



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
BOARD OF COSMETOLOGY AND BARBERING

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	Board of Cosmetology and Barbering
MEETING DATE AND TIME:	Monday, November 25, 2013 at 9:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room A , Second Floor of the Cannon Building
MINUTES APPROVED:	January 27, 2014

MEMBERS PRESENT

Linda Wilson, Professional Member
Carol Guilbert, Secretary, Public Member (departed @ 1130a)
Albert Niezgodza, Professional Member (departed @ 12:58p)
Domonique Vicks, Professional Member
Cecilia Jones, Vice President, Public Member
Hillary Reid, Professional Member
Tien Le, Professional Member
Kathleen Sherwin, Public Member
Melinda Schaeffer, Professional Member
Leila Lord, Professional Member

MEMBERS ABSENT

Lauren Moody, Professional Member
Lisa Aurand, Professional Member
Derrick Reed, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Eileen Kelly, Deputy Attorney General
Maggie Strauss, Administrative Specialist II
Theresa Newman, Administrative Specialist II

OTHERS PRESENT

Theresa Tucci
Dung Chenh
Melissa Clarke
Jena Zapata
Jaime Mathesian
Megan Brazell
Ann Vu
Denise Wise
Gary Cannon
Paula Wade
Jancy Adams
Edward Gillespie

CALL TO ORDER

Ms. Wilson called the meeting to order at 10:03 a.m.

REVIEW OF MINUTES

A motion was made by Ms. Guilbert, second by Ms. Schaeffer, to approve the October 28, 2013 meeting minutes. The motion was unanimously carried.

UNFINISHED BUSINESS

Review and Signing of Consent Agreement

A motion was made by Ms. Wilson, second by Ms. Schaffer to approve the revised consent agreement of Edward Gillespie. The motion was unanimously carried.

Re-Review of Applications

A motion was made by Ms. Jones, second by Ms. Schaeffer to propose to deny the cosmetology application of To Gip and the nail technician applications of Tom Duong and Kao Khennarath due to lack of experience immediately preceding their applications. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Schaeffer to approve the cosmetologist application of Jillian Adcock and the Salon/Shop application of Affordable Hair Extensions. The motion was unanimously carried

A motion was made by Ms. Wilson, second by Ms. Jones to approve the submission of 1,932 hours of apprentice work completed by MaryJane Igwe. Ms. Igwe was approved to submit a new page without anything crossed off as well as paystubs and/or W2's from the date range of the apprenticeship. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Schaeffer to table the nail technician application of Hien Thi Bui while her current Florida license coverage was researched. The motion was unanimously carried.

Propose To Deny Hearing of Dung Chehn

Ms. Kelly called the hearing to order at 10:04a and stated that today's hearing was a result of the Boards proposal to deny the Aesthetician application of Dung Chehn. Board members were introduced, and Ms. Kelly presented Board exhibit #1 as the application and correspondence leading up to today's hearing, and Board exhibit #2 as the applicants' previous disciplinary order. Ms. Chehn was sworn in.

Ms. Chehn stated that in all of her years as a nail technician and aesthetician, this was the first time (2012 revocation) she had ever had a problem.

At 10:25a Ms. Chehn called her first witness, Christina Lee. Ms. Lee was sworn in and stated under oath that she has been a long time client of Ms. Chehn, getting eyebrow waxing, manicures and pedicures from her regularly, and has never once had a problem with her services.

Deliberations began at 10:31a. After review of the 2012 order and hearing testimony, the Board discussed Ms. Chehn taking refresher courses in waxing.

At 10:36a Ms. Chehn was called back to the stand to discuss the 2012 Order's charges in reference to eyelash work. Ms. Sherwin asked if she was certified in eyelash work, and if so when? Ms. Chehn stated that she was certified to do eyelashes 5 years ago, and waxing 3 years ago. However, she does not currently offer eyelash services because her insurance policy does not cover the procedure.

The Board went back into deliberations at 10:40a, again discussing a refresher course in waxing. A motion was made by Ms. Wilson, second by Ms. Schaeffer, to continue the proposal to deny hearing of Dung Chehn pending her completion of refresher/continuing education in waxing. The motion was unanimously carried.

The hearing went off record and adjourned at 10:49a. Verbatim testimony was taken by audio recording.

Propose To Deny Hearing of Ann Vu

Ms. Kelly called the hearing to order at 10:51a and stated that today's hearing was a result of the Boards proposal to deny the nail technician application of Ann Vu. Board members were introduced, and Ms. Kelly presented Board exhibit #1 as the correspondence leading up to today's hearing, and Board exhibit #2 as the application and supporting documents. Ms. Vu was sworn in.

Ms. Vu stated that she supplemented her application with the W2's as requested by the Board, not sure why she was still being denied?

Ms. Sherwin questioned where she was employed from August 2010 – March 2013?? Ms. Vu replied that she only worked 3-4 months in the state of Maryland in 2012, and not at all in 2013.

The Board went into deliberations at 11:12a. The W2's submitted were not all from a nail shop/salon, some from a farm, so not an indication of working in the profession immediately preceding application.

A motion was made by Ms. Wilson, second by Ms. Guilbert to continue the hearing once Ms. Vu has received certified verification of employment from her Maryland employer for the dates between August 2010 – December 2012. Ms. Vu was also reminded that she does not have a license to practice in the state of Delaware. The motion was unanimously carried.

The hearing went off record and adjourned at 11:20a. Verbatim testimony was taken by audio recording.

Propose To Deny Hearing of Melissa Clarke

Ms. Kelly called the hearing to order at 11:34a and stated that today's hearing was a result of the Boards proposal to deny the cosmetology application of Melissa Clarke. Board members were introduced, and Ms. Kelly presented Board exhibit #1 as the correspondence leading up to today's hearing, and Board exhibit #2 as the application and supporting documents, and Respondent exhibit #1 letters of character reference. Ms. Clarke was sworn in.

Ms. Clarke stated that she has been a licensed cosmetologist in good standing for 25 years. She is very anxious to get back to work and feels that she deserves a Delaware license. Ms. Clarke went on to say that she stopped working in March 2012 to prepare for her family's move to Delaware in October 2012.

The Board went into deliberations at 11:52a. Ms. Le, Ms. Jones, and Ms. Reid all agreed that the definition of reciprocity in regards to "immediately preceding" was often misunderstood by applicants and should be better defined in the rules and regulations governing the profession.

At 11:57a Ms. Newman was sworn in and testified that Ms. Clarke could reactivate her Connecticut license and reapply by Method 1, or send her transcripts directly from the school to the Board for evaluation to see if hours are comparable, or she could test out at a school rather than go back to apprentice. Ms. Clarke stated she was willing to test to gain licensure.

A motion was made by Ms. Sherwin, second by Ms. Lord to allow Ms. Clarke to withdraw her current application and to reapply after gathering information from the other states where she was licensed. A time frame of 6 months was granted to complete the process. The motion was unanimously carried.

The hearing went off record and adjourned at 12:17p. Verbatim testimony was taken by audio recording.

Propose To Deny Hearing of Ramon Ruffin

A motion was made by Ms. Wilson, second by Ms. Jones to continue the propose to deny hearing of Ramon Ruffin until January 27, 2014 for his failure to appear. The motion was unanimously carried.

Review of Final Orders

A motion was made by Ms. Jones and second by Ms. Lord to accept the Final Orders of Fetus Ekenobaye, Mike Quach, and Randall Richardson as written. The motion was unanimously carried.

Review and Discussion of Hearing Officer Recommendations

A motion was made by Ms. Jones and second by Ms. Lord to table the Hearing Officer recommendations of Lina Mom and Megan Brazell for further review by the Board members. The motion was unanimously carried.

Razor Blade Use for Pedicures

A motion was made by Ms. Wilson, seconded by Ms. Sherwin to table the discussion of razor blade use for pedicures, for further review by DAG. The motion was unanimously carried.

NEW BUSINESS

Ratification of Applications

A motion was made by Ms. Jones, second by Ms. Lord to approve the Cosmetologist license ratifications of Van Thi Nguyen, Precious M. Lynch, Leah M. Kalmbacher, Onikeh K. Kollison, and Erica E. Mallory. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Lord to approve the Aesthetician license ratifications of Myen Nguyen, Meaghan B. Marshall, and Lisa Conner-Good. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Lord to approve the Cosmetologist/Cosmetology Instructor license ratification of Jeneice P. Taylor. The motion was unanimously carried.

Review of Reciprocity Applications

A motion was made by Ms. Jones, second by Ms. Schaeffer to approve the Cosmetologist application of Leslie Raffensperger. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Schaeffer to approve the Nail Technician applications of Maria Gunawan, Vuong Duong Ton, and Phuong Qt Van. The motion was unanimously carried.

A motion was made by Ms. Jones, seconded by Ms. Schaeffer to table the aesthetician application of Hien Thi Bui while her current Florida license coverage was researched. The motion was unanimously carried.

Review of Shop/Salon Applications

A motion was made by Ms. Jones, second by Ms. Lord to approve the Shop/Salon Applications of Village Barber Shop, Petite Hair Designs, Creating Diva's, Diamond State Express, LLC DBA Great Clips, Village Salon & Spa, HairTrendz, LLC, Jones Barber Shop – Hair Salon, and Glamour Nails. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Lord to table the Shop/Salon applications of La Dolce Vita Salon, pending receipt of the city business license, and

Great Clips pending question #15 being answered on the application. The motion was unanimously carried.

Applications/Documentation for Review-Eileen Kelly

A motion was made by Ms. Jones, second by Ms. Schaeffer to table the application of Mary McQuay pending receipt of an official criminal history report and disposition. The motion was unanimously carried.

Discussion of Licensure for Mobile Salons

A motion was made by Ms. Jones, second by Ms. Lord to table the discussion of the licensing of mobile salons for further review of documents submitted.

Complaint Status

08-19-10- Hearing Officer	08-79-12- Hearing Officer
08-31-10- Hearing Officer	08-81-12- Attorney General
08-37-10- Hearing Officer	08-82-12- Hearing Officer
08-02-11- Hearing Officer	08-83-12- Attorney General
08-04-11- Hearing Officer	08-89-12- Attorney General
08-14-11- Attorney General	08-90-12- Attorney General
08-18-11- Hearing Officer	08-91-12- Attorney General
08-32-11- Attorney General	08-92-12- Attorney General
08-35-11- Attorney General	08-94-12- Attorney General
08-37-11- Attorney General	08-95-12- Attorney General
08-42-11- Hearing Officer	08-96-12- Attorney General
08-56-11- Hearing Officer	08-97-12- Hearing Officer
08-57-11- Hearing Officer	08-98-12- Attorney General
08-05-12- Hearing Officer	08-99-12- Attorney General
08-10-12- Attorney General	08-100-12- Attorney General
08-14-12- Hearing Officer	08-101-12- Attorney General
08-15-12- Hearing Officer	08-102-12- Attorney General
08-16-12- Hearing Officer	08-103-12- Attorney General
08-25-12- Hearing Officer	08-104-12- Attorney General
08-28-12- Hearing Officer	08-105-12- Attorney General
08-29-12- Hearing Officer	08-106-12- Attorney General
08-33-12- Hearing Officer	08-107-12- Attorney General
08-36-12- Hearing Officer	08-109-12- Attorney General
08-40-12- Hearing Officer	08-110-12- Attorney General
08-42-12- Hearing Officer	08-111-12- Attorney General
08-43-12- Attorney General	08-112-12- Attorney General
08-48-12- Hearing Officer	08-113-12- Attorney General
08-60-12- Hearing Officer	08-114-12- Attorney General
08-61-12- Hearing Officer	08-115-12- Attorney General
08-63-12- Hearing Officer	08-116-12- Attorney General
08-64-12- Hearing Officer	08-117-12- Attorney General
08-73-12- Hearing Officer	08-118-12- Attorney General
08-74-12- Attorney General	08-120-12- Attorney General
08-75-12- Hearing Officer	08-121-12- Attorney General
08-76-12- Hearing Officer	08-122-12- Attorney General
08-77-12- Attorney General	08-123-12- Attorney General
08-78-12- Hearing Officer	08-124-12- Attorney General

08-125-12- Attorney General	08-190-12- Attorney General
08-126-12- Attorney General	08-192-12- Attorney General
08-128-12- Attorney General	08-193-12- Attorney General
08-129-12- Attorney General	08-194-12- Attorney General
08-130-12- Attorney General	08-195-12- Attorney General
08-131-12- Attorney General	08-196-12- Attorney General
08-133-12- Attorney General	08-198-12- Attorney General
08-134-12- Attorney General	08-199-12- Attorney General
08-135-12- Attorney General	08-202-12- Assigned
08-137-12- Attorney General	08-203-12- Attorney General
08-138-12- Attorney General	08-204-12- Assigned
08-140-12- Attorney General	08-205-12- Attorney General
08-141-12- Attorney General	08-206-12- Assigned
08-143-12- Attorney General	08-207-12- Assigned
08-145-12- Attorney General	08-208-12- Attorney General
08-149-12- Attorney General	08-210-12- Attorney General
08-152-12- Attorney General	08-211-12- Attorney General
08-153-12- Attorney General	08-212-12- Attorney General
08-154-12- Attorney General	08-213-12- Attorney General
08-155-12- Assigned	08-214-12- Attorney General
08-155-12- Attorney General	08-215-12- Attorney General
08-156-12- Attorney General	08-216-12- Attorney General
08-157-12- Attorney General	08-217-12- Attorney General
08-159-12- Attorney General	08-218-12- Attorney General
08-160-12- Attorney General	08-219-12- Attorney General
08-161-12- Attorney General	08-220-12- Attorney General
08-162-12- Attorney General	08-221-12- Attorney General
08-163-12- Attorney General	08-223-12- Attorney General
08-164-12- Attorney General	08-224-12- Attorney General
08-166-12- Attorney General	08-225-12- Attorney General
08-167-12- Attorney General	08-226-12- Attorney General
08-168-12- Attorney General	08-227-12- Attorney General
08-169-12- Attorney General	08-228-12- Attorney General
08-170-12- Attorney General	08-229-12- Attorney General
08-171-12- Attorney General	08-230-12- Attorney General
08-172-12- Attorney General	08-231-12- Attorney General
08-173-12- Attorney General	08-232-12- Attorney General
08-174-12- Attorney General	08-233-12- Attorney General
08-175-12- Attorney General	08-234-12- Attorney General
08-176-12- Attorney General	08-235-12- Attorney General
08-177-12- Attorney General	08-236-12- Attorney General
08-178-12- Attorney General	08-237-12- Attorney General
08-179-12- Attorney General	08-238-12- Attorney General
08-180-12- Attorney General	08-239-12- Attorney General
08-182-12- Attorney General	08-240-12- Attorney General
08-183-12- Attorney General	08-241-12- Attorney General
08-184-12- Attorney General	08-242-12- Attorney General
08-185-12- Attorney General	08-243-12- Attorney General
08-187-12- Attorney General	08-244-12- Attorney General
08-188-12- Attorney General	08-245-12- Attorney General
08-189-12- Attorney General	08-246-12- Attorney General

08-247-12- Attorney General
08-248-12- Attorney General
08-249-12- Assigned
08-250-12- Assigned
08-251-12- Assigned
08-252-12- Assigned
08-01-13- Attorney General
08-02-13- Attorney General
08-03-13- Attorney General
08-04-13- Attorney General
08-05-13- Attorney General
08-06-13- Attorney General
08-07-13- Attorney General
08-08-13- Attorney General
08-09-13- Attorney General
08-10-13- Attorney General
08-13-13- Attorney General
08-14-13- Attorney General
08-15-13- Attorney General
08-16-13- Attorney General
08-17-13- Attorney General
08-18-13- Attorney General
08-19-13- Attorney General
08-20-13- Attorney General
08-21-13- Attorney General
08-22-13- Attorney General
08-23-13- Attorney General
08-24-13- Attorney General
08-25-13- Attorney General
08-26-13- Attorney General
08-27-13- Attorney General
08-28-13- Attorney General
08-29-13- Attorney General
08-30-13- Attorney General
08-31-13- Attorney General
08-32-13- Attorney General
08-33-13- Attorney General
08-34-13- Attorney General
08-35-13- Attorney General
08-36-13- Attorney General
08-37-13- Attorney General
08-38-13- Attorney General
08-39-13- Attorney General
08-40-13- Attorney General
08-41-13- Attorney General
08-42-13- Attorney General
08-44-13- Attorney General
08-45-13- Attorney General
08-46-13- Attorney General
08-47-13- Attorney General
08-48-13- Attorney General

08-49-13- Attorney General
08-50-13- Attorney General
08-51-13- Attorney General
08-52-13- Attorney General
08-53-13- Attorney General
08-54-13- Attorney General
08-55-13- Attorney General
08-56-13- Attorney General
08-57-13- Attorney General
08-58-13- Assigned
08-59-13- Attorney General
08-60-13- Attorney General
08-61-13- Attorney General
08-62-13- Attorney General
08-63-13- Attorney General
08-64-13- Attorney General
08-65-13- Attorney General
08-66-13- Attorney General
08-67-13- Attorney General
08-68-13- Attorney General
08-69-13- Attorney General
08-70-13- Attorney General
08-71-13- Attorney General
08-72-13- Attorney General
08-73-13- Attorney General
08-74-13- Attorney General
08-75-13- Attorney General
08-76-13- Attorney General
08-77-13- Attorney General
08-78-13- Attorney General
08-79-13- Attorney General
08-80-13- Attorney General
08-81-13- Attorney General
08-83-13- Attorney General
08-84-13- Attorney General
08-85-13- Attorney General
08-86-13- Attorney General
08-87-13- Attorney
08-88-13- Attorney General
08-89-13- Attorney General
08-90-13- Attorney General
08-91-13- Attorney General
08-92-13- Closed
08-93-13- Attorney General
08-94-13- Attorney General
08-95-13- Closed
08-96-13- Attorney General
08-97-13- Attorney General
08-99-13- Attorney General
08-100-13- Attorney General
08-101-13- Assigned

CORRESPONDENCE

An invitation was sent announcing the 3rd Annual Barber Ball on Sunday December 8, 2013 in Chicago, IL.

OTHER BUSINESS BEFORE THE BOARD

N/A

PUBLIC COMMENT

Ms. Mathesian was inquiring about the parameters of a temporary aesthetician instructor license and who has authority to supervise this licensee? The board responded that the supervisor must be a licensed instructor in that profession and must be on the floor while supervising applicant.

Ms. Wade spoke of her confusion with reciprocity rules in Delaware. She said she has a lot of potential employees that are unable to work in her salon because they misunderstand the rules about 5 years immediately preceding application. As a business owner she doesn't know what to tell them. The Board explained the reciprocity rules to her and suggested she have anyone with questions contact the Division Office.

NEXT SCHEDULED MEETING

The next Board meeting will be held on Monday November 25, 2013 at 9:00 a.m. in conference room A.

ADJOURNMENT

A motion was made by Ms. Jones, seconded by Mr. Guilbert, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 10:27 a.m.

Respectfully submitted,



Maggie Strauss
Administrative Specialist, II