



NEVADA STATE BOARD OF COSMETOLOGY

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NEVADA STATE BOARD OF COSMETOLOGY

Meeting Summary for April 9, 2018

This meeting was video conferenced between Las Vegas, Nevada and Carson City, Nevada

The Board of Cosmetology conducted a Board Meeting on Monday, April 9, 2018
This was a regular meeting as noted on our yearly schedule of meetings.

The Audio and Video recordings for this meeting can be found on the Board of Cosmetology website:

www.nvcosmo.com

1. Call to Order/Roll Call

The meeting was called to order at 9:00 a.m. by Bryan Baltazar, Vice President

Board Members:

Bryan Baltazar - Vice President
Debbie Ritchey - Secretary Treasurer
Tialutrell McCormick - Board Member
Kai Stanton - Board Member
Victoria Negrete - Board Member

Staff:

Gary Landry - Executive Director
Adam Higginbotham - Deputy Executive Director
Andrew Helms - Chief Financial Officer
Leah Easter - Compliance Coordinator
Monica Bradford - Admin Service Specialist
Charlene Marsh - Inspector
David Scarpelli - Inspector

Counsel:

Asheesh Bhalla - Deputy Attorney General
Rosalie Bordelove - Deputy Attorney General

2. The Pledge of Allegiance

3. Reading of the Board of Cosmetology Mission Statement

The Mission of the Nevada State Board of Cosmetology is to protect the public health, safety and welfare through education, and insuring only qualified persons are granted licenses to perform cosmetology in the State of Nevada and that all areas where cosmetology services are provided are kept clean, sanitary and safe.
(NRS 644 & NAC 644)

4. Comments by General Public

Sharon Perkins - Founder of "The Village"- a non profit organization - described the purpose of her foundation - she will be on the agenda at the July meeting

Carol Westphall - Owner of G-Skin Beauty Institute - wanted to discuss the current and future hour requirements for estheticians and nail technicians. She was invited to attend the Law Review Subcommittee meeting on 4/10/18

5. Consideration and Approval of Minutes from the January 8, 2018 Board meeting

Action Taken: *The Minutes from the January 8, 2018 Board meeting were approved*

Motion: Tialutrell McCormick **Second:** Kai Stanton

Vote: **Ayes:** 5 **Nays:** 0 **Abstentions:** 0

Motion Carried

6. Complaint Hearing: NSBOC (Case#C-2017-0460) vs Lynne Gollaher (C-16121). Formal disciplinary hearing to determine whether grounds for discipline exist pursuant to violation of NRS 644.320 (Practicing with an expired license).

Ms. Gollaher was not present when called for this hearing. Under Nevada law, the Board can proceed hearing the case and take action without the presence of the respondent.

The Board voted unanimously on the following:

Proper notice was given.

Factual allegations (1-6) were proven.

Violations of Law (1-2) were proven.

Action Taken: Discipline per NAC 644.700

The Board imposed an administrative fine of \$2000 for violation of NRS 644.478 and an administrative fine of \$2000 for violation of NRS 644.190 as well as legal fees associated with this proceeding not to exceed \$1000. Respondent has 90 days from the date of the final order to comply.

Motion: Debbie Ritchey

Second: Kai Stanton

Vote: Ayes: 4

Nays: 1

Abstentions: 0

Motion Carried

7. Complaint Hearing: NSBOC (case #C-2016-0314) vs Michelle Nguyen, Lic # M-38591. Formal disciplinary hearing to determine whether grounds for discipline exist pursuant to violation of NRS 644.430(1)(a),(c), and (m).

Ms. Nguyen was granted a rehearing from the January 8, 2018 meeting. She spoke through her husband, who translated for her.

Factual allegations were proven (1-24) by a unanimous vote.

Violations were proven (3) by a unanimous vote.

Action Taken: Discipline per NAC 644.700

The Board upheld their decision from the January 8, 2018 meeting to impose an administrative fine of \$1000 for violation of NRS 644.430(1)(a), an administrative fine of \$1000 for violation of NAC 644.711(c) and an administrative fine of \$1000 for violation of NAC 644.711(h) as well as legal fees incurred with this proceeding not to exceed \$1000. Respondent has 90 days from the date of the final order to comply.

Motion: Debbie Ritchey Second: Tialutrell McCormick
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

8. Petition to Appear-Citation Appeal: David Nguyen, Owner of Nevada Nails & Spa (S-14101) is appealing Citation #6951 pursuant to NRS 644.360(2) (establishment allowing an unlicensed individual to perform services).

Action Taken: *The Board upheld Citation #6951 (\$1000).*

Motion: Debbie Ritchey Second: Tialutrell McCormick
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

9. Petition to Appear-Citation Appeal: Alda Rodrigues (C-18386) Owner of Victoria's Beauty Salon (S-10267) is appealing Citation # 5476 pursuant to NRS 644.360 (2) (allowing a licensee to work with an expired license) and Citation #5478 pursuant to NRS 644.350 (operating a salon with an expired license).

Ms. Rodrigues was not present when called for this petition. Under Nevada law, the Board can proceed and take action without the presence of the petitioner.

Action Taken: *The Board upheld Citation #5476 (\$200) and Citation #5478 (\$200).*

Motion: Debbie Ritchey Second: Tialutrell McCormick
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

10. Petition to Appear- Citation Appeal: David Gonzales (H-427) is appealing Citation #5477 Pursuant to NRS 644.320 (individual practicing with an expired license). (For possible action).

Mr. Gonzales was not present when called for this hearing. Under Nevada law, the Board can proceed hearing the case and take action without the presence of the petitioner.

Action Taken: *The Board upheld Citation # 5477 (\$200)*

Motion: Tialutrell McCormick Second: Debbie Ritchey
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

11. Petition to Appear: Qi Wang (U-14409) is requesting Board approval to test for a cosmetology reciprocity license from the state of New York. (NRS 644.310).

Ms. Wang requested and was granted a continuance to the next Board meeting. She wishes to bring a Chinese interpreter.

12. Petition to Appear: Felicia Gomez (M-15688) is requesting Board consideration to waive penalty fees. (NRS 644.325(3)).

Action Taken:

The Board cannot reverse penalty fees accrued. Petition was denied.

Motion: Tialutrell McCormick Second: Kai Stanton

Vote: Ayes: 5 Nays: 0 Abstentions: 0

Motion Carried

13. Petition to Appear: Odessia Bailey (C-39264) is requesting Board consideration to waive penalty fees.(NRS 644.325(3)).

Action Taken:

The Board cannot reverse penalty fees accrued. Petition was denied.

Motion: Debbie Ritchey Second: Kai Stanton

Vote: Ayes: 5 Nays: 0 Abstentions: 0

Motion Carried

14. Petition to Appear: Paige Lovering (C-41406) is requesting Board consideration to reverse a penalty fee. (NRS 644.325(3)).

Ms. Lovering withdrew her petition to appear before the Board.

15. Petition to Appear: Latoya Littles (H-254) is requesting consideration from the Board to allow her to renew her expired Hair Designer license without re-testing. (NRS 644.330(3)).

Ms. Littles was not present when called for this petition.

16. Petition to Appear: Saba Fessehaie is requesting consideration from the Board to allow her to receive a Hair Braider license without testing. (NRS 644.209(1)(f)).

Action Taken:

Ms. Fessehaie's petition was denied. The Board cannot deviate from our current licensing laws. In order to get a license as a Hair Braider, an applicant must take a theory, a practical and a Nevada State Law exam.

Motion: Debbie Ritchey

Second: Victoria Negrete

Vote: Ayes: 5

Nays: 0

Abstentions: 0

Motion Carried

17. Consideration and Possible Approval of Mission Statement: The Board will review the proposed enhancements/changes to the Mission Statement for the Nevada State Board of Cosmetology.

Action Taken: *The Board unanimously approved the new Mission Statement.*

It is as follows:

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

Motion: Debbie Ritchey

Second: Tialutrell McCormick

Vote: Ayes: 5

Nays: 0

Abstentions: 0

Motion Carried

18. Discussion and Possible Approval of FY2019 Budget: The Board will discuss and possibly approve the FY2019 Budget. (For possible action).

Action Taken: *The Board unanimously approved the budget for the FY2019*

Motion: Victoria Negrete Second: Kai Stanton
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

19. Executive Director Review: The Board will discuss and review the performance of Executive Director, Gary Landry, and possibly approve a salary increase effective on July 1, 2018.

Action Taken: *The Board voted unanimously to table discussion of this agenda item to the July meeting*

Motion: Debbie Ritchey Second: Tialutrell McCormick
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

20. Consideration and Approval of Executive Director's Report. The Board will review and discuss the Executive Director's Report. (For possible action).

Reports include the following:

- 1) Executive Summary
- 2) Reporting Data
- 3) Financial Summary
- 4) Financial Statements 08-31-17 through 10-31-17
- 5) Cash Flow Analysis
- 6) Accounts Receivable Aging Summary
- 7) New Licensee Report 11/01/2017 through 02/28/2018
- 8) Follow-up of Items from the January 8, 2017 Board Meeting

Action Taken: *The Board voted unanimously to table discussion of this agenda item to the July meeting*

Motion: Debbie Ritchey Second: Tialutrell McCormick
Vote: Ayes: 5 Nays: 0 Abstentions: 0
Motion Carried

21. Comments by Board Members. The Board will offer any final comments and give suggestions for future Board meeting agenda items.

Bryan Baltazar / Debbie Ritchey -

Further discussion requested at the next Board meeting regarding the Barber Board and the Cosmetology Board working in unison

22. Comments by General Public. Members of the public will be invited to speak before the Board; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda.

John Davis - *After recently attending a meeting of the Barber Board, they seem to be complying with the legislators' requests*

23. Adjournment.

The April 9, 2018 meeting was adjourned at 11:17 a.m.

Motion: Debbie Ritchey

Second: Victoria Negrete

Vote: Ayes: 5

Nays: 0

Abstentions: 0

Motion Carried