

**NORTH DAKOTA STATE BOARD OF COSMETOLOGY**  
**March 16, 2020 MINUTES**

The meeting was held at the board office. Maureen Wanner called the meeting to order at 10:00 am.

**Present:** Maureen Wanner, Magen Buchholz, Tenalee Tangen, Miranda Stanley, Eunice Smith, Sue Meier, and Attorney Sandra Depountis, **Guest:** Attorney; Allyson Hicks via phone

**Minutes:** Eunice Smith moved, seconded by Tenalee Tangen to approve the minutes of the February 18, 2019 meeting. Motion carried unanimously.

**Savanna Luger:** Sandra DePountis recused herself from this matter and Allyson Hicks stepped in as legal counsel for the Board. Savannah's attorney proposed some changes to the conditional dismissal she received from the board. The board discussed and decided to propose the changes be that point D remain the same as originally stated, and that on page two it shall state that "she cannot perform invasive skin care services under her esthetician license". Magen Buchholz made a motion to make these changes to the document. Miranda Stanley seconded the motion. Motion carried unanimously.

**Allyce Halverson complaint:** After reviewing the complaint against the Hair Academy, it was determined that there was not enough evidence that the reaction was caused by chemical burns. There was no doctor report. The board decided to send a letter to the school addressing the matter and emphasizing the importance to take proper precautions and prevent any chemical from ever touching the face of a client. Tenalee Tangen made a motion not to take disciplinary action against the Hair Academy at this time. Also to send a letter to Allyce thanking her for bringing this to the board's attention and state that we will be addressing her concerns with the school and if she would like to pursue this further, she may seek advice of a private attorney. Magen Buchholz seconded the motion. Motion carried unanimously.

**Heaven Nail Spa:** The salon is currently on probation for sanitation violations. There was continuing sanitation violations during a re inspection on 3-11-20. Miranda Stanley made a motion to take disciplinary action against Heaven Nail Spa, and to authorize Sandra to offer a settlement agreement of closing for one day to have the entire staff attend a cleaning and disinfecting class, and a fine of \$500. The class must be set up by April 15, 2020. Magen Buchholz seconded the motion, Motion carried unanimously.

**Brent and Shelly Shlafmann:** They requested to be inspected during the months that they are in ND. If they are not available for inspection continuing forward, and if they do not utilize their ventilation system, the Board may consider disciplinary action. Miranda Stanley made a motion to have Sandra send a letter outlining their responsibilities under the law. Magen Buchholz seconded the motion. Tenalee Tangen recused herself from the vote. Motion carried unanimously.

**Jessica Schaff:** There has still not been a signed settlement agreement received by the salon. She is currently licensed. Magen Buchholz made a motion to send a letter allowing her to settle by April 1, 2020 or the Board will move forward with formal disciplinary action. Eunice Smith seconded the motion. Tenalee Tangen recused herself from the vote. Motion carried unanimously.

**Garrett Kittelson:** His license expired in 2018. We now treat him as an initial applicant. Under ND law he must take the ND law exam and pay the original license fee of \$15.

**ND ARMA seminar:** Tenalee Tangen made a motion to approve Magen and Sue to attend the seminar. Miranda Stanley seconded the motion. Motion carried unanimously.

**Hotel/meeting room contracts for May 16<sup>th</sup> 2020:** Tenalee Tangen made a motion to accept the contract with the Holiday Inn in Fargo. Eunice Smith seconded the motion. Motion carried unanimously.

**Information on presenters for May 16<sup>th</sup> Inspector seminar:** Discussed topics that would be beneficial to have presented on. Bullying, motivation and self-health were among some discussed. Miranda also mentioned finding someone to speak on ergonomics.

**Workforce Development meetings:** Shared the dates on which the council has scheduled meetings regarding occupational licensing. March 25 (all 1:30-4:30), April 29, May 27<sup>th</sup>, June 24, July 29. Maureen will attend the March 25<sup>th</sup> meeting.

**Rules of cleaning and disinfecting poster:** Tenalee Tangen made a motion to approve the poster to be printed at the price of \$189 for 2000 posters. Miranda Stanley seconded the motion. Motion carried unanimously.

**Financial Statement:** Magen Buchholz made a motion to approve the February 2020 financial statement. Eunice Smith seconded the motion. Motion carried unanimously.

**Approved licenses:** Eunice Smith made a motion to ratify the approval of the licenses. Miranda Stanley seconded the motion. Motion carried unanimously.

#### **Old Business:**

Cloud 9 Salon follow-up inspection. Passed and noted that Annette Cannon is no longer at that salon.

Tenalee was previously approved to attend training for inspectors. This training has since been discovered to only be for nurses or infection preventionists. She found a new training called Clear Learning. We will look into costs, and membership options. Miranda Stanley made a motion to approve Tenalee to attend the training on April 20 in Austin, TX. Eunice Smith seconded the motion. Motion carried unanimously.

Miranda inquired about Boards stance on Fibroblast. Our licensees cannot provide this service under their licenses. Will discuss further at legislation meetings in the future.

#### **New Business:**

Letter from Jill Krahn at TSPA. She would like the Boards approval for distance education during the CODIV-19 outbreak. Sandra advised The North Dakota State Board of Cosmetology does not have the legal authority to waive any requirements of education under its authority set forth in North Dakota Century Code chapter 43-11 or North Dakota Administrative Code Article 32. The Board also does not have the authority to issue advisory letters so please contact private legal counsel for further advice on how school can proceed within the confines of the law.

Tenalee suggested holding off on all annual inspections due to the COVID-19 outbreak. We will stop inspections until we have been able to assess the situation in the future, or at our next meeting. Any new inspections that are scheduled at this time will be conducted.

The Board will utilize our website and Facebook page to issue a statement reminding our licensees to be prudent in cleaning and disinfecting at this time. Also referencing things that the Governor has addressed as well as the CDC.

The next special meeting will be held on Monday March 23,2020 at 9am, at our office or via videoconference.

No further discussion.

The next regular meeting is scheduled on April 20, 2020 at 10:00 am.

No other business. Magen Buchholz made a motion to adjourn the meeting. Eunice Smith seconded the motion. Motion carried unanimously. Maureen Wanner adjourned the meeting at 11:50 am.

Minutes submitted by Magen Buchholz