

# MINUTES

## UTAH Barber, Cosmetology, Barber, Electrology, Esthetics And Nail Technology Licensing Board MEETING

March 03, 2008

Room 474 – 9:00 AM  
Heber Wells Building  
Salt Lake City, UT 84111

**CONVENED:** 9:00 AM

**ADJOURNED:** 11:11 AM

**Bureau Manager:**

Daniel T. Jones

**Board Secretary:**

Penny Vogeler

**Acting Board Secretary :**

Sally Canavan

**Board Members Present:**

Marti Frasier, Chairperson

Monica Bruin

Ruth Ann Holloway

Lyle Ferguson

Dianne Niebuhr

Lynette Johnson-Casper

Shauna Fox

Fran Brown

Electrology position not replaced at this time

**Board Members Absent:**

Shauna Fox

Ruth Ann Holloway

**Guests:**

Tina Kirkham, MATC

Shelley Merryweather, MATC

Shannon Mechling, SLCC

Lynn Thomas, PSI

Sharon Saylor, Great Clips

Norma Child, Bon Losee

Natalie Parkin, Skinworks

Vick Layman, Great Clips

Angela Tanner, DATC

Penny Romero, DATC

Lydia Goodfellow, DATC

**DOPL Staff Present:**

F. David Stanley, Division Director

Ray Walker, Regulatory/Compliance Officer

Kent Barnes, Compliance Manger

Debbie Harry, Compliance Specialist

## **TOPICS FOR DISCUSSION**

### **ADMINISTRATIVE BUSINESS: HEARING**

### **MINUTES:**

### **BUSINESS FROM PREVIOUS MEETING:**

#### **Debbie Harry Compliance Specialist**

## **DECISIONS AND RECOMMENDATIONS**

Judge S. Ecklund, presided over the Cosmetology Rule change. There were no opposing comments. The Cosmetology Rule changes were approved. The earliest possible effective date will be March 31, 2008. The latest possible effective date will be April 07, 2008.

The minutes from the 12/03/2007 meeting were reviewed. A motion was made by Ms. Brown and seconded by Mr. Ferguson to accept the minutes with corrections. Motion carried.

The Division Director determined that we need to make a change in the way we handle our probation. DOPL has developed a Compliance Bureau overseen by Mr. Barnes. Ms. Harry has been assigned to the Cosmetology Board. She will be the contact person for all probationers. Additionally, she will be attending all Cosmetology Board Meetings and will give a report on the compliance of our probationers.

Ms. Harry described a new chart that has been developed to be used to help track probationers. It includes the Board member interview page, stipulation and amended order page, employer evaluation page, (with a paragraph stating the employer has read the Stipulation) and a correspondence with DOPL page. The tracking sheet will identify probationers who are in compliance or not and if not, why not. If probationers are out of compliance, Ms. Harry will mail a letter out to them. All compliance tracking sheets and files are confidential. All Stipulations are public records.

The Board briefly discussed whether the general complaints should go to Mr. Jones or directly to the Investigations Department; however, if the complaint is on a specific probationer it should go to Ms. Harry.

**NATIONAL INTERSTATE COUNCIL OF  
STATE BOARDS OF COSMETOLOGY  
REGIONAL MEETING**

Utah will be hosting the National Interstate Council Of State Boards of Cosmetology (NIC) Regional meeting. The meeting will be held the last week in April.

All Board members are invited to attend. The Cosmetology Enforcement and Educational Fund will pay for their attendance.

The Keynote speaker will be Ms. Anneli Johnson.

Mr. Jones needs a firm commitment by the end of this meeting as to who will be attending. People who are not on the Board, but would like to attend or have a special interest, should see Mr. Jones.

**PSI TESTING**

PSI began testing on February 12, 2008. The Sunset site is the only site currently available. The Provo and Hurricane sites are scheduled to open in March. The North Salt Lake site is not available yet. PSI projects they are to be in full swing during the month of March. The Board discussed with Ms. Lynn Thomas, of PSI, the requirements for the examiners.

Verbal instructions are read from a script to insure each applicant receives the same information. PSI requires both a proctor and examiner to rate exams. This insures two people look at the applicant's work and no partiality is shown. There is a blood spill procedure card at the testing site.

PSI is able to upload scores on the Practical and Theory exams and submit them to the Division's database. The applicant will get them on the same day they test. The scores will be Pass/Fail only. If an applicant fails the test, they will get a strength and weakness report. PSI will put photographs of the candidates on the exams to establish identification.

**TEMPORARY LICENSES**

The Board was advised if the Temporary licenses for the Cosmetologist profession expires before the student has taken the exams, the students must start the application process over again.

**BOARD SECRETARY**

Mr. Jones introduced Ms. Penny Vogeler as the new Board Secretary. She will be learning all new professions. Ms. Avery is no longer the Board Secretary for this Board. Ms. Vogeler handed out her

business cards to all Board members.

## **NEW STIPULATION**

**Marci Pruitt**

Ms. Pruitt came before the Board to review her Stipulation. She is working with Utah Adult Probation and Parole (AP&P). She has requested that DOPL accept her drug screen from the AP&P program. Recommendation is for Ms. Pruitt to contact Ms. Harry.

The Board requested to meet with her in June 2008.

## **OUT OF COMPLIANCE**

## **PROBATION INTERVIEW**

**Stephanie Gammell**

Ms. Gammell came before the Board, Ms. Brown conducted the interview. Ms. Gammell did not bring her grades from the University of Utah as requested by the Board at the last meeting. The Board stated it was difficult for them to be supportive when she wasn't taking them seriously. The Board gave her 30 more days to get compliant.

Ms. Gammell was introduced to Ms. Harry and told Ms. Harry would be helping her with her probation from now on.

To be compliant she needs to get 12 past employer reports signed by the employer. She had been working at the Jagged Edge Salon. Also, she is to phone Ms. Harry on Wednesday and let her know how the process is going.

The Board discussed with Ms. Gammell the reason this is so serious is because the patron has to be able to have a level of trust in her that she will protect herself and them from any health risks.

The Board requested to meet with her in June 2008.

## **NOT IN COMPLIANCE**

## **PROBATION INTERVIEW**

**Jenny Murray**

Ms. Murray met with the Board and was interviewed by Ms. Niebuhr. Ms. Murray has not been in compliance for the last two quarters.

She requests that DOPL amend her order to accept the drug testing from Frontier. The board decided that if Ms. Murray would contact Frontier and obtain drug

screen information DOPL may consider a change to her Order.

Ms. Murray needs to do two Professional in Recovery meetings each week and one 12 Step meeting each week on a rotating basis. She is to have attendance cards signed at each meeting. She also needs to submit After Care reports.

It is required in Statute and in her Order that she keep the Division apprised of her current address. She must also notify the Division of her change of employer.

Ms. Murray stated he has a good support system at home, although she needs to begin her therapy. The Board is concerned that she remains out of compliance. She was instructed to contact Ms. Harry and discuss ways that she can stay in compliance with her Order.

The Board requested to meet with her in June 2008.

#### **OUT OF COMPLIANCE**

#### **PROBATION INTERVIEW Mary Booth**

Ms. Booth was a no show for her appointment. Mr. Jones stated she has been so good to notify him in the past. He would contact Ms. Booth.

#### **PROBATION INTERVIEW Amanda Call**

Ms. Call presented herself to the Board. Ms. Frasier conducted the interview. She submitted a letter from the employer she has been working at Great Clips since January of 2008. She read a letter from her Parole Officer stating Ms. Call is still on parole status with the Parole Board and has completed all terms and conditions, except the \$89.00 fee as order by the Adult Probation and Parole (AP&P) and is in compliance with the terms and conditions of AP&P.

If she chooses to stay in Utah County her Parole would last longer than if she moved back to Price. The Parole Officer would need more time to get to know Amanda Call better. She is planning on moving back to Price. Utah County did not work out as well as she had expected.

Ms. Call's probation with DOPL is scheduled to end

January 2009. She stated she would find a job and work so her probationary time would continue to count. Ms. Harry needs the employer report by the 20<sup>th</sup> so the report can be ready for the Board.

She was instructed to call Ms. Harry and work with her. Ms. Call, states she has been clean and sober since November 2006.

The Board requested to meet with her in June 2008.

## **ENVIRONMENTAL SCAN**

The Board had no business for the next agenda in June.

### **ADJOURN:11:11 AM**

Motion to adjourn by Marty Fraiser

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

06/09/2008  
Date Approved

(ss) Marti Frasier  
Chairperson, Cosmetology Licensing Board

06/09/2008  
Date Approved

(ss) Diana Baker  
Bureau Manager, Division of Occupational &  
Professional Licensing