
Cosmetologist's Board Meeting

Monday, December 4, 2017

A meeting of the State Board of Cosmetologists was held on Monday, December 4, 2017 on the 3rd floor conference room at the Department of Labor, Licensing and Regulation building located at 500 North Calvert Street, Baltimore, Maryland 21202.

Board Member Attendees

Mr. Charles Riser, *Industry Member*
Ms. Piccola Winkey, *Industry Member*
Mr. Bob Zupko, *Industry Member, Acting Chair*

Other Attendees

Ms. Erica Lewis, *Deputy Executive Director*
Mr. Eric London, *Assistant Attorney General*
Mr. Matthew Dudzic, *Board Administrator*

Not Attending

Ms. Rachel Allen, *Industry Member*
Ms. Valerie Mascaro, *Industry Member*

Agenda

Quorum Announced and Meeting Called to Order—Chairperson

A quorum was announced and the meeting was called to order at 10:27 AM by Mr. Bob Zupko, Acting Chair. Mr. Charles Riser was present telephonically.

Approval of Agenda

Ms. Piccola Winkey made a motion to approve the meeting agenda, and the motion was seconded by Mr. Charles Riser. The agenda was approved.

Informal Conferences

Apprentice Approval—Hrant Khanzetician

Mr. Hrant Khanzetician appeared before the Board to request approval to receive his apprentice permit. Mr. Khanzetician applied for his apprentice permit in August. However, during an inspection in September, he was cited for working without a license, and the Board had been provided documentation indicating that he had been working under a fraudulent license.

Mr. Khanzetician explained that he had been a hairdresser for over 40 years. He said that he was originally licensed in Maryland, but moved to the District of Columbia several decades ago, and his Maryland license lapsed. He was the owner of multiple salons in the District of Columbia. He stopped cutting hair in 2011 due to a death in the family, and his DC license became inactive in the interim. After returning to the industry, he attempted to reinstate his Maryland license, but the file was so old that there was no record of him in Maryland's system. He said that he completed school in the 1970s in Wheaton, but his school had long since closed down. He was unable to provide proof of having held a Maryland license, and as his DC license had been lapsed for so long, he decided to go through the apprenticeship program to become licensed again. Mr. Khanzetician did state that he had been working in the interim without a license.

Mr. Charles Riser stated that he was very concerned with the way Mr. Khanzetician had chosen to go about getting back into the industry. Mr. Riser said that the apprenticeship program was not meant to be a temporary license to allow someone to work, and that working without a license was never permissible. He suggested that Mr. Khanzetician either reinstate his DC license and come through reciprocity, or contact the Maryland Higher Education Commission to obtain his school transcripts and retest through Maryland.

Mr. Riser also asked for explanation regarding the fraudulent license. Mr. Khanzetician admitted that he did tape his name over a co-worker's license previously. He apologized to the Board and said that he knew better after all his years in the industry. Ms. Erica Lewis, Deputy Executive Director, stated that it was up to the Board to determine whether Mr. Khanzetician's fraudulent activity would bar him from proceeding with his licensing.

After some discussion, the Board agreed that Mr. Khanzetician could only move forward with his licensing if he went through the correct steps, and either reinstated his DC license and applied through reciprocity or obtained his transcripts from the Maryland Higher Education Commission. Ms. Lewis reiterated that either method would eventually involve Mr. Khanzetician re-testing. Ms. Piccola Winkey reminded Mr. Khanzetician that he was not to work in a salon until these steps had been taken.

Violation Review—New Nails and Spa

An informal conference was held for New Nails and Spa, who had received violations for unlicensed workers during their initial inspection. Ms. Thuy Li and Mr. Tan Do appeared on behalf of New Nails. Ms. Li explained that the violation they received was because they were employing two individuals

who did not have a license. One of these individuals was let go. The other person, Ms. Nguyen, had attended school and recently took her examinations to become fully licensed, which is why she was kept on. In order to work while awaiting her exams, she attempted to apply for her apprenticeship, but was unable to do so.

Mr. Charles Riser explained that the apprenticeship program was not a temporary work permit, and that becoming an apprentice would have forfeited the hours she had received at school. Mr. Riser and Mr. Bob Zupko reiterated that for Ms. Nguyen to continue working without having received her license was against the law. Mr. Tan Do said that they were not paying her, and were using this opportunity to teach her. Mr. Zupko said that regardless of whether or not they were paying her, if she was providing licensed services to paying customers, then she was operating outside of the law.

Ms. Erica Lewis, Deputy Executive Director, added that their goal with new shops was to educate them and get the operating in the correct way. She said that there were no sanitation issues during the new shop inspection, but licensing was as important if not more so.

Mr. Riser stated that because they passed every sanitation issue, if a future inspection revealed that they were in compliance with licensing and no longer had unlicensed workers in their employ, he would be comfortable with New Nails receiving its full license. Mr. Riser made a motion to approve New Nail and Salon to receive its full salon permit, contingent upon the shop passing an inspection. Ms. Piccola Winkey seconded the motion, and the motion passed.

New Business

Complaint Committee Assignment

The Board determined that Ms. Rachel Allen and Ms. Valerie Mascaro would sit on the complaint committee for the January meeting.

Publishing Fines and Penalties Online

Ms. Erica Lewis, Deputy Executive Director, explained that prior to her tenure with the department, previous Boards had published the penalties levied against shops. She informed the Board that they were planning to reinstate this practice in 2018.

Old Business

Inspection Report

Ms. Erica Lewis, Deputy Executive Director, updated the Board on the current state of inspections. She explained that she was still acting in the role of Inspections Supervisor while waiting for the position to be filled. She added that as new shop applications typically were less common this time of the year, they would use the opportunity to increase the number of routine inspections they were performing. She added that there were still vacancies for inspectors on the Eastern Shore.



Mr. Charles Riser asked what the qualifications were for inspectors. Ms. Lewis explained that if they were actively licensed, they would be required to place their licenses on inactive status. She added that they were willing to train the right person, though, and so they did not need previous experience.

Mobile Salon Regulations

The discussion on mobile salon regulations was tabled until the January 8, 2018 meeting.

Public Comment

Deborah Gaddy

Ms. Deborah Gaddy said that she had just recently relocated her salon and sent in the relevant paperwork, but had not heard from anyone. Ms. Erica Lewis, Deputy Executive Director, stated that she would get her information and look up the status of the salon application after the meeting.

Ms. Gaddy added that she had previously testified before the House regarding continuing education, but she had heard recently that it had been thrown out. Ms. Lewis explained that continuing education had not been thrown out, but that the agency was not yet able to implement the program due to a lack of resources. Ms. Gaddy asked if the implementation of the program would result in higher licensing fees. She added that she did not believe any professional should be providing services without staying informed with the industry, and that she believed continuing education was a great idea. Ms. Lewis said that they were working on the matter, but were unable to implement it at this time.

Alberta Fisher

Ms. Alberta Fisher said that she often saw classes offered at trade shows, and that those classes advertised that they offered continuing education credits. She wanted to know if the Board certified any of these programs, and how to tell if they were scams. Ms. Erica Lewis explained that the Board had never developed any such requirements, and therefore none of them were Board certified.

Dana Roper Thomas

Ms. Dana Roper Thomas said that she was employed at the Owings Mills campus of the Empire Beauty School. She said that she knew of many students who left school without every passing their state exams, and suspected that many of them were still practicing despite having never received their licenses. She wanted to know how often inspections occurred.

Ms. Erica Lewis explained that there was a full staff of eight inspectors (which was later clarified to be seven), including one full-time inspector who performed approximately 21 shop inspections every two weeks. She said that while a good volume of inspections were being conducted, she



hoped to be able to perform still more once the Board became special funded in the following fiscal year and they were able to hire even more inspectors. Ms. Lewis added that they always prioritized complaints, and that if Ms. Thomas knew of any unlicensed activity, she could file a complaint with the Board to initiate an inspection.

Ms. Thomas asked if there was any legislation down the road that was considering licensing natural stylists. She said that many natural stylists were using chemicals to color hair. Ms. Lewis said that if any complaints were filed against natural stylists performing unauthorized services, they always sent out an inspector to investigate.

Mr. Charles Riser added that he was not aware of any upcoming legislation to license natural hairstylists. He said that the last time this had come up was in 2013 or 2014, and that if this was something that Ms. Roper was interested in changing, she should consider contacting her local delegate.

Ms. Thomas asked what the proposed legislation for mobile salons would look like. Mr. Riser explained that it involved setting up a trailer or mobile home as a salon, and that the mobile salon would have to be associated with a brick and mortar location. He clarified that mobile salons were different from concierge services, which were not allowed in the State of Maryland.

Mike Ward

Mr. Mike Ward of Great Clips asked if there was any discussion regarding reducing the required hours for cosmetologist licenses. Ms. Erica Lewis, Deputy Executive Director, said that there was not currently any discussion regarding changing the cosmetologist license requirements, and that the focus recently had been on developing limited licenses such as the blow dry stylist and the hairstylist license.

Mr. Ward asked if any schools were offering the curriculum for the new limited licenses yet. Ms. Lewis said that while she did not know of any schools who had picked up the new programs yet, she did recently visit several schools to discuss them. She also said that they were issuing apprenticeship permits for the hairstylist license.

Approval of November 6, 2017 Meeting Minutes

After review the minutes from the November 6, 2017 meeting of the Board, Mr. Charles Riser made a motion to approve the minutes. The motion was seconded by Ms. Piccola Winkey, and the motion passed.

Adjournment

There being no further business to discuss or to present before the Board, Mr. Bob Zupko asked for a motion to adjourn the meeting. Ms. Piccola Winkey made this motion, and it was seconded by Mr. Charles Riser. The motion passed, and the meeting was adjourned at 11:49 AM.



APPROVED BY: _____ ON JANUARY 8, 2018.