
Cosmetologist's Board Meeting

Monday, July 2, 2018

A meeting of the State Board of Cosmetologists was held on Monday, July 2, 2018 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

Ms. Rachel Allen, *Cosmetologist Member, Acting Chair*

Ms. Valerie Mascaro, *Cosmetologist Member*

Mr. Bob Zupko, *Cosmetologist Member*

Other Attendees

Ms. Erica Lewis, *Acting Executive Director*

Ms. Hope Sachs, *Assistant Attorney General*

Ms. Michelle Macer, *Licensing Supervisor*

Mr. Matthew Dudzic, *Board Administrator*

Quorum Announced and Meeting Called to Order – Chairperson

A quorum was announced and the meeting was called to order at 10:03 AM by Ms. Rachel Allen, Acting Chair.

Approval of Agenda

Ms. Valerie Mascaro made a motion to approve the meeting agenda, and the motion was seconded by Mr. Bob Zupko. The agenda was approved.

Approval of June 4, 2018 Meeting Minutes

After reviewing the minutes from the June 4, 2018 meeting of the Board, Ms. Valerie Mascaro made a motion to approve the minutes. The motion was seconded by Mr. Bob Zupko, and the motion passed.

New Business

Violation Review

Mr. Matthew Dudzic, Board Administrator, presented the Board with a summary of the cases reviewed by the complaint committee:

A nail salon in Baltimore county applying for a new salon permit was found to have a technician who did not have their current license posted with a photograph. The committee agreed to offer a consent order with a civil penalty of \$50, and to approve the new salon application.

A nail salon in Baltimore county applying for a new salon permit was found to have a technician who did not have the large version of her license posted at her station. The committee instructed the administrative staff to send a letter of warning to the salon, and to approve the new salon application.

A nail salon in Montgomery county was found to be using "cheese grater"-type implements, which are not permitted in the state of Maryland. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A salon and spa in Montgomery county was found to be operating under an expired salon permit, and to be using "cheese grater"-type implements, which are not permitted in the state of Maryland. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A nail salon in Prince George's county was found to have unlicensed personnel, and to be using "cheese grater"-type implements, which are not permitted in the state of Maryland. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A nail salon in Carroll county was found to be using "cheese grater"-type implements, which are not permitted in the state of Maryland. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A nail salon in Montgomery county applying for a new salon permit was found to have a technician who did not have their current license posted with a photograph. The committee agreed to offer a consent order with a civil penalty of \$50, and to approve the new salon application.

A nail salon in Baltimore city was found to have technicians who did not have their current licenses posted with photographs, as well as improper disinfection procedures, including failure to properly disinfect bowls, basins and other areas. In addition, the salon owner attempted to interfere with the inspection. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection, and to request that the owner of the salon appear for an informal conference.

A hair salon in Montgomery county was found to be operating with numerous unlicensed personnel. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection, and to request that the owner of the salon appear for an informal conference.

A nail salon in Montgomery county was found to have improper supervision of an apprentice, and to be using "cheese grater"-type implements, which are not permitted in the state of Maryland. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.



A hair salon in Montgomery county was found to have numerous instances of unlicensed personnel. The committee agreed to offer a consent order with a civil penalty of \$900 and a reinspection, and to request that the owner of the salon appear for an informal conference.

Complaint Committee Assignment

Ms. Rachel Allen volunteered to sit on the Complaint Committee for the August meeting. Ms. Erica Lewis, Acting Executive Director, informed the Board that Mr. Charles Riser had also offered to sit on the committee in August.

Introduction of Michelle Macer, Licensing Supervisor

Ms. Erica Lewis, Acting Executive Director, explained that in July of 2017, the former licensing supervisor, Ms. Nicole Thompson, had accepted a position with another state agency. Ms. Lewis said that as of June 20, they had officially filled the position. She said that Ms. Macer's investigative and field experience stood out among the applicants, and that in the two weeks since she began, she had been a great fit with the agency.

Ms. Michelle Macer introduced herself to the Board. She explained that she had over ten years of investigative experience, most recently as a real estate investigator. She also previously was employed as an inspector for the Boards of Barbers and Cosmetologists, and always enjoyed her time with the Department. Prior to that, she had worked for the the Maryland State Department of Education as a childcare licensing specialist, where she was responsible for inspecting home daycare facilities.

Mr. Bob Zupko welcomed Ms. Macer, and asked her what the current state of the inspectors was. Ms. Macer said that there were currently four active inspectors, but that she would begin going out in the field herself shortly. Ms. Lewis said that the goal was to have Ms. Macer split her time between working in the office and in the field. She also added that as of July they became specially funded, and intended to hire more per diem inspectors as well.

Ms. Rachel Allen, Acting Chair, thanked Ms. Macer on behalf of the Board for accepting the position, and said that she looked forward to working with her.

Proposed Regulatory Change (COMAR 09.22.01.16)

Ms. Hope Sachs, Assistant Attorney General, explained that the Secretary's office was attempting to standardize regulations regarding individuals who failed to respond to communications from the Board for all occupational and professional licensing boards. She said that many boards and commissions, including the Board of Cosmetologists, did not have any regulations at all that addressed this. After reviewing all of occupational and professional licensing, the Secretary's office agreed on 30 days as a standard requirement.

To that end, Ms. Sachs said that COMAR 09.22.01.16 would need to be amended to state that applicants or licensees shall respond in writing to any communication from the Board requesting a response within 30 days of the date of the mailing.

Ms. Valerie Mascaro made a motion to approve the amendments to COMAR 09.22.01.16. Mr. Bob Zupko seconded this motion, and the motion passed unanimously.

Old Business

Inspection Report

Ms. Erica Lewis, Acting Executive Director, said that in the two weeks since Ms. Michelle Macer began working at the department, she had already suggested several ways to get more work out of the four active inspectors the Board was currently utilizing. She said that Ms. Macer had begun routing inspections to increase the number of inspections in a given day, and that they were working together to automate some parts of the inspection process. Ms. Lewis added that now that Ms. Macer was able to focus on the day to day operation of the inspectors, she would have more time to work on projects such as digital inspections forms.

Ms. Lewis also said that she hoped to have budgetary figures by the August meeting, and would be able to provide the Board with a better idea of the number of per diem inspectors they expected to bring on board at that time.

Public Comment

There were no public comments.

August Agenda Additions

Mr. Bob Zupko requested that an agenda item be added to the August meeting regarding suite-style salons.

Mr. Matthew Dudzic, Board Administrator, added that the complaint committee had requested a discussion on the agenda regarding the scope of a salon's permit outside of business hours and the practice of prohibited services in closed salons.

Ms. Erica Lewis requested that an agenda item be added to discuss the Board's upcoming sunset review.



Adjournment

There being no further business to discuss or to present before the Board, Ms. Rachel Allen, Acting Chair, asked for a motion to adjourn the meeting. Ms. Valerie Mascaro made this motion, and it was seconded by Mr. Bob Zupko. The motion passed, and the meeting was adjourned at 10:32 AM.

APPROVED BY: _____ ON AUGUST 6, 2018.