



CANNON BUILDING  
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**STATE OF DELAWARE**  
**BOARD OF COSMETOLOGY AND BARBERING**

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<b>PUBLIC MEETING MINUTES:</b>	<b>Board of Cosmetology and Barbering</b>
<b>MEETING DATE AND TIME:</b>	<b>Monday, March 31, 2014 at 9:00 a.m.</b>
<b>PLACE:</b>	861 Silver Lake Boulevard, Dover, Delaware <b>Conference Room A</b> , Second Floor of the Cannon Building
<b>MINUTES APPROVED:</b>	April 28, 2014

**MEMBERS PRESENT**

Linda Wilson, Professional Member  
Carol Guilbert, Secretary, Public Member  
Hillary Reid, Professional Member  
Albert Niezgoda, Professional Member  
Domonique Vicks, Professional Member  
Derrick Reed, Professional Member  
Leila Lord, Professional Member  
Melinda Schaeffer, Professional Member  
Kathleen Sherwin, Public Member  
Tien Le, Professional Member  
Cecilia Jones, Vice President, Public Member

**MEMBERS ABSENT**

Lisa Aurand, Professional Member  
Lauren Mosley, Professional Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT**

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

**OTHERS PRESENT**

Nicole Cebula  
Elizabeth White  
Samuel Poole  
Keith Stacy  
Jena Zapata  
Jaime Mathesian  
Theresa Tucci  
Michelle Wyszynski  
Felisha Oberly

### **CALL TO ORDER**

Ms. Wilson called the meeting to order at 0924.

### **REVIEW OF MINUTES**

A motion was made by Ms. Jones, second by Ms. Guilbert, to approve the February 24, 2014 meeting minutes. The motion was unanimously carried.

### **UNFINISHED BUSINESS**

#### ***Propose to Deny Hearing of Samuel T. Poole***

Ms. Kelly called the hearing to order at 0925 and stated that today's hearing was a result of the Boards proposal to deny the Cosmetology application of Samuel T. Poole. 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. Mr. Poole was sworn in.

Mr. Poole testified that he was not aware of his previous revocation because after his case in KC Superior court, he left the state of Delaware. The certified letters were signed for by someone living in the apartment complex he resided in prior to leaving. Mr. Poole went on to further state that he had hired a lawyer and was under the impression that all legal matters were going to be handled by him.

Ms. Kelly summarized the 1998 Board order for the Board; it stated that a hearing after the complaint was filed resulted in disciplinary action against Mr. Poole's license. Due to non-compliance, his license was ultimately revoked in 2000. Again, Mr. Poole stated that he was never in receipt of the initial order, or the subsequent revocation order, because he was not living in Delaware.

Mr. Poole called his first witness, Mr. Stacy. Mr. Stacy testified that after the case in KC Superior court was dismissed, they decided to move out of state. It never occurred to either of them to contact the Division with a change of address. Mr. Stacy went on to state that Mr. Poole is aware of his mistake and has tried to comply with the Boards requests since the discovery of the revocation order. Mr. Poole stated that it has been 16 years since the incident in question and that he is ready to get back to the work he is passionate about.

Deliberations began at 0958. The Board reviewed all of the documents submitted, questioning whether they could/should enforce the 1998 order. Ms. Jones stated there was no need, the written & practical exam would cover all of their requests.

A motion was made by Ms. Guilbert, second by Mr. Reed, to approve the exam application of Samuel T. Poole. The motion was unanimously carried.

The hearing went off record and adjourned at 1008. Verbatim testimony was taken by audio recording.

#### ***Propose to Deny Hearing of Elizabeth White***

Ms. Kelly called the hearing to order at 1013 and stated that today's hearing was a result of the Boards proposal to deny the Cosmetology exam application of Elizabeth White. Board members were introduced, and Ms. Kelly presented Board exhibit #1 as the application and supporting documents leading up to today's hearing. Ms. White was sworn in.

Ms. White testified that she was previously convicted of crimes substantially related to the practice of Cosmetology. She served her sentence as handed down by the Court system and completed her probationary period, including complete payment of all associated fines and restitution. She has since gone on to earn a degree from the Paul Mitchell School. She further stated that she earned 500 hours in Ohio that were not transferable to Delaware and that is why she applied to take the examination through PCS.

Ms. White called her first witness, Ms. Cebula. Ms. Cebula testified that she is an instructor at the Paul Mitchell Scholl and has known the respondent for 2 years. Ms. Cebula stated that the school has a very stringent process in place for all students, and that Ms. White has always gone above and beyond the requirements. She displays great passion and skills, and an overall love of the industry.

Deliberations began at 1026. The Board reviewed all of the documents submitted and agreed that it would be acceptable for Ms. White to take the examination.

A motion was made by Ms. Reid, second by Mr. Niezgoda, to approve the exam application of Elizabeth White. The motion was unanimously carried.

The hearing went off record and adjourned at 1028. Verbatim testimony was taken by audio recording.

#### ReReview of Applications

A motion was made by Ms. Jones, second by Ms. Guilbert to reverse the previous month's proposal to deny the applications of Erin Wagoner and Kim To. A motion was made by Ms. Guilbert, second by Ms. Jones to approve the cosmetology applications of Ms. Wagoner and Ms. To due to changes in the equivalency of their respective reciprocal states. The motion was unanimously carried.

A motion was made by Ms. Jones, second by Ms. Guilbert to propose to deny the Aesthetician apprentice extension request of Denise Bossard. The motion carried unanimously.

A motion was made by Ms. Jones, second by Ms. Guilbert to propose to deny the nail technician application of Linh My Nguyen due to lack of response to the Boards request. The motion carried unanimously.

#### Review and Signing of Consent Agreement

A motion was made by Ms. Sherwin, second by Ms. Le to accept and sign the consent agreement of Lisa Riberio as written. The motion carried unanimously.

#### Review & Signing of Final Orders

A motion was made by Ms. Guilbert, second by Ms. Sherwin to accept and sign the Final Board Orders of Lina Mom, Megan Brazell, Walter Hearn, Wanda Diaz, Jeffrey Johnson and Michelle Wyszynski. The motion was unanimously carried.

#### Review of Applications for Final Denial

A motion was made by Ms. Jones, second by Ms. Schaeffer to order a final denial of the temporary Cosmetology application of Brooks Millican. The motion carried unanimously.

Razor Blade Use for Pedicures

Ms. Kelly stated that she has been in contact with the Department of Public Health who has indicated that they will be amending their regulations to reflect the use of razor blades for pedicures as prohibited. There will also be an inclusion that makes it a rule that only licensed aestheticians can perform laser hair removal.

Mobile Salons

Ms. Kelly provided updates to the Board regarding the mobile salons. She indicated that all of the concerns over facilities, water & waste disposal, etc. were the responsibility of Public Health, who is also working on a draft of regulations. Ms. Kelly also provided information to the Board on the timeline for regulations changes.

**NEW BUSINESS**

Ratification of Applications

A motion was made by Ms. Jones, second by Ms. Schaeffer to accept the Barber application ratifications of: Michael Jordan, Angela M. Snyder, Christian Robert Voshell, Jr., Stephen Jackson and Erick Vasconselos-Tepale. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Ms. Mosley to accept the Cosmetologist application ratifications of: Keisha Copeland, Jordyn K. Yedinak, Jewell N. Walker, Robert B. Tatum, Marisel Rosenquist, Sarah Tabbia, Shomara Maisonet, Paige Diane Phipps, Aimy N. Bogan, Tracy R. Scott, Tiona Boddy, Victoria Ferguson Linh Thi-Hoang Tran, Kirsten N. North, Jean M. Simmonds, Naoy Mao, Leedar Heng Darelle I. Richardson, Courtney Marie Carrillo, Victoria Palady, Rachel Michele Capobianco, Ashley Rodichok, Kristy Dao, Jennifer Marie Izzi, Zakiya S. Hood, Thu T. Nguyen, Arelene Robbins, Donna Pinder and Tuyet Thi Ha. The motion carried unanimously.

A motion was made by Ms Guilbert, second by Ms. Jones to accept the Aesthetician application ratifications of: Annette M. Medico, Stephne Sammon, Melanie M. Werenczak, Thong Bui, Tamara L. Edwards, Erin Rae Wagoner, Dung Si Chenh Margaret C. Dietz, Phuong Tram Thi Vuong, Megan Lynn Sullivan and Kelly Ann Cossaboon. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Ms. Jones to accept the Nail Technician application ratifications of: Maria Scholato, Carol Nhung Trinh, Tammi Lynn Zarker, Ariel Stevenson, Kevin Dac Hoang, Yasreychan S. Kin, Thuy Kim Tang, Phong Van Ho and Diem T. Nguyen. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Ms. Jones to accept the Master Barber application ratifications of Joseph L. Green and Jason M. Leigh. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Ms. Jones to approve the ratification of Aesthetician Instructor Monique B. Borda. The motion carried unanimously.

A motion was made by Ms. Guilbert, second by Ms. Jones to approve the ratification of Barber Instructor Keith E. Jackson. The motion carried unanimously.

Review of Reciprocity Applications

A motion was made by Ms. Jones, second by Ms. Reid to approve the Cosmetologist applications of: Joanne C. McTague, To Nhi Gip, Anh ThiTuyet Nguyen and Christine M. Kenny. The motion carried unanimously.

A motion was made by Ms. Jones, second by Ms. Le to table the Cosmetologist application of Alena H. Pitts for proof of 5 years' experience prior to application. The motion carried unanimously.

Review of Shop/Salon Applications

A motion was made by Ms. Lord, second by Ms. Scaeffler to approve the Shop/Salon Applications of: Shear Dreams Hair Salon, No. 9, Mane Attraction Unisex Hair Salon, Twisted Hair Designs, Hair Day, Cartino Nails & Spa, JC Nails and My Happy Nails. The motion carried unanimously.

Review of Supervision Requirements

Ms. Kelly stated that the regulations do not clearly define supervision as it relates to apprentices. The board will need to review the current rules and draft a change to more clearly define how an apprentice must be supervised; directly versus indirectly. A motion was made by Ms. Wilson, second by Ms. Jones to table further discussion of apprentice supervision so that the Board can review more information. The motion carried unanimously.

Review of Applications/Licenses for Special Consideration

Mr. Reed presented the final discussion of the apprentice subcommittee meeting. He stated that they would like the Board to consider increasing the ratio of apprentices from 1:1 to 2:1. Ms. Kelly advised that the current ratio is part of the statute and if the Board would like to pursue the ratio increase, she can draft a bill for the 2015 General Assembly session.

Complaint Status

08-106-12- Attorney General	08-97-13 - Attorney General
08-107-12- Attorney General	08-104-13 – Hearing Officer
08-109-12- Attorney General	08-109-13 - Attorney General
08-111-12- Attorney General	08-116-13 - Assigned
08-112-12- Attorney General	08-01-14 – Assigned
08-115-12- Attorney General	08-03-14 – Attorney General
08-128-12- Attorney General	08-04-14 – Attorney General
08-135-12- Attorney General	08-05-14 – Assigned
08-138-12- Attorney General	08-06-14 – Attorney General*
08-145-12- Attorney General	08-07-14 – Assigned
08-08-13- Attorney General	08-08-14 – Attorney General*
08-29-13- Attorney General	08-09-14 – Assigned
08-64-13- Attorney General	08-10-14 – Assigned
08-71-13- Attorney General	08-11-14 – Assigned
08-72-13- Attorney General	
08-83-13- Attorney General	
08-89-13 - Attorney General	

**CORRESPONDENCE**

-Ms. Wilson read a letter from PCS informing DPR that there is a change of POC at their company.

-Ms. Wilson read a letter about the change in requesting disciplinary information from Washington State.

-Ms. Wilson read an email from Washington State indicating that they will no longer provide license verifications. States may search online for license status verification.

**OTHER BUSINESS BEFORE THE BOARD**

N/A

**PUBLIC COMMENT**

Ms. Wyszinski introduced herself to the Board and stated she was there to appeal a recent discipline against her license. She was advised of the appeals process by Ms. Kelly. Ms. Wyszinski advised she would pursue that avenue.

**NEXT SCHEDULED MEETING**

The next Board meeting will be held on Monday April 28, 2014 at 9:00 a.m. in conference room A.

**ADJOURNMENT**

A motion was made by Ms. Schaeffer, second by Ms. Guilbert, to adjourn the meeting. The motion was unanimously carried. The meeting adjourned at 1125.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Maggie Strauss', written in a cursive style.

Maggie Strauss  
Administrative Specialist, II