call was taken.]

11 ***

12 Approval of Minutes of the March 6, 2017 meeting

13 CHAIRPERSON WALLIN:

14 Can I have a motion to approve the
15 minutes?

16 MS. PHILO:

17 I will make the motion to approve.

18 MS. GONZALEZ:

19 I will second.

20 CHAIRPERSON WALLIN:

21 Are there any questions or comments?

22 All those in favor, please signify by
23 saying aye? Any opposed?

24 [The motion carried unanimously.]

25

1 Report of Prosecutorial Division

2 [Glenn Masser, Esquire, Board Prosecutor, on behalf of
3 Kenneth Suter, Esquire, reported on Consent Agreement
4 for File No. 15-45-02157.]

5 ***

6 [Timothy Smith, Esquire, Board Prosecutor, on behalf
7 of Kenneth Suter, Esquire, reported on Consent
8 Agreement for File No. 15-45-13657.]

9 ***

10 Report of Board Counsel

11 [Ariel O'Malley, Esquire, Board Counsel, informed
12 members of old information being added to the Agenda
13 from the stored files drives. She noted that File No.
14 15-45-12800 was the only file that should be listed on
15 the Agenda. She noted that File No. 14-45-12226
16 should not be on the Agenda.

17 Ms. O'Malley noted three bills, seven variance
18 requests and two applications to be discussed during
19 Executive Session. Additionally, the Board was asked
20 to consider the application for Shawna Mitchell and a
21 Variance Request for the Market Hair Experience.

22 Ms. O'Malley discussed House Bill 846, which
23 permits an owner of a cosmetology salon converting to
24 a limited practice salon to continue operating under
25 its cosmetology salon license until expiration.

1 Ms. O'Malley discussed House Bill 553, which
2 permit the licensure of mobile salons, as well as
3 Senate Bill 485. Shen then answered questions
4 regarding these three bills.

5 Ms. O'Malley discussed a Consent to Amend
6 Petition for Review, a Petitioner's Application for
7 Summary Brief, and a Petitioner's Brief in Support of
8 its Application for Summary.]

9

10 Audience Introduction

11 [Audience members were asked to identify themselves.]

12

13 Presentation

14 [Tami Obremski, Artisan Colour Spa, addressed the
15 Board regarding an illegal booth rental at the Sola
16 Salons. Counsel explained that the salons have been
17 compliant and suggested that Ms. Obremski file
18 information with the Professional Compliance Office
19 with regard to her concerns, which would then trigger
20 an investigation of the Bureau of Enforcement and
21 Investigation.]

22

23 Appointments

24 [Jessica Duggan, Aesthetics with Jessica, presented to
25 the Board to appeal the variance of the bathroom at

1 her facility. She provided a layout of her facility
2 to the Board members. The Board will discuss this
3 matter later in the meeting.]

4

5 [Representative Dom Costa updated the Board on the
6 forthcoming legislation. He also discussed a
7 Companion Bill to Senator Cavello's Bill. He
8 suggested with putting legislation through to meet
9 every month. Representative Costa also recommended
10 that Ms. Obremski go to the District Attorney of
11 Allegheny County because her business was breached.]

12

13 [Mr. Henry Pelusi, Pittsburgh, Pennsylvania, updated
14 the Board on mobile salons relating to hairstylists
15 being robbed, complaints of dumping water, and
16 chemicals in yards, and no facilities for handicap
17 individuals.]

18

19 Report of Regulatory Counsel - No Report.

20

21 Report of Commissioner - No Report.

22

23 Application

24 [Ms. Erin Boyd, Whirligig, presented to the Board
25 requesting a space variance for a one-stylist salon in

1 Queen Village, Philadelphia.]

2 ***

3 Items for Discussion

4 [Ms. Debbie Neatock discussed and answered questions
5 regarding the 600-hour online cosmetology training
6 requirement affecting most schools in Pennsylvania
7 whose students cannot complete the program.

8 Requirement hours for on the floor are 300 for
9 cosmetologists, 75 hours for estheticians, and 50 for
10 nail technicians. Ms. Neatock suggested fewer hours
11 of online training. Lancaster County will be the
12 first public high school system to close the
13 cosmetology program.]

14 ***

15 [The Board recessed from 9:57 a.m. until 10:01 a.m.]

16 ***

17 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
18 10:01 a.m. the Board entered into Executive Session
19 with Ariel O'Malley, Esquire, for the purpose of
20 conducting quasi-judicial deliberations on matters
21 that are currently pending before the Board and to
22 receive advice of Counsel. The Board returned to open
23 session at 11:29 a.m.]

24 ***

25 [The Board recessed from 11:29 a.m. until 11:35 a.m.]

1 ***

2 MOTIONS:

3 MS. O'MALLEY:

4 The Board was just in Executive Session
5 conducting quasi-judicial deliberations
6 on matters that are currently pending
7 before the Board as well as receiving
8 the advice of the Counsel.

9 I'm going to start with Items 2 and
10 3. I believe the Board would entertain
11 a motion to reject the Consent Agreement
12 at Item Number 2, File No. 15-45-02157.

13 MS. PHILO: I'll make the motion.

14 CHAIRPERSON WALLIN:

15 Thank you. Do we have a second?

16 MS. GONZALEZ:

17 Second.

18 CHAIRPERSON WALLIN:

19 Are there any questions? All those in
20 favor, signify by saying aye? Any
21 opposed? Abstentions?

22 [The motion carried unanimously.]

23 ***

24 MS. O'MALLEY:

25 Next, I believe the Board would

1 entertain a motion to accept the Consent
2 Agreement at File No. 15-45-13657.

3 MS. NEATOCK:

4 I make the motion.

5 CHAIRPERSON WALLIN:

6 Okay. Deborah makes the motion.

7 MS. PHILO:

8 I'll second.

9 CHAIRPERSON WALLIN:

10 Philo seconds it. Any questions? All
11 those in favor, signify by saying aye?
12 Any opposed? Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. O'MALLEY:

16 Moving on to Adjudications and Orders.
17 I believe the Board would entertain a
18 motion to approve the Final Adjudication
19 and Orders in the following cases:
20 David Hines, File No. 15-45-08557; Nail
21 Trix, File No. 15-45-13229; Shawneen
22 Bentley, File No. 15-45-01270; Erica
23 Hernandez, File No. 16-45-12450; and
24 Cara Cowan, File No. 16-45-07894.

25 CHAIRPERSON WALLIN:

1 Is there a motion?

2 MS. PHILO:

3 I'll make the motion.

4 CHAIRPERSON WALLIN:

5 Thank you.

6 MR. FARRELL:

7 Second it.

8 CHAIRPERSON WALLIN:

9 By James Farrell. All those in favor,
10 signify by saying aye? Any opposed?

11 Abstentions?

12 [The motion carried unanimously.]

13 ***

14 MS. O'MALLEY:

15 Moving on to Motions for Default. I
16 believe the Board will entertain a
17 motion to grant the Motion to Enter
18 Default and Deem Facts Admitted and for
19 Counsel to draft an Adjudication in
20 accordance with discussions in
21 Executive Session in the case of
22 Ashley Chen, File No. 15-45-12800.

23 CHAIRPERSON WALLIN:

24 Do we have a motion?

25 MS. PHILO:

1 I'll make the motion.

2 CHAIRPERSON WALLIN:

3 Sue Philo.

4 MS. HAHN:

5 Second it.

6 CHAIRPERSON WALLIN:

7 I'll give that to Addrean Hahn. All
8 those in favor, signify by saying aye?
9 Any opposed? Abstentions?

10 [The motion carried unanimously.]

11 ***

12 MS. O'MALLEY:

13 Moving on to Hearing Examiner Proposed
14 Adjudication and Orders. I believe the
15 Board would entertain a motion for
16 Counsel to draft an Adjudication and
17 Order in accordance with discussions in
18 Executive Session in the cases of
19 Rosemary Abruzzese, File No. 15-45-
20 12157 as well as Quiana Harris, File
21 No. 15-45-07081.

22 MS. NEATOCK:

23 I make the motion.

24 CHAIRPERSON WALLIN:

25 Ms. Neatock makes the motion.

1 MS. PHILO:

2 Sue Philo seconds it.

3 CHAIRPERSON WALLIN:

4 All those in favor, signify by saying
5 aye? Any opposed? Abstentions?

6 [The motion carried unanimously.]

7 ***

8 MS. O'MALLEY:

9 Next, I believe the Board would enter a
10 motion to adopt the Proposed
11 Adjudications and Orders as the Final
12 Adjudications and Orders from the cases
13 of Liudviga Drobot, File No. 16-45-
14 1024; Lindsey Komorowski, File No. 16-
15 45-10410; Loan Nguyen, File No. 16-45-
16 07239; Antonio Scott, File No. 16-45-
17 07405; David Zepeda, File No. 16-45-
18 12449; and Sarah Spencer, File No. 16-
19 45-12404.

20 CHAIRPERSON WALLIN:

21 Is there a motion?

22 MS. PHILO:

23 I'll make the motion.

24 MS. GONZALEZ:

25 Second.

1 CHAIRPERSON WALLIN:

2 Elisa Gonzalez with a second. All those
3 in favor, signify by saying aye? Any
4 opposed? Abstentions?

5 [The motion carried unanimously.]

6 ***

7 MS. O'MALLEY:

8 Moving on to Item Number 34. I believe
9 the Board would entertain a motion to
10 deny the request of Tameika Rosemond.

11 MS. NEATOCK:

12 I make a motion.

13 MS. PHILO:

14 I'll second.

15 CHAIRPERSON WALLIN:

16 We got a motion and a second. All those
17 in favor, signify by saying aye? Any
18 opposed? Abstentions?

19 [The motion carried unanimously.]

20 ***

21 MS. O'MALLEY:

22 Moving on to Applications. I believe
23 the Board would entertain a motion to
24 grant the variance request of The Gloss
25 Society, Item Number 36 as well as

1 Elements Skin Care, Item 39.

2 MS. PHILO:

3 I'll make the motion.

4 CHAIRPERSON WALLIN:

5 We have a motion from Sue Philo.

6 MS. GONZALEZ:

7 Second.

8 CHAIRPERSON WALLIN:

9 Elisa Gonzalez seconds it. Any
10 questions on these? All those in favor,
11 signify by saying aye? Any opposed?
12 Abstentions?

13 [The motion carried unanimously.]

14 ***

15 MS. O'MALLEY:

16 I believe the Board would entertain a
17 motion to deny the variance request of
18 the following applicants: item number
19 35, Whirligig; Item number 37, Miracle
20 Eyebrows; and Item number 41, Lotus
21 Hair and Skin Studio.

22 MR. FARRELL:

23 I make a motion.

24 CHAIRPERSON WALLIN:

25 We have a motion from James Farrell.

1 MS. HAHN:

2 Addrean Hahn is our second.

3 CHAIRPERSON WALLIN:

4 Any questions? All those in favor,
5 signify by saying aye? Any opposed?
6 Abstentions?

7 [The motion carried unanimously. Ms. O'Malley noted
8 for the record that Items Number 38 and 40 will be
9 receiving correspondence for additional information.]

10 ***

11 MS. O'MALLEY:

12 Okay. Items Number 42 and 43. I
13 believe the Board would entertain a
14 motion to grant the applications to the
15 licensure exam in the cases of Maria
16 Santiago as well as Magdelyn Santana.

17 CHAIRPERSON WALLIN:

18 Is there a motion for us, please?

19 MS. PHILO:

20 I'll make the motion.

21 MS. GONZALEZ:

22 I'll second.

23 CHAIRPERSON WALLIN:

24 All those in favor, signify by saying
25 aye? Any opposed? Abstentions?

1 [The motion carried unanimously.]

2

3 MS. O'MALLEY:

4 Moving on to Item Number 44. I believe
5 the Board would entertain a motion for
6 Counsel to draft either a Memorandum
7 Order or an Adjudication and Order for
8 the case of Jessica Duggan Aesthetics
9 with Jessica/Strong Women and Wellness.

10 [Ms. O'Malley further discussed the matter with the
11 Board. The Board agreed to direct Ms. O'Malley to
12 issue an order without further review of the Board.]

13 MS. O'MALLEY:

14 I'm still going to need you to vote on
15 drafting the order.

16 MS. PHILO:

17 I'll make that motion.

18 MS. NEATOCK:

19 Second.

20 [Ms. O'Malley explained the motion to the audience
21 members.]

22 CHAIRPERSON WALLIN:

23 We have a motion and a second. Any
24 additional comments or questions?
25 All those in favor, signify by saying

1 aye? Any opposed? Abstentions?

2 [The motion carried unanimously.]

3 ***

4 MS. O'MALLEY:

5 We'll start with the Examination
6 Applications. I believe the Board will
7 entertain a motion to provisionally deny
8 the Application of Shawna Mitchell.

9 MS. PHILO:

10 I make the motion.

11 MS. HAHN:

12 Second.

13 CHAIRPERSON WALLIN:

14 We have a motion and a second. All
15 those in favor, signify by saying aye?
16 Any opposed? Abstentions?

17 [The motion carried unanimously.]

18 ***

19 MS. O'MALLEY:

20 The two variances that were provided
21 by Kelly Diller. I believe the Board
22 would entertain a motion to grant the
23 variances in the case of Homestead
24 Village Salon as well as Market Hair
25 Experience.

1 MS. NEATOCK:

2 I make a motion.

3 MS. GONZALEZ:

4 Second.

5 CHAIRPERSON WALLIN:

6 Debbie Neatock made a motion and Elisa
7 Gonzalez is the second. Any additional
8 comments or questions? All those in
9 favor, signify by saying aye? Any
10 opposed? Abstentions?

11 [The motion carried unanimously.]

12 ***

13 CHAIRPERSON WALLIN:

14 We have a motion and a second. All
15 those in favor, signify by saying aye?
16 Any opposed? Abstentions?

17 [The motion carried unanimously.]

18 ***

19 Miscellaneous

20 [Chairperson Wallin noted the next meeting date is
21 July 10, 2017.]

22 ***

23 Report of Committees

24 [It was noted that since the last meeting 20 variance
25 requests were received for space and lavatories.]

1 Twelve were decided and approved by the committee, and
2 8 were referred to the Board, which were discussed.]

3 ***

4 Active License Count

5 [Chairperson Wallin referred Board members to the
6 packet relating to active license counts and exam
7 statistics.]

8 ***

9 [It was noted a new Board member had been appointed
10 and will be in attendance at the Board's next meeting.
11 It was also noted that Debbie Neatock was reappointed
12 and sworn in that morning.]

13 ***

14 Adjournment

15 CHAIRPERSON WALLIN:

16 I'll take a motion to adjourn if there
17 are no other requests?

18 MS. NEATOCK:

19 Motion to adjourn.

20 CHAIRPERSON WALLIN:

21 Do we have a second, please?

22 MR. FARRELL:

23 Second it.

24 CHAIRPERSON WALLIN:

25 Jim seconds it.

1 CHAIRPERSON WALLIN:

2 All those in favor, signify by saying
3 aye? Any opposed? Abstentions?

4 [The motion carried unanimously.]

5 ***

6 [The meeting adjourned at 11:46 a.m.]

7 ***

8

9 CERTIFICATE

10

11 I hereby certify that the foregoing summary
12 minutes of the State Board of Cosmetology meeting, was
13 reduced to writing by me or under my supervision, and
14 that the minutes accurately summarize the substance of
15 the State Board of Cosmetology meeting.

16

17

18

Corey Elizabeth Summers

19

Corey Elizabeth Summers

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Minute Clerk

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Sargent's Court Reporting

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Service, Inc.

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25

STATE BOARD OF COSMETOLOGY
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TIME	AGENDA
9:02	Official Call to Order
9:02	Pledge of Allegiance
9:02	Roll Call
9:03	Approval of Minutes
9:04	Report of Prosecutorial Division
9:07	Report of Commission Counsel
9:18	Introduction of Audience
9:19	Presentation by Tami Obremski
9:25	Appointments
9:40	Application of Erin Boyd, Whirligig
9:44	Items for Discussion
9:57	Recess
10:01	Return to Open Session
10:01	Executive Session
11:29	Return to Open Session
11:29	Recess
11:35	Return to Open Session
11:35	Motions
11:44	Miscellaneous
11:45	Report of Committees
11:46	Adjournment