BOARD OF COSMETOLOGY ARTS AND SCIENCES
SPECIAL BOARD MEETING - CONFERENCE CALL
August 27, 2012, 1:00 p.m.
Origination Site: 5th Floor, Professional Licensure Board Room 526
Lucas State Office Building
Des Moines, Iowa 50319

Open Session Meeting Minutes

Reason for Conference Call: Due to state budgetary constraints and the need to ensure the most efficient use of state resources, this board meeting will be held by conference call, pursuant to Iowa Code 21.8. A conference call ensures timely action by the board with regard to disciplinary action. An in-person meeting to consider this matter is not feasible, given budgetary constraints and the inability of board members to travel to an additional in-person meeting. The meeting will be accessible to members of the public through attendance at the origination site.

Call to Order:
The meeting was called to order at 1:03 p.m. by Kimberly Page, Chairperson.

Roll Call:

MEMBERS PRESENT:
Mary Clausen, Licensed Cosmetologist
Nicole Schultz, Public Member
Rick Mosley, Licensed Cosmetologist
Don Nguyen, Public Member
Kim Page, Licensed Cosmetologist
Dana Atkins, Licensed Cosmetologist and Electrologist

MEMBERS ABSENT:
Richard Sheriff, Licensed Cosmetologist

STAFF PRESENT:
Susan Reynolds, Board Executive
Dave VanCompernolle, Assistant Attorney General
Marvin Firch, Outreach and Compliance Coordinator
Rosemary Bonanno, Licensure Specialist
Barb Huey, Bureau Chief
Barb Christiansen, Administrative Assistant

PUBLIC PRESENT:
Open Session:

Applications:
Luan Duc Do - nail technology application: Applicant attended QH Beauty School in Florida. The school is not Board approved or accredited as required by Iowa Administrative Code 645—61.14(2)(e). A motion was made by Nguyen to deny the application. A second was received from Clausen. All ayes, opposed none, motion carried.

A motion was made Mosley to deny applications from schools in Florida that are not accredited. A second was received from Clausen. AAG VanCompernolle advised the board they could not take action unless it was on the agenda. Mosley and Clausen withdrew their motion. This issue will be put on the agenda for the next meeting in October.

HM Nail Academy submitted a petition to waive the 3,000 square foot requirements of a cosmetology school. The applicant provided documentation they obtained additional square footage for a total of 1,230 square feet which would meet the requirements under the proposed administrative rule changes. Page suggested the applicant submit a floor plan and consent to another inspection before approving the waiver. Page took a poll of the membership.
Clausen – Deny.
Mosley – Deny.
Nguyen – Table the issue and request more information.
Schultz – Table and request an investigation.
Atkins – Deny until investigation is done.
Page – Table and request an investigation.

A motion was made by Mosley to deny the waiver pending approval of the square footage. A second was received from Clausen. Roll call taken:
Clausen – aye
Mosley – aye
Nguyen – aye
Schultz - aye
Atkins – aye
Page – nay
Motion carried.

A motion was made by Nguyen to permit HM Nail Academy the Application for Stay which would allow the academy to continue to operate during the appeal process. A second was received from Schultz. 5 ayes, 1 - opposed (Clausen), motion carried.

Submission of a floor plan and inspection will be completed before approving the waiver.

A motion made by Page to enter into closed session at 1:52 p.m. to discuss confidential material related to applications and complaints according to Iowa Code Chapter 21.5(1) (a) and (d). A second was received from Schultz. Roll call taken.
Atkins – aye
Page – aye
Schultz – aye
Mosley – aye
Nguyen – aye
Clausen – aye
Motion carried.

The Board returned to open session at 2:09 p.m. and took the following actions:

A motion was made by Page to approve Statement of Charges for #11-186. A second was received from Nguyen. All ayes, opposed none, motion carried.

A motion was made by Page to accept the Stipulation and Consent Order for #10-041. A second was received from Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to accept the Stipulation and Consent Order for #10-088. A second was received from Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to schedule an informal hearing with Zoe Institute. A second was received from Atkins. All ayes, opposed none, motion carried.

**Failed Audits:**
A motion was made by Page to draft Statement of Charges on the following failed audits: A second was received from Atkins. All ayes, opposed none, motion carried.

12-038    12-039  
12-040    12-041  
12-042    12-043  
12-044    12-045  
12-046    12-047  
12-055

Next Board Meeting:
October 1, 2012

Adjournment:
A motion made by Atkins to adjourn the board meeting at 2:12 p.m. A second was received from Nguyen. All ayes, opposed none, motion carried.