



# MINUTES

## Nevada State Board of Cosmetology Board Meeting March 7 2022 NVBOC REGULATION ADOPTION HEARING Monday, March 7, 2022, 9:00 am - 4:30 pm NOTICE OF INTENT TO ACT UPON A REGULATION

### Notice of Hearing for the Amendment of Regulations of the Nevada State Board of Cosmetology

NOTICE IS HEREBY GIVEN that the Nevada State Board of Cosmetology will hold a public hearing at 9:00 a.m. on March 7, 2022, via ZOOM. The purpose of the hearing is to receive comments from all interested persons regarding the amendment of regulations that pertain to Chapter 644A of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603.

#### Statement of need for and purpose of the proposed regulation or amendment:

The purpose of the regulation is to allow cosmetology students to earn practical hours remotely, outside of a licensed school of cosmetology, in times of "emergency" as declared by Nevada's Governor and upon a majority vote by the Board. Any remote practical learning would be limited to work on mannequins. This regulation amendment would allow for students to continue to earn practical hours when schools are closed or have limited capacity due to a governor-declared emergency.

#### Terms or substance of the proposed regulation or subjects and issues involved:

The proposed regulation seeks to modify the language of NAC 644A.618 which notes that students shall not practice at home or in a cosmetological establishment and shall not give demonstrations other than those required by them by their school of cosmetology. The proposed modification would add a subsection that notes that during a state of emergency or declaration of disaster as proclaimed by the Governor or by resolution of the Legislature, the Board may, by vote, authorize students to complete practical hours at home provided those hours are earned while working on a mannequin and not a live person. The full text of the proposed regulation is attached to this agenda and can be found on the Board's website, [nvcosmo.com](http://nvcosmo.com).

#### Estimated economic effect on business and public:

- (a) The survey results indicated that the majority of those polled felt that a proposed regulation change would not, directly or indirectly, negatively impact their businesses.
- (b) The Board does not foresee any adverse or beneficial effects both in the immediate and long-term on members of the public.

#### Estimated cost to the agency for enforcement:

The Nevada State Board of Cosmetology does not foresee there being a cost to enforce these proposed

changes.

**Overlap or duplication of regulations:**

The proposed regulation does not include provisions that duplicate or are more stringent than federal, state, or local standards regulating the same activity.

**Regulation required by federal law:**

This regulation is not required by federal law.

**More stringent than federal regulation:**

The proposed regulation is not more stringent than a federal regulation that regulates the same activity.

**Fees:**

The proposed regulation does not establish a new fee or increase an existing fee.

In January '21, the Nevada State Board of Cosmetology sent out a survey to all of the then licensed schools of cosmetology in Nevada. Those responses were then reviewed to determine whether the proposed changes to NAC 644A would have an impact on small businesses. Subsequently, a workshop was held on May 20, 2021, at which time public comments were heard in support of the proposed modifications. There were no public comments made in opposition to the proposed modifications.

The full text of the Small Business Impact Statement is attached to this notice.

Persons wishing to comment upon the proposed action of the Nevada State Board of Cosmetology may attend the March 7, 2022 ZOOM meeting or may address their comments, data, views, or arguments, in written form, to Gary Landry, Executive Director, 8945 W. Russell Road, Suite #100 Las Vegas, NV 89148. Written submissions must be received by the Board on or before March 3, 2022 at 5PM PDT. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Nevada Board of Cosmetology may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted and amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours.

Additional copies of the notice and the regulation to be adopted and amended will be available at the Board offices (see below) and in all counties in which an office of the Board is not maintained, the main public library, for inspection and copying by members of the public during business hours. The text of the proposed regulation is also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

Upon adoption of any regulation, the Board, if requested to do so by an interested person, either before adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and

against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

**THIS MEETING WILL BE HELD VIA VIDEO CONFERENCE ONLY**

**ZOOM MEETING ID: 889 7953 5442**

The Board is pleased to invite individuals to participate remotely using ZOOM. To learn more about ZOOM, go to [zoom.com](https://zoom.us).

On the scheduled day and time, from the ZOOM website, click “Join a Meeting” and enter your name and this Meeting ID: 889 7953 5442

NV Board Cosmetology is inviting you to a scheduled Zoom meeting.

**Join Zoom Meeting**

<https://us06web.zoom.us/j/88979535442>

**Meeting ID: 889 7953 5442**

**One tap mobile**

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**+1 312 626 6799 US (Chicago)**

**Meeting ID: 889 7953 5442**

**Find your local number: <https://us06web.zoom.us/j/88979535442>**

The meeting agenda and any supporting documents can be found on the Board's website, [nvcosmo.com](http://nvcosmo.com). Per NRS 241.020 (11) any supporting material provided to the Board during the meeting will be available on the Board's website no later than 24 hours after the conclusion of the meeting.

The State of Nevada Board of Cosmetology is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify the State Board of Nevada, in writing, at 8945 W. Russell Road, Suite 100 Las Vegas, NV 89148 or by calling (702) 979-5918 at least 24 business hours prior to the date of the meeting.

\*Please note the Board's office hours are 7 am-5 pm, M-Th.

Members of the public may request the supporting materials for this meeting from: Lauren Gossage,

**STACKED CALENDAR:** In accordance with Nevada's Open Meeting Law, the Board may consider agenda items taken out of order. The Board may combine two or more agenda items for consideration. The Board may remove an item from the agenda or delay discussion relating to an item on the agenda at any time. The Board may continue the meeting as deemed necessary. The Board, at its discretion, may take public comment during times other than the designated Public Comment agenda items. The Board reserves the right to limit public comment to three minutes. The comment may not be restricted based on viewpoint. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.

Pursuant to NRS 241.030(1), the State of Nevada Board of Cosmetology may conduct a closed meeting to consider the character, allegations of misconduct, professional competence, or physical and mental health of a person.

**ALL CELLULAR TELEPHONES ARE TO BE TURNED OFF OR SET TO SILENT NOTIFICATION MODE DURING THE PROCEEDINGS.**

This meeting has been properly noticed and posted at the following locations:

State of Nevada Board of Cosmetology-8945 W. Russell Road, Suite #100 Las Vegas, NV 89148

State of Nevada Board of Cosmetology (Reno)- 740 Del Monte Lane, Suite 12 Reno, NV 89511

Nevada State Board of Cosmetology website [www.nvcosmo.com](http://www.nvcosmo.com)

The NV State Library and Archives Administrator-[nslapr-admin@admin.nv.gov](mailto:nslapr-admin@admin.nv.gov)

Carson City Library-900 N. Roop St. Carson City, NV 89701

Churchill County Library-533 S. Main St. Fallon, NV 89406

Las Vegas-Clark County Library District HQ- 833 Las Vegas Blvd. North, Las Vegas, NV 89101

Douglas County Public Library-1625 Library Lane, Minden, NV 89423

Elko County Library- 720 Court St. Elko, NV 89801

Esmeralda County Library- P.O. Box 430 Goldfield, NV 89013

Eureka County Library-10190 Monroe St. Eureka, NV 89316

Humboldt County Library- 85 E. 5th St. Winnemucca, NV 89445

Battle Mountain Library- 625 S. Broad St. Battle Mountain, NV 89820

Lincoln County Library-63 Main St, Pioche, NV 89043

Lyon County Library System- 20 Nevin Way, Yerington NV 89447

Mineral County Public Library- P.O. Box 1390 Hawthorne, NV 89415

Pershing County Library-1125 Central Ave. Lovelock, NV 89419

Storey County Treasurer and Clerk's Office Drawer D, Virginia City, NV 89440

Tonopah Public Library- P.O. Box 449 Tonopah, NV 89049

Washoe County Library System- 301 S. Center St. Reno, NV 89501

\*In addition to the places listed above, a copy of the notice was sent to the Legislative Counsel Bureau for inclusion in the Register of Administrative Regulations.

## In Attendance

Anita Douglass; Bertha Jackson; Bryan Baltazar; Gary Landry; Gwendolyn Braimoh; Janie Huggins; Kai Stanton; Lauren Gossage; Rodney Moore; Roxanne Pruitt Harris; Tialutrell Ridley

## Not In Attendance

Andrew Helms; Victoria Negrete

### A. Roll Call

The Board Meeting was called to order by Board Chair Braimoh at 9:00 AM PST

### B. Mission Statement

The mission of the Nevada State Board of Cosmetology is to protect the public health, safety and welfare of those that obtain cosmetology related services through the delivery of quality Testing, Licensing, Inspection and Education Services that focus on consumer protection.

### C. Comments from the General Public - *For discussion only*

The Board will entertain comments from the general public for any item that is or is not on the published agenda and is related to the Nevada State Board of Cosmetology.

No action can be taken on a matter unless it is included in an agenda.

Comments should be limited to three (3) minutes or less.

There were no comments from the general public.

### D. Action Items- *For discussion and possible action*

1. Proposed Modifications to NAC 644A.618 (R020-21)- for discussion and possible action

The board voted to accept the proposed modifications to NAC 644A.618 (R020-21)

Move: Tialutrell Ridley Second: Anita Douglass Status: Passed

2. Adoption of NAC 644A.618 (R020-21)- for discussion and possible action

The board voted to adopt NAC 644A.618 (R020-21) as written.

Move: Kai Stanton Second: Roxanne Pruitt Harris Status: Passed

**E. Comments from the General Public - *For discussion only***

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Comments should be limited to three (3) minutes or less.

Sharona Shelton- Expressed concerns in regards to SB291.

Warda Ali- Expressed concerns in regards to SB291.

**F. Comments from Board Members - *For discussion only***

Board Member Gwen Braimoh: Expressed concerns regarding SB291.

Board Member Bryan Baltazar: Expressed concerns regarding SB291.

Board Member Tialutrell Ridley: Requested for the board to provide notification to Estheticians regarding March 14, 2022 Board Meeting.

Board Member Kai Stanton: Requested for the board to provide notification to Estheticians regarding March 14, 2022 Board Meeting. Board Member Kai Stanton would like to add discussion on Lash Technician License to the next Board Meeting in April. Board Member Kai Stanton would also like to review communication processes between licensees and board staff.

**G. Adjournment - *For possible action***

This meeting was adjourned at 9:47 AM PST.

Move: Kai Stanton Second: Roxanne Pruitt Harris Status: Passed