

MINUTES

Nevada State Board of Cosmetology Board Meeting Group October 26 2020 Law Review Subcommittee Meeting Monday, October 26, 2020, 9:00 am - 5:00 pm

Nevada Board of Cosmetology- Law Review Subcommittee Meeting

NOTICE IS HEREBY GIVEN that the Nevada State Board of Cosmetology will be holding a Law Review Subcommittee Meeting to discuss possible modifications to NRS 644A. While committee members make up a quorum of the full, 7-member Board, all actions and decisions of the subcommittee are merely recommendations to be discussed and ultimately voted upon at a future meeting before the full Board.

THIS MEETING WILL BE HELD VIA VIDEO CONFERENCE ONLY

ZOOM MEETING ID: 968 9447 0979

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: 968 9447 0979

One tap mobile
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Dial by your location
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+1 346 248 7799 US (Houston)
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+1 301 715 8592 US (Germantown)
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+1 646 558 8656 US (New York)

Meeting ID: 968 9447 0979

Find your local number: <https://zoom.us/j/96894470979>

Due to the current state of emergency in Nevada, and as allowed in the Governor’s Executive Order and Directive Number 006, as extended through Directive 029, there will be no physical meeting place.

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) 486-6542 at least 24-hours prior to the date of the meeting. *Please note the Board’s office hours are 7am-5pm, M-Th.

Members of the public may request the supporting materials for this meeting from: Lisa Nguyen, Compliance Specialist- 8945 W. Russell Road, Suite #100 Las Vegas, NV 89148, (702)-850-2907. Email: lisa@nvcosmo.com

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. 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:

Euphoria Institute of Beauty Arts & Sciences-9340 W. Sahara Ave. #205 Las Vegas, NV 89117
Nevada State Library & Archives- 100 N. Stewart St. Carson City, NV 89701
Carson City Library- 900 N. Roop St. Carson City, NV 89701
Clark County Library- 1401 E. Flamingo Rd. Las Vegas, NV 89119
Office of the Attorney General -555 E. Washington Ave. Las Vegas, NV 89101
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
State of Nevada Website <https://notice.nv.gov>

Remote Attendance

Adam Higginbotham; Andrew Helms; Anita Douglass; Bryan Baltazar; David Scarpelli; Gary Landry; Gwendolyn Braimoh; Kai Stanton; Leah Easter; Maggie Adams; Michelle Fanning; Pamela Hayes-Fitzgerald; Rodney Moore; Roxanne Pruitt Harris; Tialutrell McCormick

Not In Attendance

Victoria Negrete

A. Roll Call

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.

Ms. Lu Suarez from Euphoria Institute of Beauty Arts and Sciences noted that students are taking trainings so that they may become certified in the use of lasers (under the supervision of medical professionals). She asked that the Board consider expanding the scope of practice for licensed estheticians to include the use of lasers.

Ms. Gwen Braimoh, Board President asked that the law review subcommittee consider looking into a lash extension license sperate from a cosmetology or esthetics license.

D. Selection of Subcommittee Chair and Vice-Chair- *for discussion and possible action.*

Kai Stanton was chosen as chair of the law review subcommittee.

MOVED: Bryan Baltazar SECONDED: Roxanne Harris STATUS: Passed

Bryan Baltazar was chosen as vice-chair of the law review subcommittee.

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

E. Subcommittee Law Review

- 1. The subcommittee is to review the follow provisions of Chapter 644A of the Nevada Revised Statutes to then make recommendations, if any, to the full Nevada State Board of Cosmetology at a future open meeting.- *For discussion and possible action***

NRS 644A.075- "Esthetics" defined

NRS 644A.085- "Hair braiding" defined

NRS 644A.130- "Shampoo technologist" defined

NRS 644A.215- Officers

NRS 644A.220- Meetings; salary of members; per diem allowances and travel expenses of members and employees; payment of compensation and expenses

NRS 644A.225- Employees, attorneys and other professional consultants

NRS 644A.230- Duties and compensation of employees; offices; records and files; seal; subpoenas

NRS 644A.255- Limitations on information that may be included on license or certificate for

public display

NRS 644A.330- Estheticians: Qualifications for examination

NRS 644A.335- Estheticians: Scope of Examination

NRS 644A.340- Esthetician's apprentice: Qualifications of applicant; waiver; application for certificate of registration; fee; expiration and renewal of certificate of registration.

NRS 644A.075- "Esthetics" defined - The Law Review

Subcommittee discussed adding "threading" to the scope of practice for licensed estheticians. The Subcommittee asked that Board staff reach out to a representative from NIMA to speak to the subcommittee about a two-tiered esthetic license. The law review subcommittee also asked that Deputy Director Higginbotham be available to discuss changes to the esthetic scope of practice as they relate to consumer risk.

MOVED: Kai Stanton SECONDED: Roxanne Harris STATUS: Passed

NRS 644A.085- "Hair braiding" defined - The Law Review

Subcommittee asked that Board staff research the laws and regulations of at least 3 neighboring states to see how they license and regulate hair braiding. The subcommittee wanted more information on whether formal training was required in order to become a licensed hair braider and the scope of practice for a licensed hair braider in neighboring states.

MOVED: Kai Stanton SECONDED: Bryan Baltazar STATUS: Passed

NRS 644A.130- "Shampoo technologist" defined -The

subcommittee asked that Deputy Executive Director Higginbotham provide additional information on whether/how neighboring states regulate shampoo technology. The subcommittee is looking for information that includes the training requirements and scope of practice for licensed or registered shampoo technologists.

NRS 644A.215- Officers -This matter was tabled until NAC changes are discussed. There was conversation about including a brief overview of the duties and responsibilities of each appointed officer.

NRS 644A.220- Meetings; salary of members; per diem allowances and travel expenses of members and employees; payment of compensation and expenses -Law review subcommittee Chair Stanton brought up the idea of employee recourse should someone feel they have been terminated unjustly. Formal employee grievance procedures are located in the employee handbook. Board staff will make the grievance procedure portion of the employee handbook available to the Board for review at an upcoming meeting to see whether any additional changes are needed.

NRS 644A.225- Employees, attorneys and other professional consultants-The law review subcommittee did not have any changes to suggestions to this section of the NRS.

NRS 644A.230- Duties and compensation of employees; offices; records and files; seal; subpoenas -The law review subcommittee did not have any changes to suggestions to this section of the NRS.

NRS 644A.255- Limitations on information that may be included on license or certificate for public display -The law review subcommittee did not have any changes to suggestions to this section of the NRS.

NRS 644A.330- Estheticians: Qualifications for examination -This item was tabled and no vote was taken. Law review subcommittee member McCormick noted that the subcommittee may want to consider defining "good moral character" as it's one of the requirements for licensure.

NRS 644A.335- Estheticians: Scope of Examination -This item was tabled and no vote was taken.

NRS 644A.340- Esthetician's apprentice: Qualifications of applicant; waiver; application for certificate of registration; fee; expiration and renewal of certificate of registration. -This item was tabled and no vote was taken.

F. Selection of future law review subcommittee meeting date(s)- *for discussion and possible action.*

The law review subcommittee selected Monday, December 7, 2020 at 9:00AM as the next law review subcommittee meeting date.

Move: Kai Stanton Second: Bryan Baltazar Status: Passed

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

There were no comments from the general public.

H. Comments from Committee Members-*For discussion only*

There were no comments from law review subcommittee members.

I. Adjournment- *For possible action*

The meeting adjourned at 11:45AM PDT.

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