



Oklahoma State Board of Cosmetology and Barbering
Advisory Board on Massage Therapy
SPECIAL BOARD MEETING AGENDA
February 26, 2024
10:00 a.m.
2401 N.W. 23rd, Suite 18
Oklahoma City, OK 73107
Machele Calliccoat, Chair – Presiding

-
1. Call to order, roll call, and determination of quorum.
 2. This special meeting of the Oklahoma Cosmetology and Barbering Board has been convened in accordance with the Oklahoma Open Meeting Act.

Chair Calliccoat called the meeting to order at 10:01AM. A quorum was established with roll call. The following Board Members were present.

Calliccoat
Gargone
Jackson
Longest
Luther
Nguyen-Pham
Miller
Rogers
Jarnagin
Sinclair
Wilkins

Board Legal Counsel

Maria Maule, AAG
Kylie Cooper, AAG

Board Staff

Malena Curtsinger, Executive Director
John Funderburk, Principal Assistant
Janelle Hastings Admin Assistant
Cheryl Clemons, Inspector

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GUESTS

Sharolyn Bonner, Chanda Barth, Makayla Hull, Dalton Cash, Robert Andras, Anna Price, Stephen Deaton-Rogers, Rachel Blackmon, Moneisha Johnson, Mark Dillard, Anitta Brown, Kaylynn Health, Elizabeth Adams, Michael Bucks, Tamara Chandler, Ahnya Mahoney, Monlea Sexton, Henry Talley II, Steve Yaden, Derrick Sinclair, Haley, Babitzke, Michael Hankins, Patrick Lewis Jr, Christie Rice, Corey Sutter, Kerwin Childs, Leroy Tucker, Lamar Rowe, Asia Johnson, Marissa Maloy, Carlos King, Larhonda Fields, Buffy Layman, Brandy Jackson, Emma Pospilil, Alyssa Ferrill, Dixan Rearel, Mathew Saffell, Nicole Mesa, Cheyenne Smith, Jeana Juarez, Holly Fox, Makeny Starky, Hailey Faith, Tatiana Allen, Rae Taylor, Evie Lightfoot, Elena Leggins, Troy Harris, Angie Davis, Kaithryn Lambertus, Maleayla Daves, Ebony McCloud, Pamela Frye, Cole Graves, William Copen, Krystal Flowers-Rose, Brittany Flowers-Murphy, Jansen Rose, Brittany Frazier, Stacy Dixon, Jonathan Kelley, Yo Day, Carlea Jordan, Bill Helton, Bronwyn Boswell, Debbie Stucker, Larry Coleman, Patricia Myers, Gracie Schewertz, Renea Glover, Laura Eyster, Erica Davis, Quintea Woodson, Toni Young, Tair Rojo, Lesa Reyes,

3. Executive Director Report – Malena Curtsinger

- Staffing and agency update
- Board overview
- Legislative update

Privilege to serve as Executive Director. Has been in every role in this industry. Discussed Structure of the Board; Board is regulatory agency. The employees work in inspection, licensing, student and exam department. Executive Director manages the agency and carries out the will/vote of the board members, Principal Assistant manages the agency business processes and assist the Director. Mission of the board is to protect the health and welfare of the public. Board members are appointed by the Governor; licensees, instructors, owners, administrators who all volunteer their time to guide the board and support the professionals in industry. Processing times are back to normal, fully staffed at 14 and cross-training, online renewal is back up and working. Currently looking for a full time dually licensed master instructor and another field inspector. Electronic inspection system is again operational and an organized focus approach to inspections is working well. Multiple pieces of legislation were introduced from a fee increase to transferring duties to the Health Department.

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4. Discussion and possible action on Executive Director Report.

No action taken

5. Discussion and possible action to adopt permanent rule changes pursuant to 75 O.S., § 303 of Article I of the Administrative Procedures Act ("APA"). The Notice of Rulemaking Intent for the proposed rule changes was published in Volume 41, Number 7, of the *Oklahoma Register* on December 15, 2023. A public hearing was held on February 12, 2024, and all proposed rule changes were subject to a public comment period, in accordance with Oklahoma law.

- 175:10-3-47. Eyelash Extension Specialist course entrance and curriculum requirements
- 175:10-3-79. Hybrid learning in all courses
- 175:10-9-31. Failure to appear for examination
- 175:10-9-55. Practices of cosmetology and barbering

1st Motion: Miller

2nd Motion: Longest

Motion: Approve proposed rules with the amendment of 175:10-3-79 from asynchronous to asynchronously.

Voting

Gargone Yes; Jackson yes; Longest yes; Luther yes; Nguyen-Pham yes; Miller yes; Rogers yes; Jarnagin yes; Sinclair yes; Wilkins yes

Motion passed

1st Motion: Longest

2nd Motion: Miller

Motion: To take a small break

11:00 break

Voting

Gargone Yes; Jackson yes; Longest yes; Luther yes; Nguyen-Pham yes; Miller yes; Rogers yes; Jarnagin yes; Sinclair yes; Wilkins yes

Motion passed



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1st Motion: Longest

2nd Motion: Rogers

Motion: To return from break

Voting

Gargone Yes; Jackson yes; Longest yes; Luther yes; Nguyen-Pham yes; Miller yes; Rogers yes; Jarnagin yes; Sinclair yes; Wilkins yes

Motion passed

6. Discussion and possible action on individual proceeding, In the Matter of the Complaint against James Nelson Reynolds, Massage Therapist license no. #189448, Case No. 2024-001; specifically, discussion, revision, and vote to approve Findings of Fact, Conclusions of Law, and Final Agency Order.

Further, the Board may vote to enter Executive Session to engage in deliberations or render a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act, pursuant to 25 O.S. § 307(B)(8). Should the Board enter Executive Session to deliberate, 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

AAG Maule draft the Findings of Fact, Conclusions of Law, and Final Agency Order.

1st Motion: Sinclair

2nd Motion: Gargone

Motion: Approve Findings of Fact, Conclusions of Law, and Final Agency Order.

Voting

Gargone Yes; Jackson yes; Longest yes; Luther yes; Nguyen-Pham yes; Miller yes; Rogers yes; Jarnagin yes; Sinclair yes; Wilkins yes

Motion passed

7. Discussion and possible action for John Funderburk, Principal Assistant, to attend FSMTB 2024 Massage Board Executive Summit, Savannah Georgia.

*Moved from #7 to #6

Reason Executive Director requested for Principal Assistant to attend instead of Massage Therapy. Ms. Curtsinger felt it was relevant to gather additional information from other regulator boards.

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**1st Motion: Longest
Motion: To approve**

2nd Motion: Nguyen-Pham

Voting

Gargone Yes; Jackson yes; Longest yes; Luther yes; Nguyen-Pham yes; Miller no; Rogers yes; Jarnagin yes; Sinclair no; Wilkins yes

Motion passed; 8 yes, 2 no

8. Public comment – The Board allows members of the public to comment on items of business before the Board and properly noticed in the posted agenda. Each speaker is limited to three (3) minutes. Cumulatively, public comment shall not exceed fifteen (15) minutes. Anyone wishing to speak may sign up in advance of the meeting.

Bill Helton – Previously served on the Board including during the transition for Barbers from health department to the Cosmetology Board. Biggest issue was inspection, unlicensed individuals were inspectors. The time for Barbers to sit for exam was lengthy. Would not be beneficial for Boards to go under Health Department. At the time, Massage was placed with OSBCB to establish themselves before going to another board. Eyelash extensions has the ability to create an exam which provides protection. What will exams look like under the health department. Texas removing the instructor license is too new to determine pass rate. California removed instructors license and had to turn around and reinstate it. This was caused due to large portion of individuals failing exam. If pass rate goes down they could deregulate industry.

Larry Coleman – Reducing hours causes issue since several individuals have difficult time passing with 1,500 hours. Board should implement continuing education as a mandatory requirement.

9. Board adjournment.

Note: The Board may, at its discretion, discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or vote to strike or not discuss any agenda item. Any conflicts of interest must be disclosed prior to discussion, and the conflicted Board member must recuse from all discussion and votes pertaining to that item.

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