

BOARD FOR BARBERS AND COSMETOLOGY

DRAFT MINUTES OF MEETING

The Board for Barbers and Cosmetology met on Monday, January 10, 2022, at the Offices of the Department of Professional and Occupational Regulation, 9960 Mayland Drive, 2nd Floor, Board Room 4, Richmond, Virginia. The following board members were present for all or part of the meeting:

Emmanuel Gayot
Renee' H. Gilanshah
Margaret B. LaPierre
Bo Machayo
Alfred O. Mayes
Lonnie Quesenberry
Matthew D. Roberts

The following board members were not present:

Gilda Acosta
Oanh 'Tina' Dang
Sandra Smith

DPOR staff present for all or part of the meeting included:

Mary Broz-Vaughan, Agency Director
Tom Payne, Deputy Director
Eric Olson, Executive Director
Marjorie King, Board Administrator
Amy Goobic, Executive Assistant

Representative from the Office of the Attorney General was present for all or part of the meeting by telephone:

Elizabeth Peay, Assistant Attorney General

Eric Olson, Executive Director Board for Contractors, informed the Board that Steve Kirschner, Executive Director, and Tamika Rodriguez, Board Administrator, were not able to attend the meeting. Mr. Olson stated that he would be filling in along with Marjorie King, Board Administrator, Board for Contractors.

Call to Order

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:12 a.m.

The Board took the Tentative Agenda under consideration. Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to adopt the agenda. The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Approval of Agenda

The Board took the following meeting minutes under consideration:

- 11.8.2021 Board for Barbers & Cosmetology Meeting
- 11.8.2021 Board for Barbers & Cosmetology Standing Committee
- 9.21.2021 Board for Barbers & Cosmetology Exam Review Committee

Approval of Minutes

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to approve the minutes as amended.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Olson introduced and welcomed new Board Member, Emmanuel Gayot.

Welcome New Board Member

Mr. Olson called the Board's attention to an email exchange in the agenda packet between the Executive Director Steve Kirschner and Stephani Rafeedie relating to her desire for a stand alone eyebrow sub-license. As noted in Mr. Kirschner's response, a stand alone eyebrow license would have to be created by the General Assembly since it would need to be in the Code of Virginia.

Communications

Mr. Roberts asked if there was public comment. There was none.

Public Comment

Mr. Roberts suggested the Board review agenda items 6,7,10,12, 10, and 15 consecutively, as Mr. Quesenberry was the presiding Board member and/or provided technical review for these cases. Mr. Quesenberry was recused for the review, discussion, and vote on these cases.

CASES

In the matter of **File Number 2016-03145, Le Quyen Hoai Nguyen**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Le Quyen Hoai Nguyen was present to address the Board with her daughter serving as interpreter.

File Number 2016-03145, Le Quyen Hoai Nguyen

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Le Quyen Hoai Nguyen violated the following sections of its Regulations: 18 VAC 41-280-A.3 (Count 1 – three violations) and 18 VAC 41-20-280.6 (Count 2).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the

discussion or vote.

Concerning Counts 1 and 2, upon a motion by Ms. Gilanshah and seconded by Mr. Mayes, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$1000.00 for each violation contained in Count 1, for a total of \$3000.00; \$2,250.00 for the violation contained in Count 2; for a total monetary penalty of \$5,250.00.

The Board also imposes the following sanction: Revocation of Le Quyen Hoai Nguyen's license for violation of Counts 1 and 2.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

In the matter of **File Number 2016-03222, Thuong Thi Le**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Thuong Thi Le did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03222, Thuong Thi Le

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Thuong Thi Le violated the following section of its Regulations: 18 VAC 41-20-280.A.3 (Count 1).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

Concerning Count 1, upon a motion by Ms. Gilanshah and seconded by Mr. Mayes, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$2,500.00 for the violation contained in Count 1, for a total monetary penalty of \$2,500.00.

The Board also imposes the following sanction: Revocation of Thuong Thi Le's license for violation of Count 1.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

In the matter of **File Number 2020-00031, Tina Annette Richardson**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Tina Annette Richardson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number
20200031, Tina
Annette
Richardson

Concerning Counts 1 and 2, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tina Annette Richardson violated the following section of its Regulation: 18 VAC 41-70-280.3 (Count 1) and 18 VAC 41-70-280.11 (Count 2).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$500.00 for the violation contained in Count 1; and \$100.00 for the violation contained in Count 2; for a total monetary penalty of \$600.00.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

Mr. Olson informed the Board that there was a correction to the Summary of the Informal Fact-Finding Conference, regulation cited on page 7 should be 41-20-280.4, incorrectly cited as 410-20-280.4.

File Number 2020-
01860, Hue Vu

In the matter of **File Number 2020-01860, Hue Vu**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Hue Vu was present to address the Board with her husband serving as interpreter.

Concerning Counts 1, 2 and 3, upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Hue Vu violated the following: 18 VAC 41-20-280.4 (Count 1), 18 VAC 41-20-280.4 (Count 2), and 18 VAC 41-80-280.4 (Count 3).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes.

The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$1,400.00 for the violation contained in Count 1; \$500.00 for the violation contained in Count 2; and \$500.00 for the violation contained in Count 3; for a total monetary penalty of \$2,400.00.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

In the matter of **File Number 2021-01851, Epsilon Consulting t/a Elite Beauty Institute**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. No representative for Epsilon Consulting appeared at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01851, Epsilon Consulting t/a Elite Beauty Institute

Concerning Counts 1, and 2, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Epsilon Consulting violated the following: 18 VAC 41-20-280.4 (Count 1), and 18 VAC 41-20-280.4 (Count 2).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The motion passed unanimously. As the presiding Board Member, Mr. Quesenberry was not present for the discussion or vote.

Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$500.00 for the violation contained in Count 1; and \$1,150.00 for the violation contained in Count 2; for a total monetary penalty of \$1,650.00.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, and Mr. Roberts. There were no negative votes. The

motion passed unanimously. Mr. Quesenberry was not present for the discussion or vote.

Mr. Quesenberry returned to the meeting.

Recused Board Member Returned

In the matter of **File Number 2016-03287, Tuyet Thi Pham**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Tuyet Thi Phan did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03287, Tuyet Thi Phan

Concerning Count 1, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tuyet Thi Phan violated the following: 18 VAC 41-20-280.A.3 (Count 1 – two violations).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$2,250.00 for each violation contained in Count 1; for a total monetary penalty of \$4,500.00.

The Board also imposes the following sanction: Revocation of Tuyet Thi Phan's license for violation of Count 1.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03370, Hoang Phung Bui**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Hoang Phung Bui did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03370, Hoang Phung Bui

Concerning Count 1, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Tuyet Thi Phan violated the following: 18 VAC 41-20-280.A.3 (Count 1 – two violations).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$2,250.00 for each violation contained in Count 1; for a total monetary penalty

of \$4,500.00.

The Board also imposes the following sanction: Revocation of Hoang Phung Bui's license for violation of Count 1.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-01070, Northern Virginia Laser and Esthetics Training, LLC t/a NOVA Laser and Esthetics Training**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. No representative for NOVA Laser and Esthetics Training appeared at the meeting in person, by counsel or by any other qualified representative.

File Number 2020-01070, Northern Virginia Laser and Esthetics Training, LLC t/a NOVA Laser and Esthetics Training

Concerning Counts 1 and 2, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that NOVA Laser and Esthetics Training violated the following: 18 VAC 41-20-280.4 (Count 1); 18 VAC 41.70.280.4 (Count 2); 18 VAC 41.70.280.15 (Count 3); and 18 VAC 41-20-280.4 (Count 4).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s):

\$300.00 for the violation contained in Count 1; no monetary penalty for the violation contained in Count 2; \$300.00 for the violation contained in Count 3; no monetary penalty for the violation contained in Count 4; for a total monetary penalty of \$600.00.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2020-00693, Northern Virginia Laser and Esthetics Training, LLC t/a NOVA Laser and Esthetics Training**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. No representative for NOVA Laser and Esthetics Training appeared at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-00693, Northern Virginia Laser and Esthetics Training, LLC t/a NOVA Laser and Esthetics Training

Concerning Counts 1 and 2, upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that NOVA Laser and Esthetics Training violated the following: 18 VAC 41-20-280.4 (Count 1) and 18 VAC 41-20-280.4 (Count 2).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. LaPierre and seconded by Mr. Quesenberry, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$300.00 for the violation contained in Count 1; and \$300.00 for the violation contained in Count 2; for a total monetary penalty of \$600.00.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2016-03245. Loan Dang Thi Tran**, the Board reviewed the record, which consisted of the Summary of the Informal Fact-Finding Conference, investigative file, Report of Findings, transcript and exhibits. Loan Dang Thi Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2016-03245. Loan Dang Thi Tran

Concerning Count 1, upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board adopted the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Loan Dang Thi Tran violated the following: 18 VAC 41-20-280.A.3 (Count 1 – three violations).

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommended sanctions contained in the Summary of the Informal Fact-Finding Conference and to impose the following sanction(s): \$2,500.00 for each violation contained in Count 1; for a total monetary penalty of \$7,500.00.

The Board also imposes the following sanction: Revocation of Loan Dang Thi Tran's license for violation of Count 1.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-00274, Dashalia Dearra Burks**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Dashalia Dearra Burks did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-00274, Dashalia Dearra Burks

Upon a motion by Mr. Quesenberry and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Dashalia Dearra Burks nail technician license.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-00795, Tiffani Leigh Parks**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffani Leigh Parks did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-00795, Tiffani Leigh Parks

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tiffani Leigh Parks' cosmetologist license.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01013, Linh M. Tran**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Linh M. Tran did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01013, Linh M. Tran

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Linh M. Tran's nail technician license application.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01349, Marnie Jean Peck**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Marnie Jean Peck did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01349, Marnie Jean Peck

Upon a motion by Ms. Gilanshah and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Marnie Jean Peck's cosmetologist license by reinstatement.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01503, Kayla Lachaelle French**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kayla Lachaelle French did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01503, Kayla Lachaelle French

Upon a motion by Mr. Quesenberry and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Kayla Lachaelle French's cosmetologist license.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01663, Nicole Marie Williams-Walker**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Nicole Marie Williams-Walker did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01663, Nicole Marie Williams-Walker

Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Nicole Marie Williams-Walker's cosmetologist license by endorsement.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01665, Christopher Lee Williams**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding

File Number 2021-01665, Christopher Lee Williams

Conference. Christopher Lee Williams did not appear at the meeting in person, by counsel or by any other qualified representative.

Upon a motion by Mr. Quesenberry and seconded by Ms. LaPierre, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christopher Lee Williams' master barber license by reinstatement.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01766, Christine Nicole Curtis**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Christine Nicole Curtis did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-01766, Christine Nicole Curtis

Upon a motion by Ms. LaPierre and seconded by Mr. Machayo, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Christine Nicole Curtis' cosmetologist license.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-01871, Kieu Thi Lam**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Kieu Thi Lam was present to address the Board through an interpreter.

File Number 2021-01871, Kieu Thi Lam

Upon a motion by Mr. Quesenberry and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Kieu Thi Lam's nail technician license application.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Quesenberry, and Mr. Roberts. The members voting 'no' were Mr. Machayo and Mr. Mayes. The motion passed.

In the matter of **File Number 2021-02034, Timothy Lamont Wilson**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Timothy Lamont Wilson did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-02034, Timothy Lamont Wilson

Upon a motion by Ms. LaPierre and seconded by Mr. Mayes, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Timothy Lamont Wilson's barber license by exam.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

In the matter of **File Number 2021-02035, James Wilson Hamlette, Jr.**, the Board reviewed the record, which consisted of the application files, transcript, exhibits, and the Summary of the Informal Fact-Finding Conference. Tiffani Leigh Parks did not appear at the meeting in person, by counsel or by any other qualified representative.

File Number 2021-02035, James Wilson Hamlette, Jr.

Upon a motion by Ms. LaPierre and seconded by Ms. Gilanshah, the Board voted to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Tiffani Leigh Parks master barber.

The members voting 'yes' were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Mr. Olson informed the Board that the Exam statistics and report on examinations would be deferred to the next Board meeting.

Exam Statistics & Report on Examinations

Mr. Olson provided the report on Standing Committee Activities from Mr. Kirschner. The committee continues to look at whether to implement a stackable credential model into the barber, cosmetology, nail tech, wax tech, and esthetics training programs. The committee has paused in order for staff to conduct research regarding how the stackable credential model would impact accredited schools, as well as see if programmatic changes are made legislatively during this year's General Assembly session. Staff will report on these items at the next Standing Committee meeting, immediately following the March Board meeting.

**Report on Standing
Committee
Activities**

Mr. Olson provided the regulatory report from Mr. Kirschner. He informed the Board that there are three actions underway:

Regulatory Report

- The Tattooing and Body Piercing General Review is at the Final Stage and at the Secretary's Office. It is not expected to be approved under the current administration so there will likely be a several month delay in these actions advancing.
- Instructor training program changes will be discussed under a separate agenda item. The Board must vote on proposed regulations today.
- The third pending action is a fast track change relating to schools accepting transfer students. This will publish in the Register of Regulations on 1/17/22, and will take effect on March 7th, barring objections from public or Governor.

In addition, information was provided regarding expanding the criminal history matrix to alleviate unnecessary delays in application approvals. Staff have begun to look at whether it is possible to expand the criminal history matrix to screen out more circumstances where applicants are always approved by the Board. Staff are specifically looking at whether applicants with certain prior disciplinary actions should be eligible to screen out of licensing IFFs. Mr. Olson provided an example that DPOR occasionally sees out-of-state applicants with minor violations, such as a sanitation violation from 10 years ago that resulted in a "speeding ticket type small fine", or failure to pay child support, where the Board always approves if that is the only issue involved. A recommendation will be provided at the March Board meeting.

Mr. Olson stated that the proposed Instructor Regulations has been through the Notice of Intended Regulatory Action (NOIRA) regulatory phase and is now before the Board to approve the proposed language. The draft language has been reviewed by the Standing Committee on Training, and accomplishes the following:

**Proposed Instructor
Regulations
Approval**

- Simplifies the instructor training requirement by ensuring that the instructor certificate applies to all underlying practitioner licenses for both esthetics and barber/cosmetology regulations.
- Creates an instructor curriculum in the Barbers and Cosmetology Regulations, and makes a small change to the organization of the esthetics instructor curriculum so that both esthetics and barber/cosmetology instructor programs are identical.

- Fixes language related to DOLI apprenticeship cards.

Discussion was held on including an experience requirement for instructors, as the current regulations do not include an experience requirement to obtain an instructor license.

Board members discussed adding a possible one or two year experience requirement to the instructor regulations. In addition, Board members discussed what other states may require, and what public schools require.

Mr. Machayo moved to adopt the proposed instructor regulations as presented. The motion died without a second.

Ms. Broz-Vaughan reminded the Board that what is before them is “proposed,” and that changes can be made at a future stage of the regulatory process. Additionally, the Administration will look at the “least burdensome” avenue for licensure, meeting the minimum competency requirement, while protecting the public. Mr. Olson stated that the proposed regulations must be adopted by the Board to meet the regulatory timeline.

Upon a motion by Mr. Machayo and seconded by Mr. Quesenberry, the Board voted to approve the proposed instructor regulations as presented.

The members voting ‘yes’ were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Discussion was held on the petition for rulemaking requested on October 29, 2021 by Christine Werne, President and Owner of the Chrysm Institute. The petition was to amend 18VAC41-70-270.C.4 to allow an esthetics facility to make use of bathroom space that is not exclusive to its clients, as long as the bathroom is geographically close to the facility and the facility takes responsibility for the sanitation and safety requirements of the bathroom. As required by the Code of Virginia, the petition was published on the Virginia Townhall website for comments. The comment period ended on December 22, and no comments were received.

**Petition for
Rulemaking –
Esthetics Bathroom
Requirement**

Upon a motion by Mr. Machayo and seconded by Mr. Mayes, to reject the petition and open the topic as regulatory review at the next Board meeting, as the petition only includes esthetics facilities. Further discussion under regulatory review would include all disciplines.

The members voting ‘yes’ were Mr. Gayot, Ms. Gilanshah, Ms. LaPierre, Mr. Machayo, Mr. Mayes, Mr. Quesenberry, and Mr. Roberts. There were no negative votes. The motion passed unanimously.

Board for Barbers and Cosmetology
Minutes of Meeting
January 10, 2022

Board members were provided financial statements for informational purposes.

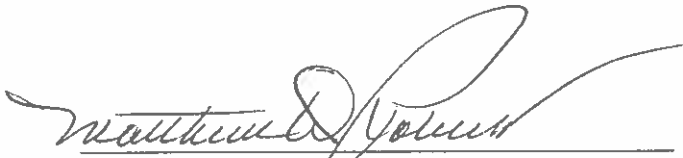
**Financial
Statements**

Mr. Machayo stated that he thought the language barrier between applicants/licenses and Board members and staff should be discussed further.


NEW BUSINESS

The meeting was adjourned at 11:18 a.m.

Adjourn



Matthew D. Roberts, Board Chair



~~Mary Broz-Vaughan, Board Secretary~~
Demetrios J. Melis

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Matthew Roberts
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting January 10, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Matthew Roberts
Signature

1-10-22
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Emmanuel Gayot
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: Board Meeting January 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

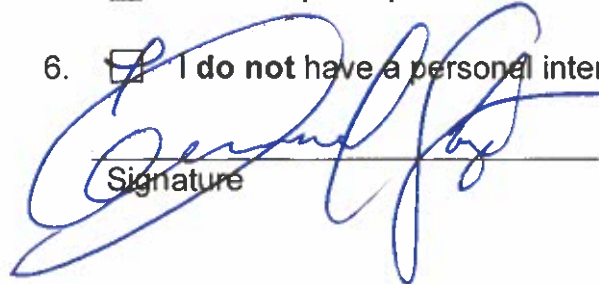
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

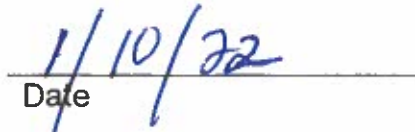
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Alfred Mayes
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting January 10, 2022
- 5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

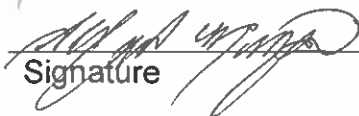
I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

- 6. I **do not** have a personal interest in any transactions taken at this meeting.



Signature

1/10/22

Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Renee' Gilanshah
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: Board Meeting January 10, 2022
5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:


I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature


Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Margaret LaPierre
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting January 10, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Margaret LaPierre
Signature

1/10/2022
Date

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

- 1. Name: Lonnie Quesenberry
- 2. Title: Board Member
- 3. Agency: Board for Barbers and Cosmetology
- 4. Meeting/IFF Date: Board Meeting January 10, 2022

5. I have a personal interest in the following transaction:

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

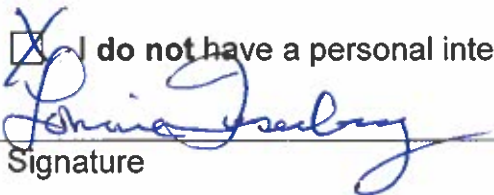
I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.

Signature



Date

1-10-22

**STATE AND LOCAL GOVERNMENT
CONFLICT OF INTERESTS ACT**

**TRANSACTIONAL DISCLOSURE STATEMENT
for Officers and Employees of State Government**

1. Name: Bo Machayo
2. Title: Board Member
3. Agency: Board for Barbers and Cosmetology
4. Meeting/IFF Date: Board Meeting January 10, 2022
5. I have a personal interest in the following transaction:

N/A

Nature of Personal Interest Affected by Transaction:

I declare that I am a member of the following business, profession, occupation or group, the members of which are affected by the transaction:

I am able to participate in this transaction fairly, objectively, and in the public interest.

or

I did not participate in the transaction.

6. I do not have a personal interest in any transactions taken at this meeting.


Signature

01/10/2022
Date