

Minutes of the
Arkansas Board of Cosmetology

May 16, 2005

Pursuant to notice timely given by the Director, the Arkansas Board of Cosmetology met on Monday, May 16, 2005. The meeting was held in the South Basement Conference Room at 101 East Capitol, Little Rock.

MEETING CALLED
TO ORDER

President Cliff Keene called the meeting to order at 8:30 a.m.

ROLL CALL

Roll was called with the following members present:

Cliff Keene,	President
Mitzie McKinney	2 nd Vice President
Jane Powell,	Treasurer
Veda Traylor	Secretary
Nick Downey	Board Member
La Joy Gordon	Board Member
Brenda Gray	Board Member
Patricia Turman	Board Member
Sherron West	Board Member

The following individuals were also in attendance: Linda Whitlow, Director; Cheryl Esaw, Administrative Assistant and State Inspectors: Caudle and Morgan. Also attending were students from Lee's School of Cosmetology; Jacque Hayden of Lynndale's Academy of Cosmetology and students and Bessie Haygood.

MINUTES

The first order of business was to approve the minutes of the March and April exams and the March 21, 2005 Board meeting.

Mitzie McKinney moves to approve the minutes as mailed. Seconded by Brenda Gray. Motion carried.

FINANCIAL
REPORT

Financial Reports for March 1 to April 30, 2005 were mailed.

Mitzie McKinney moves to accept as mailed. Seconded by LaJoy Gordon. Motion carried.

TREASURER'S
REPORT

At the last meeting, the balance was \$143.38. Expenses brought the total down to \$23.91. At this meeting, \$115 was collected leaving a total of \$138.91

Sherron West moves to approve the Treasurer's Report. Seconded by Mitzie McKinney. Motion carried.

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GENERAL
BUSINESS

Mileage Reimbursement A letter from DFA Director was handed out regarding the mileage reimbursement. Mileage allowance was increased to \$.37 per mile until further notice.

House Resolution A House Concurrent Resolution from the Capitol was explained. The Resolution states that persons serving in National Guard or Reserve must be accorded the leniency to renew or obtain continuing education for licensing.

Per Diem Changes Mrs. Whitlow explained about Act 2298 which makes the Board Members state employees and tax deductions will now be withheld from the Board Members per diem.

NIC Esthetics New CIB's from NIC were distributed. The Esthetics written exam will change in September 2005. A notice will be mailed to schools along with the monthly reports

NIC Region Meeting Reports were given regarding the NIC Region Meeting in St. Louis. They had a very educational meeting but, several items of discussion were brought up. Sterilization and disinfection regarding Brazilian waxing; body wrapping and other items were discussed. Classes were held regarding cyber crime, microdermabrasion and problems pertaining to them.

CORRESPONDENCE

Siebel A thank you was read from the family of Johnnie Siebel for the flowers.

PETITIONS

Mena School A new school called Mena Cosmetology School owned by Shirley Smith. All requirements for a new school have been met and Mrs. Smith was requesting that the Board approve the school and issue a license

Nick Downey moves to approve the school application. Seconded by Veda Traylor. Motion carried.

Alexander An e-mail from Ron Alexander was read requesting that mobile salons be placed on the agenda for discussion. Mr. Alexander did not appear.

Veda Traylor moves to deny the request of Mr. Alexander. Seconded by Jane Powell. Motion carried.

HEARINGS

Deshazier

The Board read the charges and allegations contained in the "Order and Notice of Hearing" – No. 05-113 - In the Matter of Valerie Deshazer, Owner & Operator D/b/a Hands In Motion. The Respondent was charged with violation of Arkansas Code Annotated Sections: 17-26-105 (1) and (12); 17-26-301 (a); 17-26-401 (a); 17-26-319 (c) and 17-26-404 (b) and Board Regulations: 17-23-401 Section 2 (A) 5 and 6. The Respondent did not appear.

The Board deliberated on the hearing styled – In the Matter of Valerie Deshazer. The Board found the Respondent guilty of violating the Code and Regulations contained in the hearing order.

Brenda Gray moves to enter the following order:

- 1) That the Respondent's cosmetological establishment and cosmetology licenses is suspended commencing upon receipt of the Board's order and continuing until such time as the Respondent pays a fine in the amount of \$111.
- 2) It is further ordered that during this period of suspension, the Respondent shall cease and desist from operating a cosmetological establishment and practicing cosmetology.

Seconded by Mitzie McKinney. Motion carried.

La Carm

The Board read the charges and allegations contained in the "Order and Notice of Hearing" – No. 05-121- In the Matter of LaCarm Educational Associates, Owner D/b/a Pro Way Hair School. The Respondent was charged with violation of Arkansas Code Annotated Sections 17-26-105 (1) and (12) and 17-26-408 (3) and Board Regulations 71-859 Section 2, 5, 6, 10 and 11, 71-862 Section 2 (A), (B), (C), (E) and (F) and 17-23-401 Section 2 (A) 1. The Respondent was represented by Mr. Frank Sullivan.

The Board deliberated on the hearing styled – In the Matter of LaCarm Educational Associates. The Board found the Respondent guilty of violating the Code and Regulations contained in the hearing order.

Jane Powell moves to enter the following order:

- 1) That the Respondent is fined the amount of \$1000 payable within 30 days of receipt of the Board's order.
- 2) Failure to pay the fine as Ordered will result in a suspension of the Respondent's cosmetology school license beginning 30 days from receipt of the Order and continuing for a period of 90 days from the date the Respondent relinquishes his license to the Board.
- 3) It is further Ordered that the school be placed on probation for a period of two years.

Seconded by Mitzie McKinney. Motion carried.

Veda Traylor moves that all students hours be adjusted as per the audit conducted by the Board Inspectors during the period of time that the current owner has had the school. Seconded by Patricia Turman. Motion carried.

AFFIDAVITS

The Board deliberated on the following hearings and accepted each Respondent's plea of no contest to the charges contained in their respective "Order and Notice of Hearing". Finding the allegations being true in each case before the Board, Nick Downey moves to impose the penalty warranted by each citation, to accept the affidavits filed by the Respondents and to find that acceptance of the penalties submitted by each Respondent will achieve the desired disciplinary results. Seconded by Veda Traylor. Motion carried.

05-016	In the Matter of Marvin Falls	\$531
05-050	In the Matter of Fionnula Rutherford	\$1000
05-072	In the Matter of Jeanie Hunnicutt	\$415
05-080	In the Matter of Debra Defee	\$51
05-081	In the Matter of Glenda Hinton	\$49
05-082	In the Matter of Cheryl Irvan	\$49
05-083	In the Matter of Ruth Little	\$46
05-084	In the Matter of Kathy Worley	\$46
05-085	In the Matter of G.W. Stringer	\$55
05-086	In the Matter of Darlene D'Amico	\$71
05-087	In the Matter of Gregg Fockler	\$46
05-088	In the Matter of Julia Fulbright	\$55
05-089	In the Matter of Jamela Sanders	\$55
05-091	In the Matter of Shovelle Riggs	\$46
05-092	In the Matter of Phu Van Nguyen	\$250
05-093	In the Matter of Han Thi Nguyen	\$250
05-094	In the Matter of Barbara Jackson	\$500
05-095	In the Matter of Zack Smith	\$100
05-097	In the Matter of Katherine Huynh	\$250
05-098	In the Matter of Tuyet Huyet	\$150
05-099	In the Matter of Lacarm Educational Assoc	\$355
05-100	In the Matter of Kassey Myers	\$49
05-102	In the Matter of Mary Wilmoth	\$67
05-103	In the Matter of Mike Quoc bue	\$175
05-104	In the Matter of Muoi Thi Dinh	\$100
05-105	In the Matter of Courtney Williams	\$55
05-106	In the Matter of Karrah Steinboch	\$55
05-107	In the Matter of Lance Umbarger	\$40
05-108	In the Matter of Robyn Kirkland	\$40
05-110	In the Matter of Karen Lastovica	\$46
05-112	In the Matter of Tracy Williams	\$298
05-114	In the Matter of Melissa Scott	\$98
05-115	In the Matter of Melissa Phillips	\$48
05-116	In the Matter of Shari Latta	\$109
05-117	In the Matter of Kristy McBride	\$91
05-118	In the Matter of Angela Alsip	\$91
05-119	In the Matter of Patsy Davis	\$84

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05-120	In the Matter of Suzanne Welch	\$84
05-122	In the Matter of Kerri Polk	\$56
05-123	In the Matter of Leanne Howard	\$56
05-124	In the Matter of Emma Johnston	\$57
05-126	In the Matter of Cuong Le	\$500
05-127	In the Matter of Ky Van Le	\$500
05-131	In the Matter of Doi Thi Ho	\$500
05-132	In the Matter of Nhan Ngo	\$375
05-136	In the Matter of Angela Green	\$86
05-142	In the Matter of Barbara Horton	\$90
05-143	In the Matter of Jennifer Lamb	\$91
05-144	In the Matter of Jamie Parnell	\$85
05-147	In the Matter of Eyvette White	\$75
05-150	In the Matter of Peter Steppach	\$78
05-153	In the Matter of Joan Newman	\$80
05-155	In the Matter of Jimmy Armstrong	\$71
05-165	In the Matter of Thao Thu Ho	\$125

EXECUTIVE SESSION

OPEN SESSION

HIRING

Mitzie McKinney moves to hire Lavonne Holman as Inspector for the Northeast territory. Seconded by Veda Traylor. Motion carried.

Veda Traylor moves to hire Ron Maxwell as Director beginning on June 1. Seconded by Mitzie McKinney. Motion carried.

ADJOURN

The meeting was adjourned at 4:15 p.m.

Respectfully submitted

Linda Whitlow, Director
May 18, 2005