

**OKLAHOMA STATE BOARD OF  
COSMETOLOGY AND  
BARBERING**

**BOARD MEETING AGENDA**

January 9, 2023

10:00 a.m.

2401 N.W. 23<sup>rd</sup>, Suite 84 Testing Center

Oklahoma City, OK 73107

Machele Callicoat, Chair - Presiding

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1. Call to order, roll call, and determination of quorum

Chair Callicoat called the meeting to order. The following board members were present.

Machele Callicoat, Chair  
Leah Longest, Vice Chair  
Emily Gargone  
Ericka Jackson  
Christie Luther  
Thao Nguyen Pham  
Joel Rogers  
Heather Sinclair  
Carla Wilkins

Note: Board Members Austin Hodges and Erin Pierce were not present on this date.

**BOARD LEGAL ADVISORS**

Kiley Cooper and Liz Stevens

**BOARD STAFF**

Malena Curtsinger, Executive Director  
Janelle Hastings, Administrative assistant  
Amanda Ortega  
Caroline Hagberg, Inspector/examiner  
Donna Glasper, Inspector/Examiner  
Elaine Klemme, Inspector/Examiner

**VISITORS**

Mary Elizabeth Leblanc, Linda Wiist, Megan Patton.

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2. This regular meeting of the Oklahoma Cosmetology and Barbering Board has been convened in accordance with the Oklahoma Open Meeting Act.
3. Possible discussion, revision, and vote to approve Board meeting minutes from November 14, 2022

A motion was made by Ms. Longest and seconded by Ms. Sinclair to approve board meeting minutes from November 14, 2022.

Voting:

Longest, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes; Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed

4. Swearing in of new Board member, Emily Gargone

Chair Callicoat swore in new Board member, Emily Gargone.

5. Board member introduction

Each board member and staff member introduced themselves.

6. Discussion and possible action to approve or disapprove budget report (November 1, 2022 to December 31, 2022) – Megan Patton, OMES, Agency Business Services

A motion was made by Ms. Luther and seconded by Ms. Nguyen Pham to approve the budget report (November 1, 2022 to December 31, 2022)

Voting:

Longest, yes; Gargone, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes; Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed

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7. Report from Advisory Board on Massage Therapy – Laura Grisso-Eyster

Ms. Grisso Eyster was not able to appear in person but e mailed her report to Chair Callicoat who read aloud.

Ms. Grisso Eyster reported that the MTAB met on December 15, 2022 and during that meeting we discussed rules committee update. The rules committee met the week previously and voted to re submit the rules submitted for emergency rules as permanent rules. Additionally there was a legislative update, Senator Daniels (R. Bartlesville) and Representative AJ Pittman (D. Oklahoma City) agreed to carry our bills. At the time of the meeting, we had sent Sen. Daniels our bill and was in discussions with her. She, (Ms Eyster) and Ms. Curtsinger have responded to questions and comments from Senator Daniels.

8. Executive Director report – Malena Curtsinger

- Inspector positions
- Update on legislation and administrative rules
- Website update
- Thentia/IT update
- Quarterly Citation update

Ms. Curtsinger reported that one new inspector has been hired and is scheduled to start on January 30, 2023. Elaine Klemme, Inspector/Examiner is scheduled to retire that same day. That will leave us with 2 vacant inspector positions that are still open and posted at this time.

Update on Administrative rules: all rules have been submitted for publication for February 1 register at the secretary of state office The notice of rule making intent is published along with the rules Public comment period comment is sent for March 9 2023 in the testing center at 10:00 am. the language of either rule may be amended because of public comment. The language will be put before the board at the March 13, 2023 meeting.

Legislative update: the cosmetology language and fee increase bill has been filed by Senator Coleman Rep Mcdougal will file on the house side. Senator Daniels has filed the massage bill. Rep pittman will carry and file the massage bill on the house side. Sen Bergstrom has filed a bill SB72 which would do away with the demonstrator license. If passed that would present a public health threat.

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Website update: Lamar Adams is the senior security project manager and we are on target to start on the week of January 16, 2023.

Thentia update: we have completed three workshop meetings, with detailed questions and answers about the inner workings of the agency.

9. Discussion and possible action regarding individual proceedings held pursuant to Article II of the Administrative Procedures Act. By vote, the Board may render a final or intermediate decision on any individual proceeding. Further, the Board may vote to enter executive session to discuss any individual proceeding pursuant to 25 O.S., § 307(B)(8). Should the Board enter executive session, a vote to exit executive session shall be publicly cast. Possible motion and vote to enter Executive Session regarding individual proceedings for the following citations:

*Chair Callicoat identified herself as the board chair and presiding officer for this hearing in accordance with OAC 175 1- 5- 1 c the board may request the assistant attorney general assigned to the board to take part in the hearing proceedings as the board deems necessary accordingly I may entertain a motion to authorize AAG Maule to open the record make statement on the record as to whether service by mail was properly effected, rule on motion, and answer board questions on legal matters.*

*A motion was made by Ms. Sinclair and seconded by Ms. Longest to authorize AAG Liz Stevens perform the above tasks.*

Voting:

Longest, yes; Gargone, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes;  
Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed

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*Ms. Stevens stated the date and time, January 9, 2023 at 10:26 am  
These hearings at the Oklahoma state board of cosmetology and barbering are  
called to order and the hearing record is now open for citation number 00140,  
00144, 00161, 00203, 00805, 00807, 00808.*

*Chair Callicoat asked all board members to verbally identify themselves,  
LEAH LONGEST*

Leah Longest, Vice Chair  
Emily Gargone  
Austin Hodges  
Ericka Jackson  
Christie Luther  
Thao Nguyen Pham  
Erin Pierce  
Joel Rogers  
Heather Sinclair  
Carla Wilkins

*Chair Callicoat stated for the record a quorum of the board is present and this  
board has jurisdiction to hear these citations.*

*Is any voting member of the board aware of any reason which would render  
them unable to accord the respondents a fair and impartial hearing, please  
answer yes or no when your name is called.*

*AAG Maule: Yes means to recuse, no means impartial*

Leah Longest , no; Emily Gargone, no; Ericka Jackson, no; Christie Luther, no;  
Thao Nguyen Pham, no; Joel Rogers, no; Heather Sinclair, no;  
Carla Wilkins, no.

Record shows that all members answered in the negative.

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*Chair Callicoat explained that the strict rule of evidence which apply in courts does not apply in administrative hearings, the practice of the board is more informal, counsel may object to admission to evidence and AAG Maule will rule on those objections, also rule on motions by counsel the board may reverse her rulings on motions. Following hearing for each citation the board will vote on whether to uphold the citation impose the fines as stated. The board could also vote to deny the citation or vote to uphold part but not all the citation. After hearing adjourned counsel will prepare final orders which will be signed by me and mailed to the respondents. For the record the board takes official notice of the Oklahoma administrative procedures act, the Oklahoma cosmetology and barber act 175 f the Oklahoma administrative code. Finally this hearing is being recorded and the recording constitutes the official record of these proceedings.*

Kylie Cooper identified herself as the prosecutor and announced that citations 00140, 00144, 00161, 00203 were all dismissed and citation 00808 had been paid.

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Citation 00805 Zarate Talia Tory; witness Donna Glasper, inspector.

A motion was made by Ms. Longest and seconded by Ms. Sinclair to uphold the citation

Voting:

Longest, yes; Gargone, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes; Pierce, Yes; Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed

Citation 00807 Elite Nails, Owner. Donna Glasper, Inspector

A motion was made by Ms. Longest and seconded by Ms. Jackson to uphold the citation

Voting:

Longest, yes; Gargone, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes; Pierce, Yes; Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed

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10. Performance Committee report – Heather Sinclair

Ms. Sinclair announced that the performance committee had interviewed six out of 10 employees and interviews would be completed later today.

11. Discussion and possible action on annual IT risk assessment audit report –  
Malena Curtsinger

Ms. Curtsinger included citation revenue from 4<sup>th</sup> quarter of 2022, totaling \$7,250.

She went on to report that she and John had met Joshua Swenson, OMES and Jeremy Willis and ultimately they did approve installation of the new firewall which should be installed on January 18, 2023.

(Ms. Longest left the room from 10.43 to 10.45 am, Christie Luther left the room from 10.45 to 10.46am)

No action taken on this item.

12. Presentation on state Social Media & Networking Policy and Standards – Kylie  
Cooper

Ms. Cooper gave some general advice on keeping ones social media and networking separate and to take care when posting on personal and social network, put a disclaimer stating that my opinions are my own and don't reflect the State of Oklahoma.



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13. New business which could not have been reasonably foreseen prior to posting of the meeting agenda, per 25 O.S., § 311(A)(10)

Ms. Callicoa confirmed with Ms. Cooper if attendance to the FARB conference would be considered new business. Ms. Callicoa stated that there were five board members that attended the FARB conference last year with an expense of around \$11,000. Ms. Curtsinger has been advised that legislators are looking at our travel and expenses and are questioning it with respect to our wanting to raise fees. We need to come to an agreement as to how many board members will attend conferences and how we decide who will go.

Ms. Callicoa recommended to Ms. Curtsinger that we not attend FARB because last year several attended and got little out of it.

A motion was made by Ms. Sinclair and seconded by Ms. Nguyen Pham to send Ms. Sinclair, Ms Luther and Ms.Longest to NABBA's mid winter conference.

Voting:

Longest, yes; Gargone, yes; Jackson, yes; Luther, yes; Nguyen Pham, yes; Pierce, Yes; Rogers, yes; Sinclair, yes; Wilkins, yes.

Motion passed.

14. Board adjournment

Ms. Callicoa adjourned the meeting.

MACHELLE CALLICOAT, CHAIR  
LEAH LONGEST, VICE CHAIR  
EMILY GARGONE  
ERICKA JACKSON  
CHRISTIE LUTHER  
THAO NGUYEN PHAM  
JOEL ROGERS  
HEATHER SINCLAIR  
CARLA WILKINS