

These minutes were approved by the Board on 4.4.2022

MINUTES OF THE VIRTUAL CONFERENCING MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
March 7, 2022

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Secretary, Jackie Horning, at 10:33 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower Level Room B, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby and posted 02.25.2022.

Members Present on call (9):

The following members answered roll call:

Shannon Bingham, Member
Matt Bavougian, Member
Vicki Criswell, Member
Jacqueline Hornig, Secretary
Ruth Lucas, Member
Marie Nordboe, Member
Brandy Phillips, Member
Leslie Reed, Member
Harold "Buddy" Sims, Member

Members Absent (2):

Bridget Anderson, Chair
Pamela Rowland, Vice-Chair

Others Present:

Kris Chiles, Program Manager, Licensure Unit (in the room)
Milissa Johnson-Wiles, Assistant Attorney General (in the room)
Joe Neuhaus – Assistant Attorney General (in the room)
Kate Manuel, DHHS Attorney (in the room)
Anna Harrison, DHHS Compliance Monitor (on call)
Trevor Klaassen, Dennis Scott—Investigations (in the room)
Public (on call)

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Criswell moved, seconded Reed, to adopt the agenda. A voice vote was taken. Voting aye: Bingham, Bavougian, Criswell, Hornig, Lucas, Nordboe, Phillips, Reed, Rowland, Sims, (10). Voting nay: None (0). Absent: Anderson, Rowland (2). Vacant positions (2). Motion carried.

3. APPROVAL OF MINUTES: Deferred to next meeting

4. Updates/Follow-up

- a) **2022 Legislation-** no updates
- b) **Body Art Regulations-**Convention in Omaha

10:46 am Rowland entered call

10:48 am Anderson entered meeting room

Opportunity to show Nebraska trying to make easier and affordable to continue having events in the future.

- c) **Reports:** Disciplinary and Non-Disciplinary Actions, Licensure Statistics, Examination Pass/Fail Report, and Administrative Penalty Fees Assessed. Statistics will continue to be attached to the agenda's.

Board discussion on number of failures

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Criswell moved, seconded by Rowland, to enter into closed session at 11:01 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Anderson repeated the motion and purpose. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Rowland, Sims, Criswell, Nordboe, Reed (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

12:08am Klaasen and Scott exited room

12:08 Break

12:23 Board returned to close session

6. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

1:46 p.m. Verbal agreement from all board members to enter into open session.

1:46 p.m. Manuel exited room

Angle Poore- Nail Technician

MOTION: Nordboe moved, seconded by Criswell, to recommend to issue with a 1-year probation with the following terms and conditions: No solo practice, Quarterly employer reports, successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. Basis: Conviction history. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Rowland, Sims, Criswell, Nordboe, Reed (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Colette Garcia – Cosmetologist

MOTION: Nordboe moved, seconded by Criswell, to recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. **Basis: Practice prior to reinstatement.** A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Danielle Orlich – Cosmetologist

MOTION: Criswell moved, seconded by Nordboe, to recommend issuance with no terms and conditions. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, (10). Voting nay: Rowland (1). Absent: None (0). Vacant positions (2). Motion carried.

Alicia Goodall – Cosmetologist

MOTION: Hornig moved, seconded by Nordboe, to recommend issuance with no terms and conditions. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Kalisha King – Nail Technician

MOTION: Reed moved, seconded by Anderson, to recommend issuance with no terms and conditions. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Casey Mattison – Esthetician

MOTION: Sims moved, seconded by Nordboe, recommend to issue with a 3-year probation with the following terms and conditions: No solo practice, Quarterly employer reports, Random body fluid screens, Abstain from Alcohol/Drug, Report prescribed medication, follow recommendations of assessment and any future recommendations and the Standard Terms and Conditions of probation. Basis: Conviction history and diagnosis. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Holly Knihal – Cosmetologist

MOTION: Nordboe moved, seconded by Anderson, to recommend issuance with no terms and conditions. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Sara Champion – Cosmetologist

MOTION: Hornig moved, seconded by Criswell, to recommend a 6 month probation, with the following terms and conditions: Successfully complete the jurisprudence examination within 90 days and the Standard Terms and Conditions of probation. **Basis: Failed to disclose convictions.** A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Sims, Criswell, Nordboe, Reed, Rowland (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Merissa Smallfoot – Cosmetologist

MOTION Nordboe moved, seconded by Anderson, recommend to recommend to issue with a 4-year probation with the following terms and conditions: Quarterly employer reports, Random body fluid screens. Basis: Conviction history and diagnosis. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Reed, Rowland, Sims, Criswell, Nordboe (11). Voting nay: None (0). Absent: (0). Vacant positions (2). Motion carried.

Christina Benson – Cosmetologist

MOTION: Sims moved, seconded by Nordboe, to recommend issuance to recommend a 4-year probation, with the following terms and conditions: No solo practice, No money handling, Quarterly employer reports, Random body fluid screens, Abstain from Alcohol/Drug, Report prescribed medication, follow recommendations of assessment and any future recommendations and the Standard Terms and Conditions of probation. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Reed, Rowland, Sims, Criswell, Nordboe (11). Voting nay: None (0). Absent: (0). Vacant positions (2). Motion carried.

Nichol Lytle - Cosmetologist

MOTION Criswell moved, seconded by Anderson, to defer to next meeting. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips, Reed, Rowland, Sims, Criswell, Nordboe (11). Voting nay: None (0). Absent: (0). Vacant positions (2). Motion carried.

Henrieta Gallegos - Cosmetologist

MOTION Nordboe moved, seconded by Rowland, recommend to issue with a 4-year probation with the following terms and conditions: Random body fluid screens, Abstain from Alcohol/Drug, Report prescribed medication, follow recommendations of assessment and any future recommendations, Successful completion of court probation. Basis: Conviction history and diagnosis. A voice vote was taken. Voting aye: Bingham, Bavougian, Hornig, Lucas, Phillips, Reed, Rowland, Sims, Criswell, Nordboe (10). Voting nay: Anderson (1). Absent: (0). Vacant positions (2). Motion carried.

2:07 Break
2:07 pm Sims exited call
2:07 p.m. Reed exited call

7. CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Hornig moved, seconded by Rowland, to enter into closed session at 2:18 p.m. for the purpose of discussions of confidential nature to review the jurisprudence examination. Anderson repeated the motion and purpose. A voice vote was taken. Voting aye: Anderson, Bingham, Bavougian, Hornig, Lucas, Phillips,

Rowland, Criswell, Nordboe (9). Voting nay: None (0). Absent: Sims, Reed (2). Vacant positions (2). Motion carried.

2:22 pm. Sims entered call

3:31 pm Bingham exited call

3:31 pm. Bavougian exited call

8. OPEN SESSION

3:49 p.m. Verbal agreement from all board members to enter into open session.

Small work groups assigned for jurisprudent exam work review:

Cosmetology: Criswell, Lucas, Bingham, Hornig, ~~Brandy~~ Phillips

Body Art: Bavougian, Criswell, Anderson, Rowland

Nail Technology: Sims, Rowland, Lucas, Hornig

9. ADJOURNMENT

Anderson announced the next meeting is scheduled for April 4, 2022 for the next regular board meeting, and small work groups will report at that time and declared the meeting adjourned at 4:00 p.m.

Submitted,

Jackie Hornig, Secretary

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by the Licensure Unit.