

Meeting Minutes
SOUTH DAKOTA COSMETOLOGY COMMISSION
Pierre, South Dakota
April 12, 2019 (CDT)

Secretary-Treasurer Crystal Carlson called the meeting to order at 8:30 am on Friday, April 12, 2019. The meeting was held via conference call.

Secretary-Treasurer Crystal Carlson read the roll and a quorum was established.

Members Present: Crystal Carlson
Lori Little
Debbie Pageler

Members Absent: Tami Stokes
Tammy Ugofsky

Others Present: Graham Oey, Staff Attorney, Department of Labor & Regulation
Kate Boyd, Executive Director
Angela Taylor, Stewart School

Debbie Pageler made a motion to approve the agenda. Crystal Carlson seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lori Little made a motion to approve the February 12, 2019 meeting minutes as presented. Debbie Pageler seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Treasurer Crystal Carlson stated that as of March 31, 2019, the available funds balance was \$52,468.85 and the cash center balance was \$155,597.84.

The Executive Director's Report was included in the meeting handouts and included the following information: (1) reminder that the NIC 2019 Conference will be held in Milwaukee, Wisconsin September 7-9, preceded by the Executive Directors Meeting September 5-6, 2019; (2) HB 1111 passed the Legislature and was signed into law by the Governor to waive professional and occupational licensure fees for active duty military members and their spouses, with the new law going into effect July 1, 2019; the two-tier esthetics task force did not meet the previous day and it will be rescheduled to early summer and held in Pierre; (4) the staff has begun preliminary work on updates to the administrative rules.

Lapsed Case 1-2019- Lori Little made a motion to approve the Consent Agreement for with the following terms:

- a. Ms. Rice's license will be suspended for 15 days beginning April 22, 2019.
- b. The 15 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of her license pursuant to SDCL 36-15-38.5.

Debbie Pageler seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 2-2019- Debbie Pageler made a motion to approve the Consent Agreement for with the following terms:

- a. Ms. Josephsen Booth's license will be suspended for 5 days beginning April 22, 2019.
- b. The 5 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of her booth license pursuant to SDCL 36-15-38.5.

Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 4-2019- Crystal Carlson made a motion to approve the Consent Agreement for with the following terms:

- a. Ms. Ageton Booth's license will be suspended for 5 days beginning April 22, 2019.
- b. The 5 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of her booth license pursuant to SDCL 36-15-38.5.

Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 5-2019- Lori Little made a motion to approve the Consent Agreement for with the following terms:

- a. Ms. Huber Booth's license will be suspended for 15 days beginning April 22, 2019.
- b. The 15 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of her booth license pursuant to SDCL 36-15-38.5.

Crystal Carlson seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 6-2019- Debbie Pageler made a motion to approve the Consent Agreement for with the following terms:

- a. Cut Rite Salon's license will be suspended for 10 days beginning April 22, 2019.
- b. The 10 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of the salon license pursuant to SDCL 36-15-38.5.

Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 7-2019- Lori Little made a motion to approve the Consent Agreement with the following terms:

- a. Ms. Hopkins license will be suspended for 10 days beginning April 22, 2019.
- b. The 10 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of her license pursuant to SDCL 36-15-38.5.

Crystal Carlson seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 9-2019- Debbie Pageler made a motion to approve the Consent Agreement for with the following terms:

- a. A Cut Above Salon's license will be suspended for 10 days beginning April 22, 2019.
- b. The 10 days will be held in abeyance if following conditions are observed:
 - 1) Comply with all laws and regulations of the Commission.
 - 2) Payment for the immediate reinstatement of the salon license pursuant to SDCL 36-15-38.5.

Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Lapsed Case 10-2019- Crystal Carlson made a motion to approve the Consent Agreement for with the following terms:

- c. The Hairline Salon's license will be suspended for 15 days beginning April 22, 2019.
- d. The 15 days will be held in abeyance if following conditions are observed:
 - 3) Comply with all laws and regulations of the Commission.
 - 4) Payment for the immediate reinstatement of the salon license pursuant to SDCL 36-15-38.5.

Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

The meeting was open for public comment, with no comments received.

Crystal Carlson made a motion to approve the electric file pre-approved provider application submitted by Revive Day Spa. Debbie Pageler seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Debbie Pageler made a motion to approve the electric file pre-approved provider application submitted by Headlines Academy. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Debbie Pageler made a motion to approve the microdermabrasion pre-approved provider application submitted by Headlines Academy. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent not/voting; Ugofsky absent/not voting).

Debbie Pageler made a motion to approve the Stewart School license renewal application. Crystal Carlson seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Debbie Pageler made a motion to accept Jamie Adame Marino's 600 Esthetics Education hours from Ridgewater College, Willmar, Minnesota. Lori Little seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

The Commission reviewed the current policy on State Board Examination testing requirements for reciprocity applicants. Several different options were presented for the Commission's consideration.

Crystal Carlson made a motion to only require taking/passage of the South Dakota Cosmetology Laws/Rules exam, provided the applicant has taken a theory and practical examination in another state. The exception is that if an applicant is seeking reciprocity from a state that does not administer a hands-on practical examination, the practical exam will be waived if the applicant has a year or more of experience. This policy will apply to all reciprocity applicants, including cosmetology, esthetics and nail technology. Debbie Pageler seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

The Commission was asked to review the upcoming meetings and events for the remainder of 2019. Executive Director Boyd commented that we will likely need to add in two additional cosmetology State Board exam dates in late July or early August, due to the large number of students completing their education this summer.

The school visits originally scheduled for Stewart School in Sioux Falls and Lake Area Technical Institute Cosmetology Program in Watertown were cancelled due to the weather.

Crystal Carlson made a motion to adjourn. Debbie Pageler seconded the motion. **MOTION PASSED.** (Carlson yea; Little yea; Pageler yea; Stokes absent/not voting; Ugofsky absent/not voting).

Secretary-Treasurer Carlson adjourned the meeting at 9:10 am.

Respectfully submitted,

Kate Boyd, Executive Director

Crystal Carlson, Secretary-Treasurer

**SOUTH DAKOTA COSMETOLOGY COMMISSION
EXECUTIVE DIRECTOR'S REPORT**

April 12, 2019

1. 2019 NIC Conference – Milwaukee, WI

September 5-6, 2019 – Executive Directors Meeting
September 7-9, 2019 – NIC Conference

Several weeks ago, I sent a mailing to Commission members with Out-of-State Travel Request forms to sign and return if you are interested in submitting an out-of-state travel request to attend this year's NIC Conference. If you are interested in submitting a travel request, please send your signed travel request back to the office or let me know if you need new forms.

- 2. Military Spouses** – HB 1111, pertaining to professional and occupational licensure for active duty military members and their spouses has been signed into law. It will go into effect on July 1, 2019. At that time state agencies administering licensing programs under Title 36 will license active duty military members or their spouses during the term of their assignment to the state of South Dakota as long as certain conditions are met. Those conditions are that the applicant is already licensed by another state, in good standing in that state, and their military services requires them to live in South Dakota. All fees for licensure are waived under this bill.

- 3. Two-Tier Esthetics** – The two Commission members that volunteered for the two-tier esthetics task force agreed to delay the meeting that was originally planned for April 11, 2019. The task force meeting will be planned for later in the Spring or in the Summer. The meeting will be held in Pierre to facilitate attendees from various locations around the state.

- 4. Administrative Rules Updates** – The staff has begun preliminary work on updates to the administrative rules. We will be scheduling a meeting to include Commission members Tammy Ugofsky and Tammy Stokes, as well as Commission staff, including the inspectors.