

SOUTH DAKOTA COSMETOLOGY COMMISSION MEETING MINUTES

March 10, 2010

1. Call Meeting to Order

The regular meeting of the Cosmetology Commission was called to order by President Jacquelyn Dahlquist on Wednesday, March 10, 2010 at 8:00 a.m. in the Cosmetology Commission Office, Pierre, South Dakota.

2. Roll Call

Attendance was taken by Secretary-Treasurer Lois Porch, with the following members present: Pat Clark, Jackie Dahlquist, Ila Davis, Lois Porch, and Nora Slykhuis. Staff present: Kate Boyd, Executive Director, Debra Bierman, Central Area Inspector.

3. Minutes

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY LOIS PORCH, TO APPROVE THE MINUTES OF THE JANUARY 13, 2010 MEETING AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

4. Treasurer's Report

Lois Porch reported that as of February 28, 2010 the available budget was \$71,659.62, and the cash center balance was \$122,216.17.

IT WAS MOVED BY ILA DAVIS, SECONDED BY PAT CLARK, TO APPROVE THE TREASURER'S REPORT AS PRESENTED. THE MOTION PREVAILED ON A VOICE VOTE.

5. Executive Director's Report

Executive Director Kate Boyd reported on various items; the written report is incorporated as Attachment 1. Items of special note included:

Salons In Nursing Homes & Assisted Living Centers -- The Commission gave guidance to the staff on nursing homes and assisted living centers and when a salon license is required.

Reciprocity Testing Guidelines - An individual moving to South Dakota from another state questioned why she would be required to retake the NIC esthetics exams, if she had recently taken the NIC theory and practical test. The Commission clarified that with our fragmented licenses, past legal advice had been that the Commission can require nail technicians and estheticians to retake all the tests, but allow cosmetologists to only take the SD Laws test.

Violations - There was general discussion about the handling of unsigned complaint forms or forms that are signed but the individual who alleges the violation is unwilling to testify if the case would end up in a disciplinary hearing. It was acknowledged that this will be an on-going issue, especially in some of the small communities around the state.

6. Disciplinary Actions

Case L-2007 - Dawn's Dazzlin Looks - This has been an on-going case for some time. The Violations Committee recommended that the salon license be revoked for failure to comply with terms of an agreement signed in March 2009.

IT WAS MOVED BY ILA DAVIS, SECONDED BY PAT CLARK, TO REVOKE THE SALON LICENSE OF DAWN'S DAZZLIN LOOKS. THE MOTION PREVAILED ON A ROLL CALL VOTE, WITH VIOLATIONS COMMITTEE CHAIR NORA SLYKHUIS ABSTAINING.

7. OLD BUSINESS

7.a. Tammie Wood - Apprenticeship Application

Tammie Wood from Spearfish had requested that she be allowed to teach an apprentice in her salon. Tammie is licensed as a senior instructor. All the required paperwork had been submitted and Commission President Jackie Dahlquist and Inspector Janie Norlin conducted an interview on February 17 with Tammie and Brooke, the proposed apprentice, using the Commission's checklist of requirements. President Dahlquist stated that things were in order at Tammie's salon and recommended that the apprenticeship be approved. Upon approval, the apprenticeship would start, with weekly reports being filed with the Commission office, and monthly inspections being conducted by the inspector. At the end of three months, the Commission would need to approve the continuation of the apprenticeship.

IT WAS MOVED BY LOIS PORCH, SECONDED BY NORA SLYKHUIS, TO APPROVE THE ABOVE NOTED APPRENTICESHIP BEGINNING ON MARCH 15, 2010 FOR A THREE-MONTH TRIAL PERIOD. THE MOTION PREVAILED ON A VOICE VOTE.

7.b. Central Area Inspector Position - Status of Hiring Process

Debra Bierman, the newly hired central area inspector was introduced to the Commission. Debra lives in Aberdeen and will work out of her home there.

8. NEW BUSINESS

8.a. Desaree & Company School of Beauty - School License Renewal Request

IT WAS MOVED BY NORA SLYKHUIS, SECONDED BY PAT CLARK, TO APPROVE DESAREE & COMPANY SCHOOL OF BEAUTY SCHOOL LICENSE RENEWAL APPLICATION. THE MOTION PREVAILED ON A VOICE VOTE.

8.b. Stewart School - Electric Nail File Provider Application

IT WAS MOVED BY ILA DAVIS, SECONDED BY NORA SLKYHUIS, TO APPROVE STEWART SCHOOL AS A 2010 PROVIDER OF THE 8-HOUR ELECTRIC NAIL FILE EDUCATION CLASS. THE MOTION PREVAILED ON A VOICE VOTE.

9. OTHER BUSINESS

• Nail Technician Applicant Request to Retake Written Exams for the 8th Time

Thu Hoa Thi Ngo has written to the Commission to request permission to retake the written nail technician theory exam for the 8th time. Following discussion, IT WAS MOVED BY PAT CLARK, SECONDED BY LOIS PORCH, TO REQUIRE THU HOA THI NGO TO TAKE 100 HOURS OF NAIL TECHNICIAN THEORY CLASSES AT A SOUTH DAKOTA COSMETOLOGY

SCHOOL AND HAVE A PASSING GRADE FROM THE SCHOOL'S FINAL THEORY TEST PRIOR TO REAPPLYING TO TAKE THE NAIL TECHNICIAN THEORY EXAMINATION. THE MOTION PREVAILED ON A VOICE VOTE.

• **School Visits**

The Commission discussed conducting school visits during 2010. It was agreed to put this item on the next meeting agenda. At that time, dates can be considered and hopefully finalized.

10. Upcoming Meeting Dates

Several important upcoming meetings were noted and are shown below:

- 10.a. March 19-21, 2010 - NIC Region Meeting - Las Vegas
- 10.b. April 18 & 19, 2010 - NIC Examiner Training - Pierre
- 10.c. April 19, 2010 - Annual Inspectors Meeting - Pierre
- 10.d. May 3-4, 2010 - State Board Testing & Commission Meeting

It was agreed that the Commission will hold its next meeting at 5:00 p.m. on Monday, May 3, 2010, following the State Board examinations to be held that day.

Adjournment

IT WAS MOVED BY PAT CLARK, SECONDED BY NORA SLYKHUIS, TO ADJOURN. THE MOTION PREVAILED ON A VOICE VOTE.

The meeting adjourned at 10:45 a.m.

Respectfully submitted by:

Kate Boyd, Recording Secretary

and _____
Lois Porch, Secretary-Treasurer

Attest:

Jackie Dahlquist, President

Nora Slykhuis, Vice President

Pat Clark, Member

Ila Davis, Member

Attachment 1

EXECUTIVE DIRECTOR'S REPORT - March 10, 2010

Our March 10, 2010 agenda is not very long, so I thought this might be a good meeting to discuss and give some guidance to the staff on some current policies and procedures. If Commission members have other items you would like discussed, this may be a good meeting for this kind of general review and discussion.

1. **Assisted Living Centers** - Discuss guidelines for where to put salons
2. **Reciprocity Guidelines** - Staff would like some guidance from the Commission
3. **Violations Procedures** - Review Current Procedures
4. **Inspector Territories** - The territories have been revised, with the hiring of an inspector who lives in Aberdeen.
5. **Administrative Rules Revision** - This process will be moved forward within the next few weeks.
6. **Independent Instructor Education Plan** - Valerie Meiners of Spearfish had been approved at the June 30, 2009 Commission meeting to pursue an independent Instructor Education Plan. She phoned the office on March 9, 2010 to state that she has not done this. I informed her that if she wishes to pursue this in the future, she will need to reapply to the Commission.