

These minutes have been approved by the Board as of 5.1.2023

MINUTES OF THE MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
April 3, 2023

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 Chair, Pamela Rowland, at 10:31 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, Lower-Level Morrill Room (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 03.21.2023.

The following members were present and answered roll call:

Members Present (9):

Matt Bavougian, Member
Jane Nims, Member (in room)
Marie Nordboe, Member (in room)
Pamela Rowland, Chair
Harold "Buddy" Sims, Secretary
Joann Williams, Member (in room)
Kyoung Bonn, Member (in room)
Ruth Lucas, Member
Brandy Phillips, Member

Members Absent (3):

Bridget Anderson, Member
Shannon Bingham, Vice-Chair
Leslie Reed, Member

Others Present:

Matt Gelvin, Program Manager, Licensure Unit (in room)
Carrie Oldehoeft, Health Licensing Board Coordinator, Licensure Unit (in room)
Anna Harrison, Compliance Monitor, Licensure Unit (on call)
TJ O'Neill, Assistant Attorney General (in room)
Mindy Lester, Assistant Attorney General (in room)
Danielle Sund, DHHS Attorney (Webex)
Public (on phone call)

A quorum was present, and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Sims moved, seconded Nordboe, to adopt the agenda. A voice vote was taken. Voting aye: , Bavougian, , Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (9). Voting nay: None (0). Absent: Anderson, Bingham, Reed (3). Vacant positions (1). Motion carried.

3. APPROVAL OF MINUTES:

MOTION: Bavougian moved, seconded Sims, to approve the minutes from 03.06.2023. A voice vote was taken. Voting aye: Bavougian, Williams, Nims, Nordboe, Rowland, Sims, Bonn, (7). Voting nay: None (0). Absent: Anderson, Bingham, Reed (3). Abstain: Lucas, Phillips (2) Vacant positions (1). Motion carried.

10:37 am Anderson entered room

4. **Updates and Follow-up**

a. 2023 Legislation

No updates currently

- LB 16 Occupational reform and changes to preliminary conviction review
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=49705
- LB 189 Exempt natural hair styling
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50093
- LB 561 Cosmetology licensure compact
https://nebraskalegislature.gov/bills/view_bill.php?DocumentID=50571

10:40 am Reed entered room

b. Body Art-board deferred to May meeting

c. NIC

- Virtual Event April 29
MOTION: Nordboe moved, seconded by Anderson, to have Sims be delegate for the virtual event. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.
- Fall Conference is October 27-30 in Albuquerque, NM. Sims, Nordboe and Rowland would like to attend. This was deferred to May.

d. Statistics: Examinations, Licensing, Disciplinary/Non-Disciplinary Information, and Renewals (report attached to agenda)

5. **Public Comment**

No comments

6. **INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION**

MOTION: Anderson moved, seconded by Bavougian, to enter closed session at 11:21am pm for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

11:29 am Meyerson-investigations entered room

12:07 pm Oldehoeft exited room

12:13 pm Oldehoeft entered room

12:56 pm Board break

12:56 pm Meyerson exited room

1:14 pm Board returned to closed session

1:40 pm Williams exited room

1:43 pm Williams entered room

1:47 pm Lester exited room
1:53 pm Lester entered room

1:57 pm Verbal agreement from all board members to enter open session.

7. **Open Session:** Application Review and Recommendations (Initial Licensure, Reinstatement, Convictions, Administrative Penalties, and Mail Ballot Report Outs)

Armachi Tattoo Company-Body Art Facility

MOTION: Nordboe moved, seconded by Anderson, to recommend deferring to next meeting for more information. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Makenna West- Permanent Color Technician

MOTION: Anderson moved, seconded by Nordboe, to recommend issuing the license with no terms or conditions. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Abstain: Williams (1). Vacant positions (1). Motion carried.

Madeline Chmura – Cosmetologist

MOTION: Anderson moved, seconded by Reed, to recommend issuance with a 3-year probation, abstain from alcohol and controlled substances, Random body fluid screens, Report prescribed medications, Follow recommendations of assessment and any future recommendations, Quarterly employer reports, and Standard terms and conditions of probation. Basis for recommendation: Conviction history, and diagnosis. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Kelli Schledewitz – Cosmetologist-Reinstatement

MOTION: Sims moved, seconded by Bavougian, to recommend reinstatement of the license with 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 after expiration for 2 years. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Ericka Gilbert – Cosmetologist-Reinstatement

MOTION: Sims moved, seconded by Bavougian, to recommend reinstatement of the license with 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 after expiration for 416 days. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Stephanye Coward – Cosmetologist Reinstatement

MOTION: Sims moved, seconded by Anderson, to recommend deferring to next meeting for more information. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Christopher Murrah- Tattoo Artist

MOTION: Bavougian moved, seconded by Bingham, to recommend issuance of the license with a 1-year probation, no solo practice, employer quarterly reports and 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, Bavougian, Reed, Williams, Nims, Nordboe, Rowland, Sims, Bonn, Phillips, Lucas (11). Voting nay: None (0). Absent: Bingham (1). Vacant positions (1). Motion carried.

Andrew Waltermeyer-Tattoo Artist

MOTION: Nordboe moved, seconded by Anderson, to recommend issuance of the license with a license limitation of no solo practice (which is defined as no practice without having an onsite supervision by another licensee of the same profession. 10-year probation, quarterly employer reports and parole reports, compliance with terms of parole. Based on conviction history. A voice vote was taken. Voting aye: Anderson, Bavougian, Reed, Williams, Nims, Nordboe, Bonn, Phillips, Lucas (9). Voting nay: Rowland, Sims (2). Absent: Bingham (1). Vacant positions (1). Motion carried.

8. ADJOURNMENT

Rowland announced the next meeting is scheduled for May 1, 2023, and declared the meeting adjourned at 2:10p.m.

Submitted,

Buddy Sims, Secretary

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

Summarized by the Licensure Unit