

NORTH DAKOTA STATE BOARD OF COSMETOLOGY
April 20, 2020 MINUTES

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

Present: Via GoToMeeting; Maureen Wanner, Magen Buchholz, Tenalee Tangen, Miranda Stanley, Sue Meier, and Attorney Sandra Depountis. Eunice Smith present via phone.

Minutes: Tenalee Tangen moved to approve the March 16th regular meeting minutes, and March 23rd and April 6th special meeting minutes. Miranda Stanley seconded to approve the minutes. Motion carried unanimously.

Josef's School of Hair, Skin, and Body complaint and response: Students in the esthetic program submitted a complaint, that they were being docked time for being minutes late and that their lessons were being conducted in the hallway or on the clinic floor. There is nothing in our rules that state lessons must be taught in an enclosed classroom. This complaint was not signed. We will send a letter explaining that we cannot accept the complaint without signatures. There was an inspection done of the school, and there were some sanitation concerns. Miranda Stanley made a motion not to take action at this time, but to have a follow up inspection done of the school. Eunice Smith seconded the motion. Motion carried unanimously.

Mandan Nails, change of ownership while on probation: The salon will be approved for their ownership change as long as they pass their inspection. No action taken.

Jessica Schaff, request to make payments: Tenalee Tangen made a motion to authorize Sandy to amend the previously signed settlement agreement to allow Jessica until August 1, 2020 to pay off her fine of \$500. Magen Buchholz seconded the motion. Motion carried unanimously.

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

Approved licenses: Miranda Stanley made a motion to ratify the approval of the licenses. Tenalee Tangen seconded the motion. Motion carried unanimously.

COVID -19 updates: Josef's Schools began distance learning on 4-8-2020. We will have inspectors be in touch with any new salon inspections to be done, and tentatively put them on their schedules so they can be inspected and allowed to open for the hopeful May 1st reopening date. Magen Buchholz will be attending ND Smart Restart meetings to give input along with other industry professionals. She will be voicing her own ideas, not on behalf of the Board. These meetings are being organized and lead by Katie Ralston. The Board will reimburse inspectors for gloves, masks and hand sanitizer if they choose to purchase it for future inspections. It was suggested to try and do annual inspections of chair salons before reopening on May 1st, or whenever ND is allowed to reopen.

May Exams: We will cancel the May 4th cosmetology practical exam, and will keep the May 18th exam until we have further notice on a reopening date for ND.

Old Business: We will still hold an Inspector meeting, but possibly via GoToMeeting. This will be to discuss the reopening plan and the inspection process moving forward. Magen

Buchholz will email all inspectors to notify them of this and that the date will be determined once we know when salons will be allowed to reopen. The Instructor seminar has been postponed until further notice. We may consider offering Cosmetology practical exams in Fargo and/or Grand Forks once we begin examining again, to help students catch up with testing and not to incur any further costs. Maureen Wanner mentioned discussion of Tenalee Tangen becoming "Head Inspector". More information is needed on what this position would mean. This is put on hold for further discussion. The new cleaning and disinfecting posters will not be mailed out, just handed out at annual inspections. Magen Buchholz will also post the document on the website for individuals to print on their own.

Discussion on reinstating licenses: If someone lets their license lapse, and does not renew within one year, they must pay the original license fee and take whatever exams they have not taken, or that have been updated since they first were licensed. This usually is just the law exam because it updates often.

New Business: Discussion on reaching out to the Department of Health to team up on infection control videos. Also to possibly educate consumers on things to look for in hair salons, nail salons, and during makeup services. Magen Buchholz will send emails to connect.

Maureen and Tenalee did a call meeting with a few salon owners. As discussed, we will not mail new cleaning and disinfection posters to salons. Individuals can get it from the website, or wait to get one during their annual inspection. Maureen Wanner mentioned that some salon owners would like us to consider dropping school hours to 1600 or 1500. Some people wish we would live stream our meetings, we open them to the public and post the information and/or link to any virtual meetings on our website. These salon owners also gave their opinions on how to reopen salons.

Legislation discussion: Started with N.D.C.C. 43-11-01 Definitions.

- "Booth space"- we need to clarify what this means, so that we have clarity on who is responsible during inspections. It needs to be clear that a salon owner is responsible for any communal space. Tenalee will research other states to see if they have a good definition for booth space. May rename to "independent contractor"
- "Cosmetology"- discussion over adding wigs and hairpieces into this definition. Decided to leave it out, since there are individuals that may sell a clip in hairpiece like Claire's and wigs at merle Norman. Also that these things can be worked on independent of an individual actually wearing it, and it expands out scope of practice. We will not add in "styling that is current at that time", we were advised to leave that out because the law needs to be whatever is current when the law is passed, it cannot change as time goes on with verbage like that. Discussion on adding in language "shaving and trimming of facial hair". Take specific language of "the use of chemical hair joining agents, such as synthetic tape, keratin bonds, or fusion bonds." And add into definition of cosmetology. We want a very clear definition of cosmetology services.
- Discussion on defining Esthetician as basic esthetics and what Invasive care is. Defining skin care separately from esthetician.
- Adding fibro blasting, need a clear definition.

- Discussion of taking esthetics out of cosmetology, and simply allowing basic skin care. This will keep being worked on, how to separate. What would we allow est. to do over just basic skin care? Magen will be getting information from schools to see what the esthetic and cosmo courses entail specifically related to this issue.
- Discussion on clarifying “homebound”, leave definition here but change/clarify 43-11-13.2
- Define makeup artist more clearly. Look at other states.
- Specify details on manicuring definition.
- Define micro blading
- Define micro needling
- Add definition of permanent makeup
- Add esthetics and manicuring to school of cosmetology definition
- Add waxing and tweezing to skin care definition
- Add esthetics and manicuring to student and student instructor definitions

No further discussion.

The next special meeting will be held on Monday April 27,2020 at 10am, via videoconference. This meeting will hold further COVID-19 updates and legislation discussion.

The next regular meeting is scheduled on May 18, 2020 at 10:00 am.

Magen Buchholz made a motion to adjourn the meeting. Tenalee Tangen seconded the motion. Motion carried unanimously. Maureen Wanner adjourned the meeting at 3:15pm

Minutes submitted by Magen Buchholz