

IDAHO BARBER AND COSMETOLOGY SERVICES LICENSING BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Minutes of 2/7/2022

BOARD MEMBERS PRESENT: Debra J Thompson - Chair
Merrilyn Cleland
Geneal Thompson
Thomas E Grimsman
Wendy S Rucker
Brian Porter
Lindy High

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Eric Nelson, Board Prosecutor
Nicholas Krema, General Counsel
Cesley Metcalfe, Board Support Supervisor
Bonnie Dodson, Board Support Specialist
Christian Runnalls, Board Support Specialist
Allegra Earl, Licensing Supervisor

OTHERS PRESENT: April Hubbard, Academy di Firenze
Barb DeHaan, Northwest Career Colleges
Sumer Aspiazu, ICAT Cosmetology School
Wendy Florence, Academy di Firenze

The meeting was called to order at 8:32 AM MST by Ms. Debra J Thompson.

INTRODUCTIONS

Mr. Absec introduced himself as the Licensing Program Manager and the Executive Officer of the Board; Ms. Anne Lawler as the Occupational Licenses Bureau Chief; Nicholas Krema as General Counsel; John Price as the Investigative Unit Manager; Cesley Metcalfe as the Board Support Supervisor; Bonnie Dodson and Christian Runnalls as Board Support Specialists; and Allegra Earl as the Licensing Supervisor.

APPROVAL OF MINUTES

Ms. Cleland made a motion to approve the minutes of 12/6/21. It was seconded by Mr. Grimsman. Motion carried.

DIVISION BUSINESS

LAWS AND RULES

Mr. Absec gave an overview of Zero-Based Regulation (ZBR) and stated that the Board is tentatively scheduled to begin its review in 2023 to present its proposed rules in the 2024 Legislative Session.

All regulatory boards will also be undergoing a sunrise or sunset review on their statutes over the next five years, but a schedule for that has not yet been provided.

DIVISION UPDATES

Mr. Absec informed the Board that the third organizational chart showing all employees is complete and posted to the Division's website. He also stated that the Division should be moving to its permanent building by July.

Mr. Absec also explained that a financial report was unavailable due to issues created by the consolidation of multiple financial systems within the Division.

SET FUTURE MEETING DATES

April 11, 2022 at 8:30 AM MDT
June 13, 2022 at 8:30 AM MDT
August 8, 2022 at 8:30 AM MDT
October 24, 2022 at 8:30 AM MDT
December 19, 2022 at 8:30 AM MST

BOARD MEMBER TRAINING

Mr. Absec presented Board member training that explained the expectations, duties, and responsibilities of Board members and Division staff.

BOARD BUSINESS

DISCUSSION ON FINES AND FELONIES

The Board discussed the process for licensees who disclose a felony on their renewal application and any fines that were assessed. Mr. Absec stated that in the last three (3) years there were 35 felonies disclosed and only one had a fine assessed due to circumstances. Mr. Price stated that when a felony is disclosed, an investigator does a cursory investigation. He said the majority of licensees are not assessed a fine. No action was taken.

DISCUSSION ON TEMPORARY LICENSES

Ms. Earl presented information on how other states track temporary licenses.

CONFERENCE ATTENDANCE REQUEST

The Board discussed attendance for the National Interstate Council of State Boards of Cosmetology (NIC) Conference in San Antonio Texas, September 30-October 3, 2022, and the National Association of Barber Boards of America (NABBA) Conference in Atlanta Georgia, September 18-22, 2022. No action was taken.

COMPLAINT MEMORANDUM

Mr. Price gave the investigative report, which is linked above.

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Grimsman. The vote was: Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Ms. G Thompson, aye; Mr. Porter, aye; Ms. High, aye; and Ms. Rucker, aye. Motion carried.

Ms. G Thompson made a motion to come out of executive session. It was seconded by Ms. Rucker. Motion carried.

DISCIPLINE

Ms. Cleland made a motion to approve the Stipulation and Consent Orders in case numbers BCB-2021-51; BCB-2021-160/161; BCB-2021-162; BCB-2021-171/172; BCB-2021-197; BCB-2021-208/209; BCB-2022-34/35; BCB-2022-51; and BCB-2022-74/76 and allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Grimsman. Motion carried.

Mr. Grimsman made a motion to approve the Findings of Fact, Conclusions of Law and Final Orders in case numbers BCB-2021-47/48; BCB-2021-147; and BCB-2021-202 and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Cleland. Motion carried.

Mr. Grimsman made a motion to approve the Division's recommendation to close case numbers I-BCB-2020-98; I-BCB-2021-247/248; I-BCB-2022-85; I-BCB-2022-103; I-BCB-2022-108; I-BCB-2022-12; I-BCB-2022-155/156; and I-BCB-2022-162, and to close case number I-BCB-2022-109/110/111 with a warning letter. It was seconded by Ms. High. Motion carried.

Mr. Grimsman made a motion to approve the Notice of Violation and Settlement Orders in case numbers BCB-2022-77; BCB-2022-86; BCB-2022-87; BCB-2022-88/89; BCB-2022-101/102; BCB-2022-103/104; BCB-2022-111; BCB-2022-112; BCB-115/116; BCB-2022-121/122; BCB-2022-125/126; BCB-2022-130; BCB-2022-131; BCB-2022-133; and BCB-2022-146/147. Mr. Grimsman amended his motion to

allow the Board chair to sign on behalf of the Board. It was seconded by Mr. Porter. Motion carried.

APPLICATIONS

EXECUTIVE SESSION

Ms. Cleland made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Rucker. The vote was: Ms. D Thompson, aye; Mr. Grimsman, aye; Ms. Cleland, aye; Ms. G Thompson, aye; Mr. Porter, aye; Ms. High, aye; and Ms. Rucker, aye. Motion carried.

Ms. High made a motion to come out of executive session. It was seconded by Ms. Rucker. Motion carried.

APPLICATION REVIEW

Ms. Cleland made a motion to approve the following pending proof of an inspection:

901189701

It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to approve the following pending passing results of examination:

901188262

It was seconded by Ms. Rucker. Motion carried.

NEXT MEETING was scheduled for April 11, 2022, at 8:30 AM MDT.

ADJOURNMENT

Ms. Thompson adjourned the meeting at 11:49 AM MST.