

The Oklahoma State Board of Cosmetology met at 10:11 a.m. on Monday, March 11, 2013 at 2401 NW 23rd Street, Suite 1A, Oklahoma Health Care Authority, in the Ponca Room, Oklahoma City, OK 73107.
The following persons were present:

BOARD MEMBERS

Ken Young, Board Chair
Bill Helton, Vice Chair
LaFaye Austin
Dianna Fisher
Pamela Martin
Max Thomas

BOARD STAFF

Sherry G. Lewelling, Executive Director
Jennifer McRee, Principal Assistant
Michelle Palmer, Inspector
Vicki Middleton, Inspector
Donnie Allen, Inspector
Elaine Klemme, Inspector

VISITORS – (Please note – these names were taken from the sign in sheets and some names were difficult to read)

Trina Lansdell	Sheila Kissick	Heather Wyatt	Renea Smith
Corine Triplett	Jorden Elliott	Debbie Elliott	Dr. Raye Mahlberg
Judy Rambert	Sarah Mohler	Judy Rambert	Sarah Mohler
Shelley Callicoat	Shirley Brown	Linda Wiist	Cristy Mant
Terry Sanders	Jeff Sells	Frances Sells	Lisa Myer
Angela Durant-Tyson	Linda Woody	Angie Davis	Rebecca Sturgis

CALL TO ORDER

Chair Young called the meeting to order. He confirmed with Ms. Lewelling that the agenda had been properly posted and agenda-ized.

ROLL CALL

Quorum was established with roll call. The following persons answered roll call: Young, Helton, Austin, Fisher, Martin and Thomas. (Payne, Poe and Webb were not present for the meeting)

OPPORTUNITY FOR THE BOARD TO RECEIVE PUBLIC COMMENT. EACH SPEAKER IS LIMITED TO THREE

MINUTES

No public comment was heard.

COMMENTS FROM INSPECTORS

Inspectors did not have comments.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE FINANCIAL REPORT (July 1, 2012 to February 28, 2013)

A motion was made by Mr. Thomas and seconded by Ms. Fisher to approve the Financial Report (July 1, 2012 to February 28, 2013).

VOTING: Helton, yes; Austin, yes; Fisher, yes; Martin, yes; Thomas, yes.

Motion passed.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE BOARD MINUTES OF JANUARY 14, 2013

A motion was made by Mr. Thomas and seconded by Ms. Fisher to approve the Board meeting minutes of January 14, 2013.

DIRECTOR'S REPORT – SHERRY G. LEWELLING

Ms. Lewelling provided a written report to the Board. She told that the revised nail tech examination will begin soon. She stated that she and the legislative chair and board chair met with Senator Anderson who is Chair of the Select Agencies Subcommittee of Appropriations. She said she also met with Senator Holt who is the Co-Chair of the Select Agencies Subcommittee of Appropriations. She stated that on February 13th, she met with the House Government Oversight and Repealer Committee for the Board's Sunset Review. She stated that the bill passed through the committee and the vote re-creates the Board to 2019. She stated this is a 6 year extension as opposed to a 3 year extension. She shared with the Board information about the online renewal and the dollar amounts that have been taken in during the last two months. She stated that she feels this is a valuable service for our licensees.

TESTING COMMITTEE REPORT – BILL HELTON, CHAIR

Mr. Helton stated that the next project for the committee would be to review the Hairbraiding test and presently the committee is searching for subject matter experts to assist with the project.

RECIPROCITY COMMITTEE REPORT – PAMELA MARTIN, CHAIR

Ms. Martin stated that in the packet is the proposal from the committee that will make it easier for domestic reciprocity for Board consideration.

RULES COMMITTEE REPORT – LAFAYE AUSTIN, CHAIR

Ms. Austin stated that the committee did not have a report at this time but planned to meet again for a report at the May meeting.

SUNSET COMMITTEE REPORT - MAX THOMAS, CHAIR

Mr. Thomas reported that the Board's Sunset legislation passed through committee as Ms. Lewelling reported.

LEGISLATIVE COMMITTEE REPORT – MAX THOMAS, CHAIR

Mr. Thomas asked Ms. Lewelling to report. Ms. Lewelling stated that there are agenda items to follow that are believed to be non controversial that the Board may want to consider to be placed in Senator Anderson's shell bill. She stated that the changes are positive.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE LEGISLATION TO CHANGE THE REVIEW HOUR REQUIREMENT AFTER EXPIRATION OF THE BASIC COSMETOLOGY LICENSE OF FIVE YEARS OR MORE TO 250 HOURS AND THE INSTRUCTOR LICENSES TO 200 REVIEW HOURS AND ALL SPECIALITY LICENSE TO 200 hours (TITLE 59 O.S. Section 199.10 Section E)

A motion was made by Mr. Helton to approve the proposed legislation as presented this legislative session but keep the basic cosmetology hours at 250 and the other specialty hours to 100 review hours.

VOTING: Helton, yes; Austin, yes; Fisher, yes; Martin, yes; Thomas, yes.

Motion passed.

AD HOC DISTANCE LEARNING COMMITTEE – PAM MARTIN, CHAIR

Ms. Martin read the proposed legislative language to add a definition of hybrid learning and the clarification that the student/instructor rations would remain the same for hybrid learning as already set forth by statute and rule.

DISCUSSION AND BOARD ACTION TO APPROVE OR DISAPPROVE POSSIBLE LEGISLATION TO ALLOW FOR HYBRID LEARNING PROGRAMS – TITLE 59 O.S. SECTION 199.1 and TITLE 59 O.S. Section 199.7 G(3)

A motion was made by Ms. Martin and seconded by Ms. Austin to accept the proposed legislation as presented for hybrid learning to present this legislative session.

VOTING: Helton, yes; Austin, yes; Fisher, yes; Martin, yes; Thomas, yes.

Motion passed.

DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DISAPPROVE POSSIBLE LEGISLATION TO ALLOW FOR MORE FLEXIBILITY WITH RECIPROCITY – TITLE 59 O.S. SECTION 199.13

A motion was made by Ms. Martin and seconded by Ms. Fisher to allow Board staff to work with the Board's attorney to develop language appropriate to interpret the Board's intent for domestic reciprocity that allows the Board to accept license per current license as long as applicant passes an Oklahoma rules, regs and law test developed by the Board's testing committee.

VOTING: Helton, yes; Austin, yes; Fisher, yes; Martin, yes; Thomas, yes.

Motion passed.

BOARD DISCUSSION AND POSSIBLE Action for APPROVAL OR DISAPPROVAL GIVING AUTHORITY TO THE BOARD LEGISLATIVE COMMITTEE, BOARD STAFF AND BOARD'S ATTONEY TO WORK TOGETHER TO DRAFT APPROPRIATE LEGISLATION TO ENSURE COMPLIANCE WITH NEW FEDERAL GOVERNMENT REGULATIONS FOR COSMETOLOGY SCHOOLS

A motion was made by Mr. Helton and seconded by Ms. Martin to request an office Attorney General Opinion or grant authority to the Board legislative committee, Board staff and Board's attorney to work together to draft and propose appropriate legislation to ensure compliance with New Federal Government Regulations and Department of Education for Cosmetology Schools. Mr. Young stated that there may just need to be a short statement in our statute that says "licensed cosmetology schools in Oklahoma are allowed to teach post secondary students even though this is already implied.

VOTING: Helton, yes; Austin, yes; Fisher, yes; Martin, yes; Thomas, yes.

Motion passed.

REPRESENTATIVES FROM PIVOT POINT TO MAKE PRESENTATION TO BOARD AND VISITORS REGARDING DISTANCE LEARNING

Judy Rambert and Anna Fehr from Pivot Point made a presentation to the Board and visitors regarding distance learning.

NEW BUSINESS NOT KNOWN OR WHICH COULD NOT HAVE BEEN REASONABLY FORESEEM PRIOR TO POSTING OF MEETING AGENDA – 25 O.S. (A)(9)

No new business was heard.

BOARD ADJOURNMENT

Chair Young announced the meeting to be adjourned.

Ken Young, Board Chair

Bill Helton, Vice Chair

LaFaye Austin

Dianna Fisher

Pamela Martin

Max Thomas