

Meeting Minutes
SOUTH DAKOTA COSMETOLOGY COMMISSION
via Microsoft Teams or Call: +1 605.679.7263
Thursday, May 14, 2024, 10:00 a.m. CDT

Vice President Graf (Graf) called the meeting to order at 10:01 a.m. CDT. Executive Director Evins (Evins) called the roll. A quorum was present.

Members Present: Kathy Hofer
Renee Graf
Karma Sanner
Trish Bates

Members Absent: None

Others Present: Tyler Evins, Executive Director
Gerald McCabe, Counsel
Mary Rasmussen, Cosmetology Inspector
Fallon Helm, Revive Apprentice Salon
Peggy Sproat, Paul Mitchell
Angela Taylor, Stewart School
Savannah Thorne, Lash Spa Boutique
Jason Pettigrew
Taylor Hornig
Melissa Regan, Paul Mitchell
Mary Popkes, Paul Mitchell
Danielle Bouwman, Stewart School

Agenda Item C was tabled until the next meeting.

Sanner requested adding two discussion items to the meeting agenda: vagueness in certain Cosmetology Commission laws and rules and the creation of new license types.

Bates made a motion to approve the agenda as amended. Sanner seconded the motion. **MOTION PASSED.**

Sanner made a motion to approve the January 18, 2024, meeting minutes. Bates seconded the motion. **MOTION PASSED.**

Executive Director Tyler Evins (Evins) reported that the available cash balance was \$162,066.35.

Evins gave his report, during which he introduced Ela Petersen, the new Education and Licensing Coordinator. Evins also provided an update about the progress toward offering remote, online-based state board examinations.

No comments were made during the public comment portion of the meeting.

The Commission considered and discussed a request for an exemption to the requirement that each cosmetology salon have a shampoo bowl installed. The request is related to a salon license application by Michael Specht.

Sanner made a motion to deny the request for an exemption to the shampoo bowl requirement. Commissioner Hofer (Hofer) seconded the motion. **MOTION PASSED.**

The Commission considered and discussed three consent agreements (available in meeting packet). Bates made a motion to approve the consent agreements for James Nguyen, Cuong Hoang, and Shana Robbins. Sanner seconded the motion. **MOTION PASSED.**

The Commission considered and discussed a request from Perla Samantha Olivares-Johnson (Olivares-Johnson) for the restoration of her operator, salon, and instructor licenses.

Bates made a motion to allow Olivares-Johnson to apply for the restoration of her operator license, by completing the license application and paying the associated fee. Sanner seconded the motion. **MOTION PASSED.**

A discussion was held on the process for evaluating reciprocity applications and transfer students when the license and/or education was received in a foreign country.

Sanner made a motion to accept the education or license of an applicant only if the applicant can provide written certification that the education or license is approved by the relevant government authority and meets the requirements of the Commission. Hofer seconded the motion. **MOTION PASSED.**

A discussion was held about whether the Commission should consider requiring all license applicants to take and pass the South Dakota Laws and Rules Examination. A committee was appointed to consider this topic consisting of Sanner, Bates, Evins, and legal counsel.

A discussion was held about whether the requirements for instructor continuing education should be modified. A committee was appointed to consider this topic consisting of Sanner, Bates, Evins, and legal counsel.

A discussion was held about formally eliminating the South Dakota Cosmetology Practical Examination.

Hofer made a motion to eliminate the practical examination requirement for licensure as a cosmetologist, esthetician, or nail technician. Sanner seconded the motion. **MOTION PASSED.**

A discussion was held about the difficulty of determining if a non-preapproved provider for instructor continuing education or certification courses is legitimate and/or if its curriculum meets the requirements of the Commission.

Sanner made a motion to require that prospective providers of continuing education and certification courses complete an application and be approved prior to offering a course to licensees. Hofer seconded the motion. **MOTION PASSED.**

Gerald McCabe provided the Commission with a legislative update about 2024 HB 1233.

A discussion was held about the permissible use of lances by Commission licensees.

Hofer made a motion to enter executive session. Sanner seconded the motion. **MOTION PASSED.** The Commission entered executive session at 11:45 a.m. and at 11:51 a.m. the Commission exited executive session without any discussion due to technical difficulties.

The Commission considered and discussed a student license application for Applicant A.

Hofer made a motion to approve the student license application for Applicant A. Sanner seconded the motion.
MOTION PASSED.

Sanner made a motion to adjourn the meeting. Bates seconded the motion. **MOTION PASSED.**

The meeting adjourned at 11:56 a.m. CDT.