



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a regular meeting on Monday, September 21, 2020 at 10:00 a.m. at the board office, 4719 Shelburne Street, Suite 1, Bismarck, N.D.

Members Present:

Eunice Smith
Maureen Wanner
Tenalee Tangen
Rebecca Wood

Approval of August 17, 2020 Regular Board Meeting Minutes: Eunice Smith made a motion to approve, Tenalee Tangen seconded the motion. Motion carries.

Terri Bachmeier concerns: Recommended by Sandra at last meeting to remove Terri from inspecting ManCave because she was a former employee and board felt that there was a conflict of interest. Terri raised concerns that she was removed, and felt she wasn't notified soon enough. Tenalee discussed her rationale for the decision that was made at the last board meeting. Rebecca Wood also stated that she felt there was a conflict of interest, and explained why. Sandra suggested implementing a policy against having an inspector performing the inspections for a previous employer. Sandra also mentioned a policy to ensure the inspector sees a complaint immediately. Tenalee discussed the need for ironing out inspector protocols. Tenalee also mentions the need to follow legal advice.

@Nails: Upon inspection it was found that @nails was employing 2 unlicensed workers. Board discussed a \$500 fine for each unlicensed worker. Tenalee makes a motion based on grounds for disciplinary action due to allowing unlicensed workers to be employed and authorizes Sandra to send a settlement agreement of

a \$1000 fine, \$500 for each unlicensed worker. Eunice Smith seconds the motion, the motion carries.

Jessica Schaff: Board previously approved an amended settlement agreement, agreement was never signed by Jessica, and settlement was never paid. Board discusses options for moving forward. Tenalee recommends revoking license effective immediately. Tenalee makes a motion based on grounds for not complying with the terms of the amended agreement and to flag next years renewal. Eunice seconded the motion. Motion carries.

Megan Thiel: Tenalee discusses public safety concerns, but appreciates that Megan is actively working to rehabilitate. Board members recognize the positive moves, but agree there are still concerns over granting a license based on recent charges. Sandra suggests an option to offer her a conditional license. Rebecca stated concerns about granting the conditional license, but instead recommends offering a plan for re-evaluating licensure next year. Board members discuss the need to wait until a determination on current charges is made. Sandra recommends editing the application to say charged OR convicted. Rebecca makes motion to deny approval of the license based on 43.11.31. Eunice seconds the motion. Motion carries.

ND Manicure Law exam: Rebecca suggested a larger pool of questions to pull from, as well as making the exam more difficult. Maureen discusses changing exam semi-annually based on recommendations from board members. Tenalee makes a motion to allow Sue and Magen, along with board members to come up with new questions and change the exam every 6 months. Rebecca seconded motion. Motion carries.

Mona Radermacher: Part 1: Mona is wanting to know if the school is able to hold curriculum cards until a completion of a 1900 hour program is finished. Sandra states that each school can choose what to offer, and if student chooses to take a 1900 vs. 1800 hour course, they must complete the full 1900 hours before they can receive the license. Based on 43.11.21, the board allows. Part 2: No eyelash services are able to be offered by manicurists pursuant to 43.11.01 subsection 10 which gives the scope of practice for manicuring.

Office position job descriptions: Maureen discusses the need to further clarify the office position job descriptions. Maureen wants to have the positions defined so when it comes time to hire an ED we have a clear role. These will be discussed and voted on formally at a later date.

Microsoft Teams: Approval/discussion Sandra discusses the pros and cons of Teams versus Zoom. Eunice makes a motion to maintain GO TO account until we have determined a better option. Tenalee seconds the motion. Motion carries

Letters: Tenalee and Rebecca discuss concerns about the letter stating an unlicensed stylist automatically becomes the responsibility of the salon owner. Tenalee states a need for law clarification for “booth rental” and would like to hold off on mailing a letter to current owners. Magen discusses having inspectors inform the salon owner if the issue of an unlicensed booth or individual arises. Tenalee makes a motion to hold off on sending a letter until after legislation can provide further clarification. Eunice seconded the motion. Motion carries.

Update from TDLR: Sandra offers the options for denial vs. revocation of license. Board discusses waiting until the investigation is complete. Board will inform the applicant that licensure is pending until we get verification from TDLR. Tenalee makes a motion to table this until we have further clarification from TDLR, Eunice seconds the motion. Motion carries.

NIC: Magen provided information about the conference and confirmed registration.

Mass emailing information: NDIT listserv vs Granicus (ND contract) – Magen discusses concerns with the listserv as an email blast option, stating cumbersome to get users to sign in, also not user friendly to categorize. Offered the option to use Granicus as an alternative. Discussed the cost along with available options with this program. Tenalee makes a motion that we use paper mailing as our method of communication versus an email database. Rebecca Wood seconded the motion. Motion carries.

Amanda Grover: Rebecca shows that the application states employee must have practiced as a licensed cosmetologist, esthetician, manicurist for 1,000 hours in a licensed salon. Sandra states that the law for licensure of a master cosmetologist requires practicing for 1000 hours as a “cosmetologist.” Tenalee confirms that manicuring falls under the definition of a “cosmetologist”. Board discusses approval of license. Tenalee makes a motion to approve Amanda Grover for her master license. Eunice seconds the motion. Motion carries.

August 2020 Financial Statement: Tenalee makes a motion to approve August 2020 financial statement. Eunice seconds the motion. Motion carries.

Approval of all Licenses: Eunice makes a motion to ratify the approval of the licenses. Rebecca seconds. Motion carries

Board Schedule 9-21-20 to 12-31-20: Eunice makes a motion to approve 2021 meeting and examination dates. Tenalee makes a motion to second. Motion carries

Examination schedule: Board discussed dates and who is assigned as an examiner for each exam.

Tierney Turner: Does not have a booth license but has an individual license. Salon was failed based on grounds of “unlicensed booth” not sanitation. Board discusses moving initial decision from a disciplinary action to a passing inspection, due to the fact that no sanitation issues were found. Tenalee makes a motion to move finding of inspection from disciplinary to passing, and no action will be taken against Jennifer Nelson’s Salon. Rebecca seconds the motion. Motion carries.

2020 NIC examination training dates: Board chooses first option of May 23rd-25th with a second option a June date.

Old Business: Magen and Tenalee discuss inspector training. Tenalee also discussed the mobile inspection app and moving forward with the creation of the app.

New Business : No new business

Eunice makes a motion to adjourn the meeting. Tenalee seconds the motion.
Motion carries.

Meeting adjourned at 12:19 PM

Minutes submitted by Rebecca Wood