



NORTH DAKOTA STATE BOARD OF COSMETOLOGY

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The North Dakota State Board of Cosmetology held a regular meeting on Tuesday, April 19th 2021 at 9:00a.m. at the board office and via GoTo Meeting

Members Present:

Maureen Wanner
Rebecca Wood
Tenalee Erickson
Eunice Smith
Miranda Stanley

Maureen calls the meeting to order at 9:00a.m.

Approval of March 15th meeting minutes. Miranda makes a motion to approve March 15th meeting minutes. Eunice seconds the motion. Motion carries.

Approval of March 11th special meeting minutes. Eunice makes a motion to approve the March 11th meeting minutes. Miranda seconds the motion. Motion carries.

Hoang Nguyen license decision. Board discusses offering a settlement agreement to reinstate license with probation based on 43-11-31-2 and 3, stating that his offense has a direct bearing on his ability to serve the public in a professional manner, as well as grossly unprofessional conduct, regarding his charges. Miranda makes a motion to have Hoang Nyguen's license reinstated with probation until he has completed his legal probation requirements. Eunice seconds the motion. Motion carries.

SB 2092 discussion for new rules of 1500 hours in 32-04-01-26.1 Board discusses possible changes to curriculum including eliminating theory hours that include the study of business practices. Board discusses need for additional research as to what the breakdown of “related subjects” as well as “study of theory, law, and cleaning and disinfecting” actually is. Tenalee mentions formation of committee to allow board members to work on rules. Eunice makes a motion to have Maureen, Tenalee and Rebecca form a committee to work on rules. Miranda seconds the motion. Motion carries.

Hernan Silva complaint. Board discusses conflicting stories from inspectors and Mr. Silva regarding the performing of services prior to salon licensure. Inspector states that she was told one of the individuals who was receiving services was Mr. Silva’s wife, however, was later introduced to another person as his wife. Mr. Silva, along with the mall have stated that he was performing services on family only. Board discusses sending a reminder of the rules and regulations. Rebecca makes a motion to have the board office send a letter to Hernan Silva reminding him of his obligation to be up on the North Dakota rules and regulations. Miranda seconds the motion. Motion carries.

Uptown Curl unlicensed salon. Board was notified that Uptown Curl was operating without a proper salon license. Owner of Uptown Curl states that she was unaware she needed a separate salon license, and has since applied for one. Board discusses options, one being for possible probation based on operating an unlicensed salon. Miranda makes a motion to have Annique send Uptown Curl a settlement agreement with a 6 month probation for operating an unlicensed salon. Rebecca Seconds the motion. Motion carries.

P Card, state credit card for the board office. Annique states the need to see a purchasing agreement for whichever card is determined. Eunice makes a motion to have Sue and Magen research credit cards and send Annique agreements for review. Tenalee seconds the motion. Motion carries.

Booth renting and employment agreements. Board discusses how to handle emails that come in regarding hiring employees as a booth renter. Board directs board office to continue to stay in compliance by simply referring individuals back to North Dakota Rules and Regulations.

Discussion of form changes.

Notice to board of NIC virtual event.

Inspector concerns. How to handle complaint situations. Board explains process for filing complaints.

NovaLash Training. Board office will send a response stating that they will need to contact the schools and that the board cannot provide legal advice.

LaVonda Taylor request to offer classes. Board determines that we cannot provide legal advice to LaVonda regarding the ability to teach classes outside of a licensed salon. We discuss referencing her back to the North Dakota Rules and Regulations 43-11-11. Miranda makes a motion to have Magen send a letter to LaVonda Taylor directing her to 43-11-11. Eunice seconds the motion. Motion carries.

Request to remove inspection report. Board received a request to remove an inspection report from the online database. Board discusses the need to keep records consistent and therefore determines that we will maintain all online records according to the record retention schedule. Miranda makes a motion to have Magen send a letter to Carrie Bolstad informing her of the board's policy. Eunice seconds the motion. Motion carries.

S & P Nails application for transfer of ownership. Board discusses options for transfer of probation. S and P has satisfied all other terms of the settlement agreement. Rebecca makes a motion to have Annique send an addendum to S & P Nails to offer transfer of probation to new owner. Miranda seconds the motion. Motion carries.

Terri Bachmeier concern. Board discusses

March 2021 financial statements. Miranda makes a motion to approve the March 2021 financial statement. Eunice seconds the motion. Motion carries.

Individual and Salon license approval. Tenalee makes a motion to approve individual and salon licenses. Miranda seconds the motion. Motion carries.

Nails Pro complaint. Miranda makes a motion to send a letter to Nails Pro and Brynn Johnson a letter letting them know that this complaint will be dismissed based on a lack of response from her . Eunice seconds the motion. Motion carries.

Anonymous complaint. Tenalee makes a motion to have Magen send out a letter stating the board received her response and discussed her concern. Miranda seconds the motion. Motion carries.

Belle Salon and Boutique inspection reports. Inspector went in Belle Salon and Boutique to perform the inspection. Inspector was unable to view licenses but was told by the owner of the salon that these individuals were in fact renters and showed a rental contract to the inspector. The individuals however did not have licenses posted and therefore the salon should have been responsible for the rooms that were not in compliance due to the lack of posted licenses. Rebecca makes a motion to have Belle Salon and Boutique inspected again. Miranda seconds the motion. Motion carries.

Unlicensed individuals discussion. Board discusses the need for a formal complaint to be filled out completely, at which time board can discuss options for moving forward.

Lovely Nails inspection with social security and birthdates listed. Eunice makes a motion to have Tenalee speak with the inspector, Sheila Carlson regarding the inspection and information that was recorded.

Shelly Kuntz return of fee. Rebecca makes a motion to have Magen respond to Shelly referencing 43-11-28 sub 2. Eunice seconds the motion. Motion carries.

Marty Riske concern. Tenalee makes a motion to have the board office reply to Marty Riske thanking him for his concerns, and explaining that Bismarck is the location the board has determined to be best for all. Rebecca seconds the motion. Motion carries.

Eunice makes a motion to add more testing dates. Miranda seconds the motion. Motion carries.

Eunice makes a motion to adjourn the meeting at 11:53a.m. Miranda seconds the motion. Motion carries.

Meeting minutes submitted by Rebecca Wood