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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: 9:00 a.m.

BOARD ROOM C

One Penn Center

2601 North Third Street

Harrisburg, Pennsylvania 17110

Monday, September 11, 2017

1 ***

2 State Board of Cosmetology

3 September 11, 2017

4 ***

5 The regularly scheduled meeting of the State
6 Board of Cosmetology was held on Monday, September 11,
7 2017. Stephen A. Wallin, Teacher, Professional
8 Member, Chair, called the meeting to order at 9:01
9 a.m. The Pledge of Allegiance was recited. The Board
10 held a moment of silence for 911 victims. Chair
11 Wallin welcomed Jacob Derrick, present on behalf of
12 Ian Harlow. Roll call was taken.

13 Jade E. Roetz, Professional Member, was not
14 present at the commencement of the meeting.

15 ***

16 [Jade E. Roetz, Professional Member, entered the
17 meeting at 9:05 a.m.]

18 ***

19 Approval of Minutes of the February 6, 2017 meeting

20 CHAIRMAN WALLIN:

21 Do I have a motion to approve the
22 minutes for the special meeting of
23 February 6, please?

24 MS. NEATOCK:

25 I make a motion.

1 CHAIRMAN WALLIN:

2 Thank you.

3 MS. PHILO:

4 I'll second.

5 CHAIRMAN WALLIN:

6 We have a motion and a second. Is there
7 anybody who has any questions about
8 that, comments?

9 [Kelly I. Diller, Board Administrator, noted minutes
10 were not put on the agenda for the special meeting.]

11 CHAIRMAN WALLIN:

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

16 [The motion carried unanimously.]

17 ***

18 Approval of Minutes of the July 10, 2017 meeting

19 CHAIRMAN WALLIN:

20 Can I have a motion to approve the
21 minutes from the July 10 meeting,
22 please?

23 MR. FARRELL:

24 Motion made.

25 CHAIRMAN WALLIN:

1 We have a motion, Mr. Farrell.

2 MS. DISANTI:

3 Second.

4 CHAIRMAN WALLIN:

5 Ms. DiSanti is our second. Are there
6 any comments, questions? Hearing none.
7 All those in favor, please signify by
8 saying aye? Any opposed? Abstentions?

9 [The motion carried unanimously.]

10 ***

11 Report of Prosecutorial Division

12 [Caroline Bailey, Esquire, Board Prosecution,
13 presented the Consent Agreement for File No. 15-45-
14 13096.]

15 ***

16 [Timothy Smith, Esquire, Board Prosecution, presented
17 the Consent Agreement for File No. 16-45-03022.]

18 ***

19 Report of Board Counsel

20 [Ariel O'Malley, Esquire, Board Counsel, noted two
21 draft Adjudications and Orders, five proposed
22 Adjudications and Orders, and one Citation Appeal.

23 Ms. O'Malley reported there were no changes in
24 the bill report since last time. In the probation
25 offer report, 15 more offers were sent with 16

1 additional acceptances. She noted three applications
2 for review along with four variance requests and an
3 additional variance request for discussion in
4 Executive Session. She also mentioned Item No. 14 on
5 the agenda.]

6 ***
7 Report of Commissioner - No Report

8 ***
9 Report of Board Chairman - No Report

10 ***
11 Report of Board Administrator - No Report

12 ***
13 Correspondence

14 [Tracy E. Bruno, Professional Member, addressed the
15 Board members regarding salon owners with a booth
16 rental or salon space with 1099 people who say there
17 are partnerships and are not paying taxes. Ms. Bruno
18 suggested a federal tax identification number be
19 obtained.

20 She noted salons utilizing a credit card swipe to
21 run their businesses. She stated that if the business
22 is a partnership, then all partnership members should
23 be on that license to ensure the proper tax dollars
24 are being paid.

25 Ms. O'Malley stated these matters need to be

1 brought to the attention of the Professional
2 Compliance Office by filing a complaint.

3 She also suggested a meeting with the Bureau of
4 Enforcement and Investigation, possibly including the
5 Prosecution Division.

6 Mr. Ewanco informed the Board members that he
7 addressed that situation with the Bureau of
8 Professional and Occupational Affairs and the
9 Prosecutorial Division. He noted business
10 relationships between individuals are not checked.]

11 ***

12 Introduction of Audience

13 [Chairman Wallin requested the introduction of
14 audience members.

15 ***

16 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
17 9:21 a.m. the Board entered into Executive Session
18 with Ariel O'Malley, Esquire, Board Counsel, and for
19 the purpose of conducting quasi-judicial deliberations
20 On matters that are currently pending before the Board
21 and to receive advice of Counsel. The Board returned
22 to open session at 10:29 p.m.]

23 ***

24 MOTIONS

25 MS. O'MALLEY:

1 I believe the Board would entertain a
2 motion to accept the Consent Agreements
3 at File No. 15-45-13096 and File No. 16-
4 45-03022.

5 CHAIRMAN WALLIN:

6 Anybody?

7 MS. NEATOCK:

8 I'll make the motion.

9 CHAIRMAN WALLIN:

10 Good.

11 MS. HAHN:

12 Second.

13 CHAIRMAN WALLIN:

14 Good. We got Addrean to second. All
15 those in favor? Any opposed?

16 Abstentions?

17 [The motion carried unanimously. The Respondent's
18 name for File No. 15-45-13096 is Urban Connection.
19 The Respondent's name for File No. 16-45-03022 is Thu
20 Nguyen dba Waterlilly Spa.]

21 ***

22 MS. O'MALLEY:

23 I believe the Board would entertain a
24 motion to approve the draft
25 adjudications as the final adjudications

1 of the Board in the cases of Image Y
2 Style Dominican Hair Salon at File No.
3 14-45-14237, as well as Walter Sewell at
4 File No. 15-45-12499.

5 CHAIRMAN WALLIN:

6 We have a motion?

7 MS. PHILO:

8 I'll make the motion.

9 CHAIRMAN WALLIN:

10 Thank you, Sue.

11 MS. NEATOCK:

12 I'll second.

13 CHAIRMAN WALLIN:

14 Thanks, Deb. Any questions? All those
15 in favor, signify by saying aye?

16 Opposed? Abstentions?

17 [The motion carried unanimously.]

18 ***

19 MS. O'MALLEY:

20 I believe the Board would entertain a
21 motion to adopt the following proposed
22 Adjudications and Orders as the final
23 order of the Board in the cases of
24 Dolores Joyce at File No. 15-45-14989,
25 Nail by Van at File No. 15-45-10291, 16-

1 45-01325 is for Pro Nails, as well as
2 Jerimyah Rabinowitz at File No. 17-45-
3 03921.

4 CHAIRMAN WALLIN:

5 We have a motion?

6 MS. DISANTI:

7 I motion.

8 MR. FARRELL:

9 Second.

10 CHAIRMAN WALLIN:

11 We have a motion and a second. All
12 those in favor, signify by saying aye?
13 Opposed? Abstentions?

14 [The motion carried unanimously.]

15 ***

16 MS. O'MALLEY:

17 At Item No. 8, Martha's Beauty Salon and
18 Boutique Unisex at File No. 14-45-00849.

19 I believe the Board would entertain a
20 motion for counsel to draft an
21 adjudication in accordance with the
22 discussions in Executive Session.

23 MS. ROETZ:

24 Motion.

25 CHAIRMAN WALLIN:

1 Jane made the motion.

2 MS. THOMPSON:

3 I'll second.

4 CHAIRMAN WALLIN:

5 All those in favor, signify by saying
6 aye? Opposed? Abstentions?

7 [The motion carried unanimously.]

8 ***

9 MS. O'MALLEY:

10 Moving on to Item No. 12. I believe the
11 Board would entertain a motion to uphold
12 the Citation issues to Vicky's African
13 American Hair Braiding at File No. 16-
14 45-13500.

15 MS. PHILO:

16 I'll make the motion.

17 CHAIRMAN WALLIN:

18 Thank you, Sue.

19 MR. FARRELL:

20 Second.

21 CHAIRMAN WALLIN:

22 Thank you, Jim. All those in favor,
23 signify by saying aye? Opposed?
24 Abstentions?

25 [The motion carried unanimously.]

1 ***

2 MS. O'MALLEY:

3 I believe the Board would entertain a
4 motion to deny the variance request of
5 the following facilities: The Beauty
6 Bar Lounge, LLC at Item No. 16, Bloom
7 Enhancements at Item No. 20, Permanent
8 Makeup and Skin Care at Item No. 21,
9 Couture Aesthetics which was a hard copy
10 handed out by Ms. Diller prior to the
11 meeting.

12 MS. NEATOCK:

13 I make the motion.

14 CHAIRMAN WALLIN:

15 Thank you, Deb.

16 MS. PHILO:

17 Thank you, Sue.

18 CHAIRMAN WALLIN:

19 All those in favor, signify by saying
20 aye? Opposed? Abstentions?

21 [The motion carried unanimously.]

22 ***

23 MS. O'MALLEY:

24 I believe the Board would entertain a
25 motion to approve the variance request

1 on Item No. 22 for Heads Above All
2 Hairstyling.

3 MS. PHILO:

4 I make the motion.

5 MR. FARRELL:

6 I second.

7 CHAIRMAN WALLIN:

8 We have a motion and a second. All
9 those in favor, signify by saying aye?
10 Opposed? Abstentions?

11 [The motion carried unanimously.]

12 ***

13 MS. O'MALLEY:

14 I believe the Board would entertain a
15 motion to provisionally deny the
16 application of the following applicants:
17 Sareena Kennedy, Alicia Armstrong, Tina
18 Do, and Barbara Shafran, which was a
19 hard copy handed out by Ms. Diller.

20 MS. PHILO:

21 I'll make the motion.

22 CHAIRMAN WALLIN:

23 Thank you.

24 MS. DISANTI:

25 I'll second.

1 for November 6, 2017.]

2 ***

3 Pass/Fail Report

4 [Chairman Wallin noted satisfaction with the Pass/Fail
5 Report.]

6 ***

7 Adjournment

8 CHAIRMAN WALLIN:

9 Motion to adjourn?

10 MR. FARRELL:

11 Motion made.

12 MS. HAHN:

13 Second.

14 CHAIRMAN WALLIN:

15 Thank you. Motion to adjourn and a
16 second. All those in favor, signify by
17 saying aye? Any opposed?

18 [The motion carried unanimously.]

19 ***

20 [There being no further business, the State Board of
21 Cosmetology meeting adjourned at 10:49 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.



Adam Beck,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF COSMETOLOGY
REFERENCE INDEX
September 11, 2017

	TIME	AGENDA
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2		
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5		
6		
7	9:01	Official Call to Order
8		
9	9:02	Pledge of Allegiance
10		
11	9:03	Roll Call
12		
13	9:03	Approval of Minutes
14		
15	9:05	Report of Prosecutorial Division
16		
17	9:08	Report of Board Counsel
18		
19	9:11	Correspondence
20		
21	9:20	Introduction of Audience
22		
23	9:21	Executive Session
24	10:29	Return to Open Session
25		
26	10:29	Motions
27		
28	10:48	Report of Variance Committee
29		
30	10:49	Adjournment
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