



## NEVADA STATE BOARD OF COSMETOLOGY

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## NEVADA STATE BOARD OF COSMETOLOGY

### Meeting Summary for July 9, 2018

This meeting was video conferenced between Las Vegas, Nevada and Carson City, Nevada

The Board of Cosmetology conducted a Board Meeting on Monday, July 9, 2018  
This was a regular meeting as noted on our yearly schedule of meetings.

The Audio and Video recordings for this meeting can be found on the Board of Cosmetology website:

**[www.nvcosmo.com](http://www.nvcosmo.com)**

### **1. Call to Order/Roll Call**

The meeting was called to order at 9:03 a.m. by Gwen Braimoh, Board President

Board Members:

Gwen Braimoh - Board President  
Bryan Baltazar - Vice President  
Debbie Ritchey - Secretary Treasurer  
Tialutrell McCormick - Board Member  
Kai Stanton - Board Member  
Victoria Negrete - Board Member  
JoAnna Tran - Board Member

Staff:

Gary Landry - Executive Director  
Adam Higginbotham - Deputy Executive Director  
Andrew Helms - Chief Financial Officer  
Leah Easter - Compliance Coordinator  
Nina Dunlap- Admin. & Compliance Specialist  
Monica Bradford - Admin. Service Specialist  
Charlene Marsh - Inspector  
Pamela Hayes-Fitzgerald - Inspector  
Chanel Swoope- Inspector

Counsel:

Asheesh Bhalla - Deputy Attorney General  
Rosalie Bordelove - Deputy Attorney General

**2. The Pledge of Allegiance**

**3. Reading of the Board of Cosmetology Mission Statement**

The Mission of the Nevada State Board of Cosmetology is to protect the public health, safety and welfare of those that obtain cosmetology related services through the delivery of quality testing, licensing and education services that focus on consumer protection.  
( NRS 644A & NAC 644)

**4. Comments by General Public**

Lavenia Wilson- Asked that the Board consider offering a certificate/registration for eyelash extensions.

**5. Consideration and Approval of Minutes from the April 9, 2018 Board meeting**

**Action Taken:** *The Minutes from the April 9, 2018 Board meeting were approved*

**Motion:** Bryan Baltazar

**Second:** JoAnn Tran

Vote: **Ayes:** 7

**Nays:** 0

**Abstentions:** 0

**Motion Carried**

6. Complaint Hearing: NSBOC (Case#C-2017-0595) vs Ally's Beauty Salon (S-10505), Mirna Lainez ,Owner. Formal disciplinary hearing to determine whether grounds for discipline exist pursuant to violations of NRS 644.430(1)(a)and/or NRS 644.360(2) (employing unlicensed individuals).

*Ms. Lainez was present when called for this hearing. She was accompanied by a translator, who is also her daughter.*

*The Board voted unanimously on the following:*

*Factual allegations (1-6) were proven.  
Violations of Law (1-2) were proven.*

Action Taken: Discipline per NAC 644.700

*The Board imposed an administrative fine of \$2000 for each violation of NRS 644.360 (Display of license; limitation on persons to whom space may be leased; limitation on persons who may be employed) totaling \$4000 plus administrative costs up to \$500. The Board further imposed a 30-day suspension of the establishment license for Aly's Beauty Salon (S-10505) and a 90-day suspension of the cosmetology license of Mirna Lainez (C-25630). Respondent has 30-days from the date of the final order to pay assessed fees. The Board further ordered that should there be any further violations for the salon or the licensee, they would automatically have to appear before the Board for a hearing.*

Motion: Tialutrell McCormick      Second: Debbie Ritchey

Vote: Ayes: 7      Nays: 0      Abstentions: 0

Motion Carried

7. Complaint Hearing: NSBOC (Case #C-2017-0642) vs Trinity Salon & Spa, (S-12189), Jocelyn McCall, Owner (C-23218). Formal disciplinary hearing to determine whether grounds for discipline exist pursuant to NRS 644.350 (Expiration of license; effect of failure to timely pay renewal fee).

*Ms. McCall admitted to being on a 4th offense for an expired salon license.*

*Factual allegations (1-6) were proven by a unanimous vote.  
Violations were proven (1) by a unanimous vote.*

Action Taken: Discipline per NAC 644.700

*The Board issued a penalty of \$2,000 for violating NRS 644.350 as well as administrative costs not to exceed \$500. Respondent has six months from the date of the order to pay the assessed fees.*

Motion: Debra Ritchey      Second: JoAnna Tran

Vote: Ayes: 7    Nays: 0    Abstentions: 0

Motion Carried

8. Proposed Law Change: Nevada Revised Statutes Chapter 644A.330(5)(a) and NRS 644A.330(5)(c) submitted from the Law Review Subcommittee to lower the esthetician qualifications for examination hours from 900 to 600, and for esthetician apprentice hours from 1800 to 1200. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to lower the esthetician hours and the esthetician apprentice hours.*

Motion: Debbie Ritchey      Second: Tialutrell McCormick

Vote: Ayes: 6      Nays: 1      Abstentions: 0

Motion Carried

9. Proposed Law Change: Nevada Revised Statutes Chapter 644A.315(5)(b) and NRS 644A.315(5)(d) submitted from Law Review Subcommittee to lower the hair designer qualifications for examination hours from 1200 to 1000, and the hair designer apprentice hours from 2400 to 1000. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to lower the hair designer hours and the hair designer apprentice hours.*

Motion: Tialutrell McCormick      Second: Debbie Ritchey

Vote: Ayes: 5      Nays: 2      Abstentions: 0

Motion Carried

10. Proposed Law Change: Nevada Revised Statutes Chapter 644A.075(1)(b) submitted from the Law review Subcommittee to add “eyelash extensions” and “eyelash perming” to “*Esthetics*” defined. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to add language to the esthetician’s scope of practice*

Motion: Debbie Ritchey      Second: JoAnna Tran

Vote: Ayes: 7                      Nays: 0                      Abstentions: 0

Motion Carried

11. Proposed Law Change: Nevada Revised Statutes 644A.520(5) submitted from the Law Review Sub Committee, adding two (2) continuing education units (CEUs) as a requirement for all licensees at each renewal period. These would be in addition to the current four (4) hours of instruction relating to infection control and prevention. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to add an additional two (2) continuing education units as a requisite to personal license renewals*

Motion: Kai Stanton                      Second: JoAnna Tran

Vote: Ayes: 7                      Nays: 0                      Abstentions: 0

Motion Carried

12. Proposed Law Change: Nevada Revised Statutes Chapter 644A.600(2) submitted from the Inspection Team changes the language of the statute to reflect current Board practices regarding requirements for application for a cosmetological establishment. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to update current practices on the applications for cosmetological establishments.*

Motion: Debbie Ritchey                      Second: Victoria Negrete

Vote: Ayes: 7                      Nays: 0                      Abstentions: 0

Motion Carried

13. Proposed Law Change: Nevada Revised Statutes Chapter 644A.030(1)(d) submitted from the inspection team removes “electrolysis” from the scope of practice of a cosmetologist. Public comments were allowed.

Action Taken: *The Board approved proceeding with requesting a law change to update the scope of practice for a Cosmetologist.*

Motion: Debbie Ritchey                      Second: JoAnna Tran

Vote: Ayes: 7                      Nays: 0                      Abstentions: 0

Motion Carried

14. Petition to Appear: Victor Cortez, Owner of Exquisite Nails & Spa (S-186711) appealed violations that were issued pursuant to NRS 644.190.2 (Unlawful practices without license or certificate of registration; exceptions).

Action Taken: *The Board voted to uphold the citations in the amount of \$2,500 payable within 60-days of dated letter sent from Board Staff.*

Motion: JoAnna Tran      Second: Tialutrell McCormick  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

15. Petition to Appear: Alda Rodrigues (C-18386), owner of Victoria's Beauty Salon (S-10267) appealed citation #5476 that was issued pursuant to NRS 644.360 (2) (Display of license; limitation on persons to whom space may be leased; limitation on persons who may be employed). Ms. Rodrigues also appealed citation #5478 that was issued pursuant to NRS 644.350 (Expiration of license; effect of failure to timely pay renewal fee).

Action Taken: *The Board voted to uphold the citations in the total amount of \$400 payable within 60-days of dated letter sent from Board Staff.*

Motion: Tialutrell McCormick      Second: JoAnna Tran  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

16. Petition to Appear: David Gonzales (H-427) appealed citation #5476 that was issued pursuant to NRS 644.360(2) (Display of license; limitation on persons to whom space may be leased; limitation on persons who may be employed).

Action Taken: *The Board voted to uphold the citation in the total amount of \$200 payable within 60-days of dated letter sent from Board Staff.*

Motion: Debbie Ritchey      Second: Tialutrell McCormick  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

17. Petition to Appear: Qi Wang (U-14409) requested Board approval to test for a cosmetology license via reciprocity from the state of New York (NRS 644.310).

Action Taken: *The Board unanimously voted to deny reciprocity based on a discrepancy in reported hours.*

Motion: JoAnna Tran      Second: Kai Stanton  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

18. Petition to Appear: Thi Thu Phuong Dang requested Board approval of submitted California School hours to grant reciprocity for a Nevada Nail Technician license. A time discrepancy exists in her reported hours. Hours were obtained from a school that was closed due to pressures of investigation from the California Board of Barbers and Cosmetologists.

Action Taken: *The Board voted to deny reciprocity based on discrepancy in reported hours.*

Motion: Debbie Ritchey      Second: JoAnna Tran  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

19. Petition to Appear: Soneah Matti (C-25907) asked the Board to consider her mitigating circumstances and waive the late fees accrued in order to renew her cosmetology license.

*Ms. Matti was not present at the time her petition was called.*

Action Taken: *The Board upheld the current fees accrued*

20. Petition to Appear: Victoria Roney (N-7489), previous owner of The Wig Cottage (S-12639) requested the Board refund prorated renewal fees for salon establishment license.

*Ms. Roney was not present at the time her petition was called.*

Action Taken: *The Board upheld not granting a refund for the salon renewal fee.*

21. Petition to Appear: Sonja Grace (H-39900) requested that the Board grant her permission to perform lash extensions under her hair designer license and a completed lash extension course.

Action Taken: *The Board voted to deny Ms. Grace's request and uphold current state statute/regulation and uphold the requirements that lash extensions must be performed by a licensed cosmetologist or esthetician.*

Motion: JoAnna Tran

Vote: Ayes: 7

Motion Carried

Second: Tialutrell McCormick

Nays: 0      Abstentions: 0

22. Petition to Appear. Kimberly Schrager (C-14722) asked for reimbursement of a late fee that she paid in order to renew her license (NRS 644.325(3)).

*Ms. Schrager was not present when her petition was called.*

Action Taken: *The Board upheld the late fee.*

23. Petition to Appear. Erika Terri Oduor requested Board approval to test for a Cosmetology license based on her personal submittal of completed hours that were not reported by the attending school.

*Ms. Oduor was not present when her petition was called.*

Action Taken: *The Board could not rule without any evidence of additional hours.*

24. Petition to Appear: Debra Wufka (C-18000) requested that revocation of a licensee's active license based on her claim that child support payments are owed to her.

Action Taken: *Under the direction of Deputy Attorney General, Rosalie Bordelove, the petition could not be heard. Proper notice is required to speak about another licensee.*

25. Executive Director Review: The board discussed and reviewed the performance of Executive Director, Gary Landry.

Action Taken: *The Board approved a two-step salary increase.*

Motion: Victoria Negrete

Vote: Ayes: 7

Motion Carried

Second: Debra Ritchey

Nays: 0      Abstentions: 0

26. Consideration and Approval of Executive Director's Report : The Board discussed and reviewed the Executive Director's Report. The Report Included:

- 1). Executive Summary
- 2). Reporting Data
- 3). Financial Summary
- 4). Financial Statements 8.31.17 through 2.28.18



- 5). Cash Flow Analysis
- 6). Accounts Receivable Aging Summary
- 7). New Licensee Reports (2) 11/01/17 through 5/31/18
- 8). Follow-up on Items from the 01/08/18 and 04/09/18 Board Meetings

Action Taken: *The Board approved the Executive Director's Report*

Motion: Kai Stanton      Second: Debra Ritchey  
Vote: Ayes: 7      Nays: 0      Abstentions: 0  
Motion Carried

27. Comments by Board Members: The Board offered final comments and gave suggestions for future Board meeting agenda items.

- Debra Ritchey- Requests an agenda item for the next meeting to send a one time courtesy renewal notice for individual licensees.
- Debra Ritchey & Kai Stanton- Would like to continue their research and endorsement of merging the Barber Board, the Massage Therapists Board and the Cosmetology Board.
- Kai Stanton- Would like to address educational facilities within salons that are misleading those that take courses by offering hours under a false apprenticeship program. Mostly these are courses in eyelashes. This essentially constitutes working without a license and will be turned over to the Inspection team for evaluation.
- Tialutrell McCormick- Requests discussion on how to inform licensees of Board changes and be more accessible to licensees. The idea of a town hall meeting was proposed.
- Tialutrell McCormick & JoAnna Tran- Would like ideas on how to establish a precedent for handling certain repetitive petitions based on previous Board rulings. The outcome desired is to be more consistent with the same pattern of requested Board decisions.
- JoAnna Tran- Expressed concern about fraudulent hours and licenses particularly in the nail industry. Requested an agenda item to discuss what measures can be taken by the Board to prevent these and avoid injuries to the public.
- Gwen Braimoh- Would like to get feedback from schools on reduction of hours especially regarding the proper training with less hours. The idea of a workshop for the salon industry was put forth.

28. Comments by General Public: Members of the public were invited to speak before the Board; however, no action may be taken on a matter during public comment until the matter itself has been included on an agenda.

- No comments from the general public

29. Adjournment:

**Action Taken:** The July 8, 2018 meeting was adjourned at 2:10 p.m.