

DRAFT

SOUTH DAKOTA COSMETOLOGY COMMISSION
Minutes
November 17, 2008

The regular meeting of the Cosmetology Commission was called to order by President Jacquelyn Dahlquist on Monday, November 17, 2008 at 4:35 p.m. in the Cosmetology office, Pierre, South Dakota.

Roll call was taken by Secretary/Treasurer Lois Porch, with the following members present: Pat Clark, Jacquelyn Dahlquist, Ila Davis, Lois Porch, and Nora Slykhuis. Staff present: Susan Monge, Executive Director. Others present: Shannon George-Larson, Department of Labor; Valerie Rowen, Pierre; Jamie Clark-McFarland, Rapid City; Joyce Vos, SD Board of Massage Therapy Executive Secretary; and SD Board of Massage Therapy members Laura Woitte, Sioux Falls; Tom Charron, Rapid City; Tim Faiman, Rapid City; and Rebecca Dykema, Aberdeen.

Minutes

A MOTION WAS MADE by Nora Slykhuis, seconded by Pat Clark, to accept the minutes of September 29, 2008. The motion passed.

Treasurer's Report

Lois Porch reported that as of 10/31/2008 the available budget was \$133,465.04, and the cash center balance was \$60,210.60.

A MOTION WAS MADE by Ila Davis, seconded by Nora Slykhuis, to approve the Treasurer's report. The motion passed.

Disciplinary Actions

Executive Session

A MOTION WAS MADE by Pat Clark, seconded by Ila Davis, to go into executive session at 4:50 p.m. to confirm with legal counsel Shannon George-Larson on cases S-2007 and V-2007. The motion passed.

A MOTION WAS MADE by Lois Porch, seconded by Ila Davis, to come out of executive session at 5:10 p.m. The motion passed.

A MOTION WAS MADE by Lois Porch, seconded by Nora Slykhuis, to approve the consent order for S-2007. A voice vote was taken: Clark-yes, Dahlquist-yes, Davis-abstain since she was part of the Investigating Committee, Porch, yes, Slykhuis, yes. The motion passed by a majority.

A MOTION WAS MADE by Nora Slykhuis, seconded by Lois Porch, to approve the consent order for V-2007. A voice vote was taken: Clark-yes, Dahlquist-yes, Davis-abstain since she was part of the Investigating Committee, Porch, yes, Slykhuis, yes. The motion passed by a majority.

Monge announced that Catherine (Katie) Duenwald who was introduced as our new attorney at the last meeting has taken another position. The Department of Labor is advertising for a new attorney.

Executive Director's Report

Susan Monge reported on numerous issues (attachment #1.)

The Commission encouraged the staff to accept credit and debit cards from the licensees. Monge will research and plan the procedures and report back to the Commission.

The Commission requested that the Certificate of Passed Salon/Booth be kept to the small size, but suggested the format could be changed to make it more formal.

The Commission will review the Executive Director's authority at the next meeting.

The decision was made to send out the survey with each renewal. This is a way to get licensee input on a number of subjects with the main subject being continuing education. The Commission will consider continuing education at a later date.

Committee Reports

There were no committee reports.

Old Business

Proposed Law Changes for Schools and Branch

The proposed law changes have been submitted to the Department of Labor.

NIC National Meeting report – Wyoming – October 25-27

Dahlquist and Davis gave verbal reports of the meeting. Monge distributed a written report. Discussion was held on exam security, the use of lasers for hair, disinfection to prevent infections and blood born pathogens. Dahlquist was re-elected Vice-President of NIC for the upcoming year.

Scope of License Handout with Massage Therapy Board

The Massage Therapy Board met with the Commission. The MT board stated that they felt that their licensees could provide services using body wraps and scrubs as long as the "intent" was for massage and not skin beautification. Dahlquist stated that the concern of our commission was the safety of the public and that both boards need to work together to protect the public. Both the Commission and the MT board discussed that "intent" may be the measurement for both the service and the product being used. It was decided not to send out a mailing together, but to inform our licensees through our various newsletters.

Instructor Seminar

Monge distributed the final budget report. The Bureau of Personnel charged the Commission less than expected for the two courses so the black. The registration fee is set based on the costs so next year the registration fee will be lower.

New Business

2009 Proposed Newsletter

The Commission reviewed the proposed 2009 newsletter. Monge suggested some changes which were approved.

Proposed State Laws Testing and SMT

Monge was requested to prepare a security statement similar to the NIC statement for the state laws test that would then be signed by the candidates.

Monge was requested to contact NIC and Schroder Measurement Technology (SMT) to discuss having the state laws test handled by SMT. SMT would review the test questions, print the test questions, and then score the answer sheets. Cost is unknown at this time and no date is set to start this change.

EXECUTIVE DIRECTOR'S REPORT – November 17, 2008 - ATTACHMENT #1

1. Janie Norlin of Belle Fourche has been hired as the new inspector. Janie has been a cosmetologist for 30+ years and has owned both a large salon and a home salon over these years. She started with us on October 9th. She trained the week of October 13 for three days with Dossett, Johnson, and LaBrie during which the Rapid City schools were inspected. She met with office staff for training on Oct 22. She had an additional two-day training with LaBrie the week of October 27.
2. I have discussed with President Dahlquist, our DOL contact, and our secretary Nina Fromm, to have the secretary position work additional hours due to increased office work load, especially during testing.
3. In order to save mailing costs and time regarding our commission meetings, I am suggesting that our upcoming agenda, draft minutes, and meeting handouts be posted on our website and interested parties can access that information from the site. The Commission would still receive a paper mailing, but we would not send mailings to the inspectors, schools, attorneys, and any other interested party.
4. An additional testing date for esthetics and nails has been scheduled for Monday, December 15. Dahlquist and Slykhuis will be the practical examiners.
5. The end-of-the year inspector meeting has been scheduled for Tuesday, December 2. We will schedule it through the DDN in order to save travel costs. Most of the inspections will be completed by December 8, 2008.
6. Larry Walters from NIC will give his security report in January.
7. We have two full testing days (November 17 and 18) and added a third half-day of testing to accommodate the number of candidates requesting to be tested.
8. Our new web page design has been completed and a new site name. New site name is cosmetology.sd.gov. A list of our licensed salons will be available on our web page and through the Open SD website.
9. I would like to research accepting credit and debit cards.
10. Our space contract will be up for renewal in 2009. Are there any changes the Commission wants to the space?
11. Should we consider having the Certificate of Passed Inspection in a different size and format?
12. The Commission's newsletter for 2008 won the NIC one-page newsletter award at the NIC conference. That is the second year in a row we have won.
13. We need to discuss putting the Executive Director's authority in writing.
14. I am suggesting we include a survey in the 2009 renewals. The survey would be on whether or not to require continuing education. I would like to suggest that we offer our Protection course to any salon or licensee that would like to see it. Either we could 1) send them a CD to review it on their computer

or 2) we could have it presented (see the newsletter) by certain commissioners and inspectors or 3) we could have it on our web page for review.