
Cosmetologists' Board Meeting

Monday, November 4, 2019

A meeting of the State Board of Cosmetologists was held on Monday, November 4, 2019 in the 3rd floor conference room at the Department of Labor building located at 500 North Calvert Street, Baltimore, Maryland 21202.

Board Member Attendees

Mr. Charles Riser, *Chairman*
Ms. Rachel Allen, *Cosmetologist Member*
Ms. Tammy Ehrbaker, *Cosmetologist Member*
Ms. Danielle Anderson, *Consumer Member*
Ms. Nakia Dedmon, *Cosmetologist Member*

Other Attendees

Ms. Erica Lewis, *Executive Director*
Mr. Christopher Hawkins, *Assistant Executive Director*
Mr. Eric London, *Assistant Attorney General*
Ms. Nicole Fletcher, *Board Administrator*

Not Present

Ms. Berthel Tate, *Consumer Member*

Agenda

Quorum Announced and Meeting Called to Order—Chairperson

A quorum was announced and the meeting was called to order at 10:08 AM by Mr. Charles Riser, Chairman.

Approval of Agenda

Chairman Riser asked for a motion to approve the agenda as amended. Ms. Tammy Ehrbaker made a motion, and the motion was seconded by Ms. Nakia Dedmon. The amended agenda was approved.

Approval of October 7, 2019 Minutes

The minutes of the October 7, 2019 meeting were reviewed by the Board. A motion was made by Ms. Danielle Anderson to approve the minutes with amendments and seconded by Ms. Dedmon. The motion unanimously passed.

New Business

Informal Conferences

Ms. Diem Ngoc Vo came before the Board to explain the circumstances regarding her fraudulently obtained nail technician license. When Ms. Vo attempted to renew her fraudulently obtained license, the license was flagged by the Board. Ms. Vo, through her translator, explained that she attended a school in Falls Church, Virginia when she moved to the United States 5 years ago. She advised the Board that she did not remember the name of the school and that it no longer existed. She further explained that she did not understand that she had obtained her license by fraudulent means. Executive Director Erica Lewis concluded that due to the fact her schooling in Virginia is not supported, her best option is to apply to the apprenticeship program. The Board agreed to allow Ms. Vo to obtain a nail technician license through the apprenticeship program. They advised Ms. Vo that she and her sponsor are required to attend the apprenticeship orientation and that she would be issued an apprenticeship license.

Ms. Rosemary Topper petitioned the Board to restart her Nail Technician apprenticeship. She advised the Board that shortly after she acquired her initial license, she took a management position. It was noted that Ms. Topper has petitioned the Board previously in 2010, however, her sponsor left the salon. She advised that someone has been hired in the management position and she can now dedicate her full attention to the apprenticeship program. Chairman Riser asked for a motion to approve her restart contingent upon Ms. Topper and her sponsor attending the apprentice orientation. Ms. Allen made a motion and Ms. Dedmon seconded, the motion unanimously passed.

Loan Nguyen petitioned the Board to restart her Nail Technician apprenticeship. She advised the Board that her sponsor moved and that resulted in her not finishing the program. Chairman Riser asked for a motion to approve Ms. Nguyen to restart the Nail Technician apprenticeship program. Ms. Dedmon made a motion and Ms. Anderson seconded, the motion unanimously passed.

Sanitation Requirements COMAR 09.22.02.06 B (17)

In late October, Executive Director Lewis attended an Identifying Risks in Common Duty Services Seminar in Las Vegas. During the meeting, every state represented discussed their regulations pertaining to sanitation. It was brought to the Executive Director's attention that COMAR 09.22.02.06 B (17) states, "during acrylic nail services, both the technician and client shall wear protective eye glasses or goggles when acrylic is being clipped, filed, or shaped." As a nail technician, Ms. Dedmon does not think the regulation is necessary. Ms. Allen noted that she is in favor of the idea, but noted that the language should be adjusted for safety. Ms. Ehrbaker stated that she believes the sharing of glasses or goggles would present a sanitation problem, if goggles are expected to be shared from client to client. Chairman Riser raised the question of how the regulation would be enforced. Executive Director Lewis suggests that the language in the regulation be changed from "shall" to "may". The Board advised that the issue will be tabled until the December meeting.

Shops/Salons on Naval Bases

Executive Director Lewis advised the Board that an apprentice application was received for a cosmetologist seeking a Barber license in Maryland. The Barbershop that the apprentice would be working at is on a Naval Base under the

jurisdiction of the Department of Defense. The Board advised that the Naval Barbershop is not an option for the apprenticeship program as the regulations indicate that the shop must be licensed through the state.

Complaint Committee Review

Executive Director Lewis advised that at the end of every Board meeting there will be a summary of the complaints reviewed in the Complaint Committee.

Old Business

Lash Services

Executive Director Lewis advised that one of the purposes of the meeting in Las Vegas was to rate the risk to the public and consumer. Among all the states, Maryland is the only state that does not regulate eyelash services. Every other state has its own eyelash extension license or there is a certification under an esthetician/cosmetologist license. Assistant Attorney General, Eric London, advised that adding eyelash extensions would first need to be a statutory change, as eyelash services is not under the definition of Cosmetology or Esthetician services. The Board advised that the topic will be further discussed at the December meeting.

Inspection Report

Executive Director Lewis advised that 117 inspections were conducted in the month of October. There were 6 shops reviewed by the complaint committee. Two of the shops need to be set in for hearings and four shops need to be re-inspected.

Service Animal Regulations

Mr. London, Counsel, advised the Board that the Concept Sheet for the Service Animal regulations had been obtained by the Executive Director and requested that the Board vote again on the COMAR regulations. Chairman Riser asked for a motion to amend COMAR Regulations 09.22.01.15, 09.22.02.03, 09.22.02.07, 09.22.03.02 and 09.22.03.07. Ms. Allen made a motion to approve the amended regulations and Ms. Ehrbaker seconded, the motion passed.

Public Comment

Denita Wallace

Ms. Denita Wallace, owner of Lash Logic Studio and a licensed nail technician, voiced her support for the Board having oversight of eye lash services. Ms. Wallace noted that she is in favor of a separate license for eyelash services. She advised that if the Board decided to add a certification for only for cosmetologists and estheticians, the license would exclude nail technicians like herself from eligibility. Also, she advised that the Board should give the public an adequate time frame to acquire this potential license or certification.

Executive Director Lewis assured Ms. Wallace that the public will be informed of any changes to the licensing requirements for eyelash services.

Tom Ruder

Mr. Ruder, a local salon owner, suggested that the regulations concerning eyewear should be compared to surrounding states. He questioned how often customers actually are at risk or have been injured as a result of acrylic being clipped, filed, or shaped.

Kelly Conner

Ms. Conner advised the Board that she is in favor of using face masks during the process of acrylic nails being clipped, filed, or shaped. She suggested a mass e-mail be sent to licensees to ensure that the public understand what is expected.

Adjournment

There being no further business to discuss or to present before the Board, Chairman Riser asked for a motion to adjourn the meeting. Ms. Allen made this motion, and it was seconded by Ms. Dedmon. The motion unanimously passed, and the meeting was adjourned at 12:04 PM.

APPROVED BY:  on December 2, 2019.