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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: 10:36 A.M.

Monday, January 4, 2021

State Board of Cosmetology
January 4, 2021

BOARD MEMBERS:

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

BUREAU PERSONNEL:

Shana M. Walter, Esquire, Board Counsel
Jaime D. Black, Esquire, Board Counsel
Garrett A. Rine, Esquire, Board Prosecution Liaison
Carolyn A. DeLaurentis, Deputy Chief Counsel,
Prosecution Division
Heather J. McCarthy, Esquire, Senior Prosecutor
James Ritchie Espino Ostman, Esquire, Board Prosecutor
Kayla R. Bolan, Esquire, Board Prosecutor
Alexandra "Sasha" Sacavage, Esquire, Board Counsel
Kelly I. Diller, Board Administrator
Theodore Stauffer, Executive Secretary, Bureau of
Professional and Occupational Affairs
Marc Farrell, Deputy Policy Director, Department of
State
Kimberly Adams, Chief of Fiscal Management, Bureau of
Finance and Operations, Department of State

ALSO PRESENT:

Kyle Schaffer, Gmerek Government Relations, Inc.
Jen Smeltz, Executive Director, Senate Consumer
Protection & Professional Licensure Committee
Jerry J. Livingston, Democratic Executive Director,
Senate Consumer Protection & Professional Licensure
Committee
Shannon Snell, Research Analyst, Democratic House
Professional Licensure Committee
Aaron Shenck, Executive Director, Pennsylvania
Association of Private School Administrators

1 ***

2 State Board of Cosmetology

3 January 4, 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 Shana M. Walter, Esquire, Board Counsel, and
8 Jaime D. Black, Esquire, Board Counsel, for the
9 purpose of conducting quasi-judicial deliberation and
10 to receive legal advice regarding items on today's
11 agenda. The Board returned to open session at 10:30
12 a.m.]

13 ***

14 The regularly scheduled meeting of the State
15 Board of Cosmetology was held on Monday, January 4,
16 2021. Tammy Y. O'Neill, Chair, Professional Member,
17 called the meeting to order at 10:36 a.m.

18 ***

19 [Shana M. Walter, Esquire, Board Counsel, reminded
20 everyone the meeting was being recorded, and those
21 remaining on the call were consenting to being
22 recorded.]

23 ***

24 [Roll call was taken.]

25 ***

1 [Tammy Y. O'Neill, Chair, Professional Member,
2 welcomed Nicole Weakland and Paul DeSabato to the
3 Board.]

4 ***

5 Approval of Minutes

6 CHAIR O'NEILL:

7 We have to get approval of minutes from
8 our November 2 meeting.

9 Could I get a motion?

10 MS. BROWN-HAYWOOD:

11 I motion.

12 MS. BROWN:

13 Second.

14 CHAIR O'NEILL:

15 Thank you. Thank you.

16 [The motion carried unanimously.]

17 ***

18 Report of Prosecutorial Division

19 [Garrett A. Rine, Esquire, Board Prosecution Liaison,
20 introduced and welcomed Kayla Bolan as a new member to
21 the prosecution division and business team. He
22 provided a summary of her professional background.]

23 ***

24 [Kayla R. Bolan, Esquire, Board Prosecutor, presented
25 the Consent Agreement for Case No. 18-45-006946.]

1 ***

2 [Shana M. Walter, Esquire, Board Counsel, announced
3 that she and Ms. Black are moving to different board
4 assignments within the counsel division and will be
5 leaving the Board of Cosmetology. She introduced
6 Sasha Sacavage as the new counsel for the Board.

7 Alexandra "Sasha" Sacavage, Esquire, Board
8 counsel, expressed her excitement to be starting with
9 the Board of Cosmetology and offered her assistance
10 and contact information.]

11 ***

12 Report of Board Counsel

13 [Shana M. Walter, Esquire, Board Counsel, noted six
14 adjudications and orders and two motions to enter
15 default and deem facts admitted.]

16 ***

17 MS. BLACK:

18 Would the Board entertain a Motion to
19 Adopt the Adjudications and Orders of
20 Jessica Peavy, Case No. 19-45-004294;
21 Kristin Zimmerman, Case No. 19-45-
22 006733; Jonathan Ezell d/b/a Styles by
23 Jon, Case No. 17-45-03766; Nail Trix,
24 Case No. 18-45-04072; Melonie Johns,
25 Case No. 19-45-006375; and Antoine

1 Lovelace t/d/b/a Lace'd, Case No. 17-45-
2 10797 & 18-45-003812?

3 CHAIR O'NEILL:

4 Could I have a motion for all in favor?

5 MS. BROWN-HAYWOOD:

6 I motion.

7 MS. BRUNO:

8 I second.

9 MS. BLACK:

10 Any opposed?

11 [The motion carried unanimously.]

12 ***

13 MS. BLACK:

14 Would the Board entertain a motion to
15 grant the Motion to Enter Default and
16 Deem Facts Admitted and direct Board
17 counsel to draft an Adjudication and
18 Order in due course for Candace Frisbie,
19 Case No. 17-45-02273 and Regina Cahill,
20 Case No. 17-45-04317?

21 MS. FOLK:

22 I'd like to make a motion.

23 CHAIR O'NEILL:

24 Could I get a second to the motion?

25 MS. BROWN-HAYWOOD:

1 I second.

2 MS. BLACK:

3 All in favor, say aye. Any opposed?

4 [The motion carried unanimously.]

5 ***

6 Report of Prosecutorial Division (Continued)

7 [James Ritchie Espino Ostman, Esquire, Board

8 Prosecutor, presented the Consent Agreement for Case

9 No. 18-45-007048.]

10 ***

11 MS. WALTER:

12 I believe the Board would entertain a
13 motion to reject the Consent Agreements
14 on the agenda at Item No. 2 at Case No.
15 18-45-007048 and Item No. 3 at Case No.
16 18-45-006946.

17 CHAIR O'NEILL:

18 Could I get a motion?

19 MS. FOLK:

20 I'd like to make a motion.

21 MS. BROWN:

22 I'll second.

23 MS. WALTER:

24 All in favor, say aye. Any opposed?

25 [The motion carried unanimously.]

1 ***

2 Applications

3 MS. WALTER:

4 I believe the Board would entertain a
5 motion to deny the Variance Request of
6 Platinum Hair Studio.

7 CHAIR O'NEILL:

8 Could I have a motion for denial?

9 MS. FOLK:

10 I'd like to make a motion.

11 MS. BRUNO:

12 I second.

13 CHAIR O'NEILL:

14 All in favor, say aye. Any opposed?

15 [The motion carried unanimously.]

16 ***

17 MS. WALTER:

18 Number 13 on the agenda is the Variance
19 Request of The Standard Salon by LC.

20 I believe the Board would entertain
21 a motion to deny the request.

22 CHAIR O'NEILL:

23 Could I have a motion?

24 MR. SZABO:

25 I'll make the motion to deny the

1 request.

2 MS. BRUNO:

3 I'll second.

4 CHAIR O'NEILL:

5 All in favor, say aye. Any opposed?

6 [The motion carried unanimously.]

7 ***

8 MS. WALTER:

9 Number 14 on the agenda, I believe the
10 Board would entertain a motion to deny
11 the Variance Request of Her Lashes &
12 Esthetics.

13 MS. BROWN-HAYWOOD:

14 I make a motion to deny.

15 MR. SZABO:

16 I'll second that motion.

17 CHAIR O'NEILL:

18 All in favor, say aye. Any opposed?

19 [The motion carried unanimously.]

20 ***

21 MS. WALTER:

22 Number 15, I believe the Board would
23 entertain a motion to grant the Act 41
24 Application of Anna Muraviova.

25 MS. BROWN-HAYWOOD:

1 I make a motion.

2 MS. FOLK:

3 I second.

4 CHAIR O'NEILL:

5 All in favor, say aye. Any opposed?

6 [The motion carried unanimously.]

7 ***

8 Report of Commissioner - No Report

9 [K. Kalonji Johnson, Commissioner, Bureau of
10 Professional and Occupational Affairs, wished everyone
11 a happy New Year. He thanked new Board members for
12 their important work for the citizens of the
13 commonwealth and offered his assistance.]

14 ***

15 Report of Board Chair - No Report

16 [Tammy Y. O'Neill, Chair, Professional Member, also
17 welcomed Ms. Weakland and Mr. DeSabato.

18 Chair O'Neill congratulated Ms. Walter and Ms.
19 Black and wished them luck.

20 Chair O'Neill mentioned the big turnaround in
21 2020 for the school and salon industry but is hopeful
22 the industry will come back big and strong in 2021.]

23 ***

24 Report of Board Administrator - No Report

25 Kelly I. Diller, Board Administrator, shared Chair

1 O'Neill's sentiments, noting big changes losing Ms.
2 Walter and Ms. Black but welcomed Ms. Sacavage to the
3 Board.]

4

5 Appointment - Bureau of Finance and Operations Annual
6 Budget Presentation

7 [Kimberly Adams, Chief of Fiscal Management, Bureau of
8 Finance and Operations, Department of State, addressed
9 licensee population from a revenue standpoint. She
10 noted a licensee count in 2016 of 133,328 with a
11 decline of 8,629 in 2018 to 124,699 with an increase
12 by 4,229, giving a current licensee population of
13 128,928. She provided an update from this morning
14 showing an increase of 234 licensees and a current
15 licensee population of 129,162.

16 Ms. Adams noted revenue by source. She stated
17 94.4% of the revenue is coming from renewals and
18 applications. She reviewed categories and actual
19 revenue for FY 2018-2019 and FY 2019-2020, noting the
20 biennial total. She mentioned the Board approved an
21 incremental fee increase starting in FY 2021-2022 for
22 licensees.

23 Ms. Adams provided a categorical breakdown of
24 expenses for FY 2018-2019 and FY 2019-2020 with a
25 current budget for FY 2020-2021 and expenses as of

1 December 17, 2020. She noted a recent increase in
2 expenses. She stated the budget projected was
3 adequate.

4 Ms. Adams reviewed revenues and expenses for FY
5 2020-2021, noted the budget. She explained renewal
6 and application fee increases planned for FY 2020-2021
7 will bring that negative balance up to a positive
8 balance.

9 Ms. Adams reviewed Board member expenses, noting
10 current expenses and the current budget of \$15,000 for
11 FY 2020-2021. She noted current expenses as of
12 December 17, 2020. She stated any excess money not
13 used will remain in the restricted account for the
14 Board's use.

15 Ms. Folk questioned the amount for the travel
16 budget.

17 Ms. Adams explained the target number as used for
18 several years was adequate and not adjusted.]

19 ***

20 Appointment - Carolyn A. DeLaurentis, Esquire, Deputy
21 Chief Counsel, Prosecution Division Presentation
22 [Carolyn A. DeLaurentis, Esquire, Deputy Chief
23 Counsel, Prosecution Division, provided highlights of
24 the prosecution division's work during the past year.
25 She commended staff for all of their hard work to make

1 telework successful. She noted all decisions were
2 made thoughtfully and with the safety of all in mind.

3 Ms. DeLaurentis stated the Board prosecutors made
4 every effort to monitor the restrictions, waivers,
5 policies, and new procedures specific to the practice
6 in each profession regarding challenges imposed on
7 licensees by the COVID-19 pandemic.

8 Ms. DeLaurentis noted the Pennsylvania Licensing
9 System (PALS) to be a lifeline. She stated the Bureau
10 of Enforcement and Investigation (BEI) worked closely
11 with prosecution to continue investigations and figure
12 out the best methods during statewide shutdowns and
13 stay-at-home orders. She also noted the Professional
14 Compliance Office continued opening cases and
15 processing files, and legal assistants have been a
16 hybrid schedule to ensure mailings and filings are
17 completed.

18 Ms. DeLaurentis commented that Board staff and
19 counsel all have adapted to virtual Board meetings and
20 prosecution will continue to work with everyone to
21 ensure efficient and effective presentation and
22 resolution of cases. She mentioned 2020 was a year
23 filled with challenges, but the prosecution division
24 led by the incredible senior staff rose to the
25 challenge and will continue to do so.

1 Ms. DeLaurentis thanked Tim Smith for his
2 assistance providing 2020 information. She informed
3 the Board that 2,128 cases were opened in 2020, noting
4 an increase from 2019 at 1,474. She noted 1,204
5 closed cases overall and 1,936 open cases as of
6 January 1.

7 Ms. DeLaurentis addressed enforcement actions
8 with 227 total cases that resulted in Board discipline
9 in 2020. She reported 245 warning letters with 8
10 cases resulting in fines, 174 cases resulting in
11 citation fines, 35 suspensions, 3 automatic
12 suspensions, 14 reprimands, and 22 probation cases in
13 2020.

14 Ms. DeLaurentis discussed 2020 overall
15 prosecution review. She noted 44 immediate temporary
16 suspensions. She mentioned one-third of the 1,223
17 open COVID-19 cases are for the Board of Cosmetology.
18 She reported the total number of open cases for the
19 prosecution division as of January 1 is 12,250, total
20 number of cases opened for the year is 13,394, and
21 total number of files closed is 13,274.]

22 ***

23 [Commissioner Johnson addressed audio/videoconferences
24 that have expanded the reach of the Board in terms of
25 public outreach and public participation. He

1 mentioned great working relationships with executive
2 directors for the legislative oversight committees in
3 the House and Senate. He mentioned members of the
4 policy office also frequently attend.

5 Commissioner Johnson commented that virtual
6 meetings provide a greater level of participation than
7 Penn Center and mentioned the importance of capturing
8 the best elements of technology and integrating them
9 with social interaction in the future.]

10 ***

11 Report of Committees - No Report

12 ***

13 Variance Committee Report - No Report

14 ***

15 Miscellaneous

16 [Tammy Y. O'Neill, Chair, Professional Member, noted
17 exam statistics October 1, 2020 to December 21, 2020.]

18 ***

19 Adjournment

20 CHAIR O'NEILL:

21 Could I get a motion to adjourn the
22 meeting for today?

23 MS. BROWN-HAYWOOD:

24 I make a motion to adjourn.

25 MS. BRUNO:

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Second.

CHAIR O'NEILL:

All in favor?

[The motion carried unanimously.]

[There being no further business, the State Board of
Cosmetology Meeting adjourned at 11:24 a.m.]

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.



Derek Richmond,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF COSMETOLOGY
REFERENCE INDEX

January 4, 2021

	TIME	AGENDA
1		
2		
3		
4		
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7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:36	Official Call to Order
13		
14	10:37	Roll Call
15		
16	10:39	Approval of Minutes
17		
18	10:40	Report of Prosecutorial Division
19		
20	10:44	Report of Board Counsel
21		
22	10:49	Report of Prosecutorial Division (cont.)
23		
24	10:52	Applications
25		
26	10:58	Appointment - Bureau of Finance and Operations Annual Budget Presentation
27		
28		
29	11:08	Appointment - Carolyn A. DeLaurentis, Esquire, Deputy Chief Counsel, Prosecution Division Presentation
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32		
33	11:23	Miscellaneous
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35	11:24	Adjournment
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