

**OKLAHOMA STATE BOARD OF
COSMETOLOGY AND BARBERING**

BOARD MEETING AGENDA

August 21, 2023

10:03 a.m.

2401 N.W. 23rd, Suite 61

Oklahoma City, OK 73107

Machele Callicoat, Chair – Presiding

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

Chair Callicoat called the meeting to order.

1. MACHELE CALLICOAT, CHAIR
2. LEAH LONGEST, VICE CHAIR
3. EMILY GARGONE
4. KRISSY MILLER
5. JOEL ROGERS
6. HEATHER SINCLAIR
7. CARLA WILKINS

Note: members Austin Hodges, Ericka Jackson, Christie Luther and Thao Nguyen Pham were not present on this date.

BOARD STAFF

Malena Curtsinger, Executive Director

John Funderburk, Principal Assistant

Janelle Hastings, Administrative Assistant

LEGAL COUNSEL

Kylie Cooper

Sandra LaVenue

VISITORS

None

2. This specially scheduled meeting of the Oklahoma Cosmetology and Barbering Board has been convened in accordance with the Oklahoma Open Meeting Act.

Chair Callicoat verified that the agenda had been properly posted and agenda-ized.

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3. Discussion and possible action on individual proceeding, In the Matter of the Complaint against Tommy Alan Cooper, Massage Therapist license no. #189580, Case No. 2023-001

It was reported by AG Kylie Cooper that Mr. Tommy Alan Cooper (no relation) had opted to voluntarily relinquish his license to practice as a Massage Therapist

The allegations in this case are violations of 175:20-9-1. Professional conduct:

- (b) A licensee shall be clean, fully-clothed and professional in dress and appearance.
- (c) A licensee shall not engage in an activity, interest or influence that conflicts with the licensee's obligation to act in the best interest of the client.
- (e) A licensee shall not engage in a romantic or sexual relationship with a client during the time that a therapist/client relationship exists.
- (h) A licensee shall not massage the genitalia of a client nor engage in, or offer to engage in, any activity with the intent of sexually arousing a client.
- (i) A licensee shall only massage the breasts of a female client if: (1) the licensee has training in techniques related to therapeutic treatment of mammary tissue; and (2) signed written consent is obtained from the client
- (r) It shall constitute unprofessional conduct for a licensee to violate any provision of the Massage Therapy Practice Act or any rule of the Board

In lieu having his hearing Mr. Cooper opted to give up his license, according to his agreement he will be unable to apply for reinstatement of his license for at least one year. There is an ongoing criminal investigation. We offered him to have a hearing, he did not have an attorney and he declined to have that hearing. Ms. Kylie Cooper, AAG asked the board to accept the voluntary relinquishment in lieu of having this hearing a

A motion was made by Ms. Miller and seconded by Ms. Sinclair to accept the voluntary relinquishment of Mr. Tommy Cooper's license.

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

AG Sandra LaVenue departed the meeting.

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4. Executive Director's Report – Malena Curtsinger Agency Operations Update

Ms. Curtsinger began her report by saying that we are the subject of a request for an interim study proposal by Rep. Arturo Alonso-Sandoval. Topics on the scope of study are to remove barriers to employment.

Thentia: We have had issues with Thentia. We have had another delay to go live. Ms. Curtsinger's stance is that we have done our duty – we have met in these bi-weekly meetings all year and we've given them all the information. Thentia has had staffing issues, a revolving door of employees, and we have suffered consequently. We met with Thentia CEO Julian Cardarelli, Dr. Sheila of Thentia, Shauna Cole, and Secretary Winchester to express concerns. We have been given multiple go live dates and depended on Thentia to be a lifeline for this agency because our current technology is failing. Julian agreed to provide the manpower and resources to finish the software and go live.

STAFFING: Ms. Curtsinger said that currently we have two inspectors. Two permanent employees are scheduled to start August 22. Inspectors must be a licensed Master instructor and we are just not getting a good pool of applicants, especially from Master Barber Instructors. As far as the agency climate, every single staff member is doing double and triple time to compensate for lack of people in licensing dept. the stress level is very high.

At 10.57 am

A motion was made by Ms Longest to take a break, seconded by Ms. Miller.

Voting:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

At 11.07 am

A motion was made by Ms. Longest and seconded by Ms Sinclair to return from break

Voting:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

5. Discussion and possible action regarding CLEAR, Council of Licensure, Enforcement & Regulation, membership

A motion was made by Ms. Miller and seconded by Ms. Longest to become a member of CLEAR

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Voting:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

6. Discussion and possible action regarding NIC, National Interstate Council of State Boards of Cosmetology, membership.

A motion was made by made by Ms. Sinclair and seconded by Ms. Longest to become a silver member of NIC.

VOTING

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

7. Discussion and possible action regarding FSMTB, Federation of State Massage Therapy Boards, membership.

A motion was made by made by Ms. Longest and seconded by Ms. Miller to become a member of FSMTB and send one person.

VOTING

Longest, yes; Gargone, yes; Miller, yes; Rogers, yes; Sinclair, yes; Wilkins, yes

Motion passed.

8. Discussion and possible action regarding Tyler Technology Statement of Work

Tyler Technology is the company that has handled the existing online renewal payment processing and will continue once THENTIA is up and running.

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A motion was made by made by Ms. Longest and seconded by Ms. Gargone to approve Tyler Technology Statement of Work.

VOTING

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

9. Discussion and possible action regarding staff salary for Principal Assistant position, including possible raises.

Further, the Board may vote to enter Executive Session to discuss the employment, hiring, appointment, promotion, demotion, disciplining or resignation of any individual salaried public officer or employee, pursuant to 25 O.S., § 307(B)(1). Should the Board enter Executive Session to discuss staff salary for Principal Assistant position, the following actions may be taken:

- Vote to enter Executive Session
- Exit Executive Session and vote to re-enter open session
- Possible action on matters discussed in Executive Session

A motion was made by Ms. Miller and seconded by Ms. Gargone to enter into Executive Session.

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 10.51AM

*****EXECUTIVE SESSION*****

A motion was made by Ms. Longest and seconded by Ms. Miller to return to open session

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

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Time: 12.23 pm

A motion was made by Ms. Miller and seconded by Ms. Longest to take a break

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 12.23 pm

A motion was made by Ms. Longest and seconded by Ms. Miller to return from Break.

Voting:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 12.37 pm

A motion was made by Ms. Longest and seconded by Ms. Garone to table item #9 to November board meeting pending clarification Ms. Curtsinger to communicate a list of items to the board.

VOTING:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 12.39 pm

10. Discussion and possible action regarding staff salaries for Administrative Technician positions, including possible raises.

Ms. Curtsinger said those positions are the license coordinators and student department and are now classified as Business filing specialists, because those duties meet that classification, and they will have a higher pay band and can progress to Business filing II and III

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A motion was made by Ms. Sinclair and seconded by Ms. Longest to deny raise for Administrative Technician/Business filing specialists positions.

VOTING:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

11. Discussion and possible action regarding staff salary for Customer Service Representative position, including possible raises.

A motion was made by Ms. Miller and seconded by Ms. Longest to enter into Executive Session.

Voting:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 1.02 pm

*****EXECUTIVE SESSION*****

A motion was made by Ms. Longest and seconded by Ms. Garone to return to open session

VOTING

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 1.24 pm

A motion was made by Ms. Miller and seconded by Ms. Sinclair to deny raise to Customer Service Representative position

VOTING:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

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12. Discussion and possible action regarding staff salary for Business Filing position, including possible raises

A motion was made by Ms. Longest and seconded by Ms. Miller to take no action on this item

VOTING:

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

13. Discussion and possible action regarding staff salary for Cosmetology/Barber Inspector position, including possible raises

A motion was made by Ms. Longest and seconded by Ms. Miller to enter into Executive Session

Voting

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 1.26 pm

*****EXECUTIVE SESSION*****

A motion was made by Ms Longest and seconded by Ms. Sinclair to return to open session

VOTING

Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 1.45 pm

A motion was made by Ms. Miller and seconded by Ms. Gargone to take no action on raise for Cosmetology/barber Inspector positions

VOTING:

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Longest, yes; Gargone, yes; Miller, yes; Rogers yes; Sinclair, yes; Wilkins, yes

Motion passed.

Time: 1.47 pm

14. Board adjournment

Chair Callicoat adjourned the meeting.