

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

**Board Meeting Minutes of 6/13/2022**

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

**BOARD MEMBERS ABSENT:** Geneal Thompson

**DIVISION STAFF:** Anne Lawler, Bureau Chief  
Kent Absec, Licensing Program Manager  
John Price, Investigative Unit Manager  
Nicholas Krema, General Counsel  
Cesley Metcalfe, Board Support Supervisor  
Emily Rough, Board Support Specialist  
Allegra Earl, Licensing Supervisor  
Lindsay Guille, Licensing Specialist

**OTHERS PRESENT:** Eric Nelson, Board Prosecutor  
Lance Giles, The Giles Group, LLC  
Barb DeHaan, Northwest Career Colleges  
Melissa Lopez, Cosmetology Instructor

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

**APPLICATION APPROVAL PROCESS**

The Board discussed its current application approval process. Mr. Grimsman made a motion to authorize Division staff to approve apprentice and instructor applications. It was seconded by Ms. High. Motion carried.

**CONFERENCE ATTENDANCE REQUESTS**

The Board discussed the upcoming NABBA and NIC annual conferences. Ms. Cleland made a motion to authorize Ms. D. Thompson, Ms. G. Thompson, and Ms. Cleland to attend the NIC conference and to pay all related costs. Ms. High is an alternate if someone is unable to attend. It was seconded by Ms. High. Motion carried.

## **EXAM PROCESS UPDATE**

The Board reviewed correspondence from NIC regarding content changes to the theory and practical examinations for nail technology, cosmetology, and instructors.

## **DISCUSSION ON FEES, FINES, AND INVESTIGATIVE COSTS**

Mr. Absec presented information on the fines and fees that were previously approved by the Board and are currently in use. The Board discussed the current fines and fees and requested that Division staff provide alternate recommendations at a future meeting.

## **WARNING LETTERS**

The Board reviewed draft warning letters for an expired license and for unprofessional conduct. Mr. Grimsman made a motion to authorize Ms. Cleland to work with Division staff to revise the letters to include Board input and to send the revised letters to the Board chair for approval. It was seconded by Ms. Rucker. Motion carried.

## **COMPLAINT MEMORANDUM**

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

## **EXECUTIVE SESSION**

Ms. Cleland made a motion that the Board enter 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. Porter. The vote was: Ms. D. Thompson, aye; Mr. Porter, aye; Ms. High, aye; Ms. Cleland, aye; Mr. Grimsman, aye; and Ms. Rucker, aye. Motion carried.

Ms. Cleland made a motion to leave executive session. It was seconded by Mr. Grimsman. Motion carried. No decisions were made in executive session.

## **DISCIPLINE**

Ms. Cleland made a motion to close case number I-BCB-2022-317 with an advisory letter. It was seconded by Mr. Grimsman. Motion carried.

Ms. Cleland made a motion to close case number I-BCB-2022-223. It was seconded by Ms. Rucker. Motion carried.

Mr. Nelson presented Stipulation and Consent Orders in case numbers: BCB-2022-47/48, BCB-2022-79/80, BCB-2022-117/118, BCB-2022-154. Ms. Rucker made a

motion to approve the Consent Orders 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 Findings of Fact, Conclusions of Law, and Final Orders in case numbers BCB-2021-188 and BCB-2022-9 and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Cleland. Motioned carried.

Ms. High made a motion to approve the Stipulation and Consent Orders in case numbers BCB-2022-168/169, BCB-2022-170, BCB-2022-175/176, BCB-2022-177, BCB-2022-179, BCB-2022-180/181, BCB-2022-189, BCB-2022-194/195, BCB-2022-198/199, BCB-2022-202/203, BCB-2022-206, BCB-2022-207/208, BCB-2022-211, BCB-2022-212/213, BCB-2022-214/215, BCB-2022-216, BCB-2022-220/221, BCB-2022-224/225, BCB-2022-228, BCB-2022-229, BCB-2022-235/236, BCB-2022-241, BCB-2022-246/247, BCB-2022-250, BCB-2022-251, BCB-2022-255/256, BCB-2022-261/262 and allow the Board chair to sign on behalf of the Board. It was seconded by Ms. Cleland. Motioned carried.

## **EXECUTIVE SESSION**

Ms. Cleland made a motion to enter 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. Porter, aye; Ms. High, aye; Ms. Cleland, aye; Mr. Grimsman, aye; and Ms. Rucker, aye. Motion carried.

Mr. Grimsman made a motion to leave executive session. It was seconded by Ms. High. Motion carried. No decisions were made in executive session.

## **APPLICATIONS**

Ms. Cleland made a motion to extend the apprenticeship for applicant CAPR-281475 to be completed no later than twenty-five weeks from July 1, 2022. It was seconded by Mr. Grimsman. Motion carried.

## **LAWS AND RULES**

Mr. Absec presented a legislative update. He informed the Board that the following bills passed the 2022 Legislative Session: House Bill 762 provides a licensure exemption for natural hair braiding; Senate Bill 1354 allows individuals to enroll in barber and cosmetology schools at age 16.5 if they have completed a minimum of two years of high school; House Bill 612 allows expungement of continuing education or late renewal disciplinary action older than 7 seven years, upon request of the licensee; Senate Bill 1368 prevents boards from denying licensure to applicants

based on vague terms such as good moral character or moral turpitude and requires that criminal offenses must be deemed relevant to the profession; Idaho Code § 67-9410 allows an applicant to present details of prior criminal convictions for Board consideration prior to submitting an application for licensure; and House Bill 629 establishes the Office of Administrative Hearings.

### **DIVISION UPDATES**

Mr. Absec informed the Board that the Division is scheduled to move into its permanent location on June 15<sup>th</sup>. In-person meetings will resume in August.

### **FINANCIAL REPORT**

Mr. Absec gave the financial report, which indicated that the Board had a cash balance of \$491,450.47 as of March 23, 2022.

### **APPROVAL OF MINUTES**

Mr. Grimsman made a motion to approve the minutes of April 11, 2022. It was seconded by Ms. Cleland. Motion carried.

**NEXT MEETING** was scheduled for August 8, 2022 at 8:30 AM MDT.

### **ADJOURNMENT**

Ms. D. Thompson adjourned the meeting at 11:06 AM MDT.