IOWA BOARD OF COSMETOLOGY ARTS & SCIENCES
SPECIAL BOARD MEETING - CONFERENCE CALL
Origination Site: 5th Floor, Professional Licensure Board Room 526
Lucas State Office Building
Des Moines, IA 50319
June 18, 2012, 1:00 p.m.

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, the board meeting was held by conference call, pursuant to Iowa Code § 21.8. The meeting was accessible to members of the public through attendance at the origination site.

Call to Order:

The meeting was called to order at 1:04 p.m. by Kimberly Page, Chairperson.

Roll Call:

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

STAFF PRESENT:
Susan Reynolds, Board Executive
Barb Huey, Bureau Chief
Rosemary Bonanno, Licensure Specialist
Barb Christiansen, Administrative Assistant
Dave VanCompernolle, Assistant Attorney General

GUEST PRESENT:
Jessica Sage
Tonya Vincent
Alex Wonio

Open Session:

Alex Borisenko, a licensed massage therapist, was referred to the Cosmetology Board by board executive Pierce Wilson on a procedure that he felt was more applicable to an esthetician's scope of practice. The technique involves a peeling procedure used in conjunction with a scrubbing lotion that is applied to the body and wrapped in a heating blanket for thirty minutes. Borisenko received his training in Russia and currently does not hold an esthetician license. Dana Atkins stated massage therapists are providing the same procedure and felt it was more appropriate to their scope of practice. Rick Mosley requested additional information on the "peel" procedure. Borisenko will be contacted for additional information.

Applications:
Jeremy Woods - cosmetology application: Applicant was convicted in 2008 for conspiracy to commit bank fraud and is currently serving a supervised release (probation) until June 2014. Applicant had a previous conviction 16 years ago on drug charges and still owes restitution. Mosley made a motion to approve the application with stipulation that licensee will serve a probation concurrently with his criminal probation. A second was received from Atkins. All ayes, opposed none, motion carried.

Jessica Sage and Tonya Vincent - salon application: Tonya Vincent was disciplined in 2009 by the board for working outside her scope of practice. Vincent served a two year probation which was completed in April 2012. Jessica Sage and Tonya Vincent are seeking approval of their salon application. The board raised questions about Sage and Vincent operating a salon without a license.

A motion was made by Mosley to enter into closed session at 1:26 p.m. to discuss confidential material related to applications and complains according to Iowa Code § 21.5(1) (a), (d) & (f). A second was received by Page. Roll call taken.
Atkins – aye
Clausen – aye
Sheriff – aye
Mosley - aye
Page - aye
Schultz – aye
Motion carried.

Julie Phan – esthetician application: Applicant is currently licensed as a nail technician and previous owner of Iowa Nails that received discipline in March of 2010. Charges included employing unlicensed individuals, MMA, and several sanitary violations. A motion was made by Page to approve the esthetician license. A second was received from Sheriff. All ayes, opposed none, motion carried.

Margaret Hoy – cosmetology endorsement: Applicant was convicted in 2008 for conspiracy to distribute methamphetamine, and is serving probation until 2016. Rosemary Bonanno is waiting for verification from West Virginia. Board members tabled the application until July 9, 2012, to review.

Jimmy Nguyen – nail technology endorsement: Nebraska state board issued the applicant a probationary license because of the number of convictions dating from 2007 to present. Nebraska revoked his probationary license for failing to report to the state board a DUI arrest in 2011. A motion was made by Page to deny the endorsement. A second was received from Clausen. All ayes, opposed none, motion carried.

Phuong Thi Kim Tran – nail technology renewal: Licensee is currently on probation for a felony conviction of forgery. Board executive verified through the First Judicial District that Tran is currently being detained by immigration in Cedar Rapids. The Board tabled the application until the July 9, 2012, meeting and in the interim, requested more information on the applicant's probationary and detention status.

Lees Nails – Change of ownership: Owner of salon wants to hire a licensee as a supervisor who has been previously disciplined by the board. AAG VanCompernolle will research the board's authority in restricting a salon from hiring a supervisor with discipline. Board tabled the application until the July 9, 2012, meeting.

The Board returned to open session at 1:44 p.m. and took the following actions based on closed session discussion:

Page reported that the board agreed to issue a salon license to Vincent and Sage with statement of charges for operating a salon without a license. A motion was made by Page to approve the salon license. A second was received from Nguyen. All ayes, opposed none, motion carried.

The Board finalized action on the following failed audit complaints. Licensees were disciplined for either failing to provide continuing education or submitting audit documentation past the due date. A motion was made by Page to approve the Stipulation and Consent Orders. A second was received from Sheriff. All ayes, opposed none, motion carried.

CO 10-091	CO 11-043	CO 11-060
CO 10-095	CO 11-044	CO 11-061
CO 11-030	CO 11-053	CO 11-063
CO 11-032	CO 11-055	CO 11-069

A motion was made by Page to approve the Stipulation and Consent Order for complaints #09-098 and #10-069. A second was received from Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to approve the Stipulation and Consent Order for complaint #10-005. A second was received from Atkins. All ayes, opposed none, motion carried.

AAG VanCompernolle proposed to the Board to dismiss original statement of charges against complaint #10-041 and approve amended charges. A motion was made by Page to approve the amended charges. A second was received from Nguyen. All ayes, opposed none, motion carried.

A motion was made by Page to approve the Stipulation and Consent Order as presented by the AAG for complaint #11-024. A second was made by Atkins. All ayes, opposed none, motion carried.

A motion was made by Page to file statement of charges against Sage and Vincent. A second was received from Mosley. All ayes, opposed none, motion carried.

Next board meeting will be July 9, 2012; discipline committee will meet at 8:00 a.m. Board meeting will convene at 10:30 a.m.; hearing will begin at 11:00 a.m.

A motion was made by Page to adjourn the meeting at 2:30 p.m. A second was received from Atkins. All ayes, opposed none, motion carried.