
Cosmetologist's Board Meeting

Monday, June 4, 2018

A meeting of the State Board of Cosmetologists was held on Monday, June 4, 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. Charles Riser, *School Member*

Other Attendees

Ms. Erica Lewis, *Acting Executive Director*

Mr. Eric London, *Assistant Attorney General*

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 10:05 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. Charles Riser. The agenda was approved.

Approval of May 7, 2018 Meeting Minutes

After reviewing the minutes from the May 7, 2018 meeting of the Board, Mr. Charles Riser made a motion to approve the minutes. The motion was seconded by Ms. Valerie Mascaro, and the motion passed.

Informal Conferences

Apprentice Restart—L. Taing

Ms. Lily Taing appeared before the Board to request a restart of her nail technician's apprentice permit. Ms. Taing previously obtained an apprentice permit in October of 2015, but her permit expired with only three months of training reported.

Mr. Charles Riser asked Ms. Taing why there was a nine month gap between when she obtained her license and when she first reported any training hours. Ms. Taing explained that she had been working the entire time, and was under the impression that her sponsor had been submitting all the paperwork. She said that she did not know that the paperwork had not been properly submitted until the end of the apprenticeship, when she called for information on taking her examination. Ms. Taing added that she called the Board of Cosmetologists several times, but no one had returned her call.

Mr. Riser reviewed the file and said that according to the comments on her file, the Board had attempted to return her call multiple times but had reached voicemail each time. Ms. Taing explained that it was possible that the phone number they had on file was her sponsor's phone number, because she did not speak English well and typically used her sponsor's contact information.

Ms. Erica Lewis, Acting Executive Director, asked Ms. Taing if she had a new sponsor and salon lined up. Ms. Taing said that her new sponsor was present with her at the meeting, and that she would be taking her training at the Nail Bar in Wheaton. Ms. Lewis said that she would recommend that Ms. Taing and her sponsor attend the orientation again if her restart was approved, so that they could be sure she fully understood all of the guidelines regarding how to submit hours. She also said that any restart would be Ms. Taing's final opportunity to go through the apprenticeship program, so it was important that she submitted everything properly this time.

Mr. Riser made a motion to allow Ms. Taing a final restart of her apprenticeship, contingent upon Ms. Taing and her sponsor attending an apprentice orientation. Ms. Valerie Mascaro seconded this motion, and the motion passed unanimously.

License Reinstatement—V. Dang

Ms. Vivian Dang appeared before the Board to request a reinstatement of her license. Ms. Dang had previously become licensed via endorsement from North Carolina in February of 2016. The Board subsequently determined that the license certification received from North Carolina was fraudulent, and her license was flagged. However, the licensee also held a valid license in California, and was attempting to become licensed via reciprocity from California. Ms. Dang explained that due to language barriers, she paid someone to assist her in obtaining her license when she came to Maryland. She said that she did not know why they sent a certification from North Carolina, as her license was from California, and that she never had any issues with this before. Mr. Matthew Dudzic, Board Administrator, confirmed that the California Board of Cosmetology had sent the Board license certifications verifying that Ms. Dang's license was active and in good standing.

Mr. Charles Riser said that based on his review of her file, it did not appear that Ms. Dang was intentionally submitting fraudulent documents. He added that there was an organization that took advantage of individuals who did not speak English by offering to handle their licensing for them, and that it appeared Ms. Dang had been defrauded in addition to the Board. He said that as Ms. Dang clearly had a valid license in California and met all of Maryland's licensing standards, he had no issue with her obtaining a license here as well.

Mr. Riser made a motion to allow Ms. Dang to receive her license by endorsement from California. Ms. Valerie Mascaro seconded this motion, and the motion passed unanimously.

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 was found to have improper paraffin wax procedures and improper storage of towels. The committee agreed to offer a consent order with a civil penalty of \$150 and a reinspection.

A nail salon in Montgomery county was found to have improper disinfection procedures, including failure to properly disinfect bowls, basins and other areas. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A residential hair salon in Anne Arundel county applying for a new salon permit did not have a proper outside entrance for salon patrons. The committee agreed to instruct the administrative staff to draft a letter of explanation and to reinspect after 30 days.

A hair salon in Baltimore city applying for a new salon permit was found to have stylists with expired licenses posted. Further research indicated that these licensees had all renewed their licenses with the Board. The committee agreed to instruct the administrative staff to send a letter of warning to the salon, and to reinspect.

A nail salon in Charles county was found to have a nail technician practicing without a license posted at her station. Further research indicated that the technician had a valid license. The committee agreed to instruct the administrative staff to send a letter of warning to the salon.

A nail salon in Baltimore city was found to have multiple sanitation violations, and to have a technician providing services for compensation without a valid Maryland license. The committee agreed to offer a consent order with a civil penalty of \$300 and a reinspection.

A hair salon in Prince George's county was found to be operating without a valid salon permit. The committee agreed to instruct the administrative staff to draft a letter of warning stating that if the salon did not apply for a salon permit within 30 days, the Board would reinspect and seek further action.

A nail salon in Montgomery county applying for a new salon permit was found to have improper paraffin wax procedures and, failure to discard disposable implements after use. The salon was also 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 require a reinspection as a condition of issuing the salon permit.

A hair salon in Baltimore city applying for a new salon permit was found to have failed to properly disinfect implements, bowls, basins or other areas. The committee agreed to instruct the administrative staff to draft a letter of explanation regarding proper sanitation procedures, and to reinspect.

Complaint Committee Assignment

Ms. Valerie Mascaro and Mr. Charles Riser volunteered to sit on the Complaint Committee for the July meeting.

Apprentice and Sponsor Orientation Policy Review

Ms. Erica Lewis, Acting Executive Director, explained that during the May meeting, Mr. Bob Zupko requested that the Board re-examine whether or not they should require all sponsors to attend the apprentice orientation meeting, even if they had previously attended. Ms. Lewis said that while sponsors were more than welcome to attend with their apprentices, the Board did not currently require them to do so if they had previously attended an orientation. She added that it was her eventual goal to start offering these trainings online, because it was often difficult for applicants from the eastern shore or western Maryland to attend these orientations.

Mr. Charles Riser said that the issue had come up due to a situation where a sponsor was charging their apprentice thousands of dollars, and then subsequently turned around and applied to sponsor someone new. He said in circumstances like that, he had no issues with saying that the sponsor needed to come back to the orientation before they were allowed to train someone again. He added that the Maryland Higher Education Commission had begun doing webinars for individuals who could not make it into Baltimore for classes. He said that if the Board was able to offer something similar, he thought it was a phenomenal direction to go.

Ms. Lewis said that she administered the apprentice orientations, and did specifically address that sponsors should not be charging their apprentices.

Old Business

Inspection Report

Ms. Erica Lewis, Acting Executive Director, said that she anticipated that the new licensing supervisor would begin on June 20, and would be in attendance at the July meeting. She said that inspections were continuing as before, with new shops as the first priority, followed by complaints and late renewals. She explained that the Board would be special funded as of July 1, so she anticipated hiring new per diem inspectors.

Ms. Lewis went on to say that she was looking forward to working with the new licensing supervisor to better administer inspections, and that she envisioned them working in the field three days out of



the week. She also said that the Board was exploring some ways of automating the inspection process, including possibly developing a mobile application that would allow inspectors to submit their reports electronically. Mr. Charles Riser asked if there was a system in place to do this already. Ms. Lewis said that the previous director, Ms. Shirley Leach, had been in discussions with a vendor to develop an app, but that they were also looking into other solutions such as Google forms, though there were potential issues with collecting signatures.

Mr. Riser asked if the state allowed for digital signatures on documents. Mr. Eric London, Board Counsel, said that he did not believe it had come up previously but that he saw no reason why they could not. Mr. Riser said that Square allowed for both signature capture and photographs, and might be a good option for inspectors.

Maryland Apprenticeship and Training Program Update

Ms. Erica Lewis, Acting Executive Director, explained to the Board that in the transition following the previous director's retirement, there had been some delays in moving forward with developing a relationship with MATP. She said that she had been doing outreach, and had recently visited the Helping Up Mission and the Center for Urban Families, who were interested in providing occupational training for men and women in recovery. She believed that the registered apprenticeship program as presented by MATP could be a great way to move forward with this.

She said that her goal was to start the MATP project in late June or early July, and that her next step was to get contacts for potential sponsors for workforce development. Mr. Charles Riser offered his assistance with finding contacts. Ms. Lewis thanked him, and said that she would like to bring him in on her next conference call.

Mr. Riser said that the program looked amazing, and thanked Ms. Lewis for moving forward with this. He added that the Governor's office was on board with the idea of alternative training for those who did not have the money to attend school, and he believed this was a great way to get people working.

Amended Language for COMAR 09.22.01.12

Mr. Eric London, Board Counsel, explained that back in April, Ms. Hope Sachs presented an amendment to the fees section of the Board's regulations. He said that there would be no change to any of the existing fees, but that new language was necessary to incorporate that the Board was now special funded. Mr. London had drafted some language, which had been voted on by the Board, but after additional discussion, some changes to the language were recommended. Mr. London added that nothing significant had changed, but because there were some modifications, they required a new vote for approval. He added that if the language was approved, he would attempt to get this into the Maryland Register as soon as possible, with hopes of voting for final approval by the August meeting.

After reviewing the amended language, Mr. Charles Riser made a motion to approve the amended language as proposed for COMAR 09.22.01.12. Ms. Valerie Mascaro seconded the motion, and the motion passed unanimously.



Public Comment

There were no public comments.

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. Charles Riser. The motion passed, and the meeting was adjourned at 11 AM.

APPROVED BY: _____ ON JULY 2, 2018.