

# BOARD FOR BARBERS AND COSMETOLOGY

## MINUTES OF MEETING

The Board for Barbers and Cosmetology met at 9:00 a.m. on Monday, January 29, 2024, at the Department of Professional and Occupational Regulation Offices, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 2, Richmond, Virginia.

The following board members were present:

Matthew D. Roberts  
Margaret B. LaPierre  
Oanh "Tina" Pham Kim Dang  
Marques Blackmon  
Emmanuel Gayot  
Claudia Espinoza

The following board members were not present:

Bo Machayo  
Sandra G. Smith  
Kailey Blakeney  
Gregory Edwards

The following board liaison was present for the meeting:

Jemmalyn Hewlett

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

Kishore Thota, Director  
Brian Wolford, Chief Deputy Director  
Stephen Kirschner, Deputy Director, Licensing & Regulatory Programs  
Kelley Smith, Executive Director  
Tamika Rodriguez, Regulatory Operations Administrator  
Wendy Duncan, Licensing Operations Administrator  
Heather Garnett, Administrative Coordinator

A representative from the Office of the Attorney General was present for the meeting.

Mr. Roberts, Chair, determined a quorum was present and called the meeting to order at 9:15 a.m.

**CALL TO ORDER**

Mr. Roberts read the Department of Professional & Occupational Regulations mission and stated Board meeting reminders.

Ms. Smith, Executive Director, explained the emergency egress procedure for board room 2.

**EMERGENCY  
EGRESS**

Ms. Smith introduced Board liaison, Ms. Hewlett.

**BOARD  
DEPARTMENT OF  
OCCUPATIONAL  
REGULATION  
OVERVIEW**

Ms. Hewlett addressed the Board and explained the functions of the BPOR Board.

The Board took the agenda under consideration.

**APPROVAL OF  
AGENDA**

Ms. LaPierre motioned to approve the agenda, second by Mr. Blackmon.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

The Board took the minutes of the Board meeting on December 7, 2023, under consideration.

**APPROVAL OF  
MINUTES**

Ms. LaPierre motioned to approve the minutes, second by Mr. Blackmon.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

Mr. Roberts directed the Board to the communication from OSHA concerning Health Hazards in Nail Salons document located in the electronic agenda and presented as a handout.

**COMMUNICATIONS**

The Board did not have any questions or discussion.

Plus Davis addressed the Board with an inquiry of a merge between barber and cosmetology licenses and concerns of unlicensed individuals.

**PUBLIC  
COMMENT**

Matt England addressed the Board concerning an error response from staff within the esthetics and master esthetic performance treatments. Additional esthetics training topics should not be taught from an individual that is not licensed.

**CASES**

Mr. Roberts addressed the audience, if any individual was present to speak upon agenda item Consent Orders. With no one present to speak Ms. LaPierre moved to adopt the Consent Order agenda items 1,2, and 3 as a block. Mr. Blackmon seconded the motion, which was unanimously approved by Board members, Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza.

**Consent Orders  
Considered as a  
Block**

In the matter of File Number **2023-02816, Joshua Cohn**, Board members reviewed the Consent Order as seen and agreed to by Joshua Cohn.

**File Number 2023-  
02816, Joshua Cohn**

Joshua Cohn did not address the Board.

Upon a motion by Ms. LaPierre motioned to adopt the Consent Order and to accept the violations, second by Mr. Blackmon which cites:

Count 1:	18 VAC 41-50-420.A.4	\$1,400.00
Count 2:	18 VAC 41-50-380.D	\$200.00
Sub-total		\$1,600.00
Board Costs		\$150.00
Total		\$1,750.00

In addition, for violation of Counts 1 and 2, Turquoise Panther Tattoo LLC agrees to one (1) year of probation of its license as of the effective date of the Order. During this one (1) year probation, Turquoise Panther LLC agrees to the biannual inspection of its premises and records.

If Turquoise Panther Tattoo LLC violates any terms of this probation, its license may be revoked, pending review by the Board.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of File Number **File Number 2024-00744, Turquoise Panther LLC, t/a Turquoise Panther Tattoo**, Board members reviewed the Consent Order as seen and agreed to by Joshua Cohn, responsible manager for Turquoise Panther LLC.

**File Number 2024-  
00744, Turquoise  
Panther LLC, t/a  
Turquoise Panther  
Tattoo**

A representative of Turquoise Panther LLC did not address the Board.

Ms. LaPierre motioned to adopt the Consent Order and to accept the violations, second by Mr. Blackmon which cites:

Count 1:	18 VAC 41-50-390.Q	\$2,000.00
Count 2:	18 VAC 41-50-390.R	\$2,500.00
Count 3:	18 VAC 41-50-410.F	\$450.00
Count 4:	18 VAC 41-50-390.C	\$500.00
Count 5:	18 VAC 41-50-390.K	\$500.00
Sub-total		\$5,950.00
Board Costs		\$150.00
Total		\$6,100.00

For violation of Counts 1 and 2, Turquoise Panther LLC agrees to a one (1) year probation of its license as of the effective date of the Order. During this one (1) year probation, Turquoise Panther LLC agrees to the biannual inspection of its premises and records.

If Turquoise Panther LLC violates any terms of this probation, its license may be revoked, pending review by the Board.

It is acknowledged that Turquoise Panther LLC provided proof to Investigative staff after the July 26, 2023, inspection that it was in possession of the required records. Therefore, \$100.00 of the monetary penalty for Count 3 is hereby waived.

It is further acknowledged that Turquoise Panther LLC, after the July 26, 2023, inspection, did obtain a blood spill clean-up kit. Therefore, \$150.00 of the monetary penalty for Count 4 is hereby waived.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of File Number 2023-02809, K Nail Spa LLC, t/a Phoenix Nail Spa, Board members reviewed the Consent Order as seen and agreed to by Annie Thuy Bui, responsible manager for K Nail Spa LLC, t/a Phoenix Nail Spa.

File Number 2023-02809, K Nail Spa LLC, t/a Phoenix Nail Spa

A representative from K Nail Spa LLC did not address the Board.

Ms. LaPierre motioned to adopt the Consent Order and to accept the violations, second by Mr. Blackmon which cites:

Count 1:	18 VAC 41-20- 270.B.8.c	\$150.00
Sub-total		\$150.00
Board Costs		\$150.00
Total		\$300.00

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

**Prima Facia**

In the matter of File Number **2024-00073, Kevin Weisert LLC dba Wise Art Tattoos**, the Board members reviewed the Prima Facia record.

**File Number 2024-00073, Kevin Weisert LLC dba Wise Art Tattoos**

A representative from Kevin Weisert LLC did not address the Board.

Ms. LaPierre motioned to adopt the Report of Findings which contains the facts regarding the regulatory and/or statutory issues in this matter, and found substantial evidence that Kevin Weisert LLC violated the following sections of its Regulations and imposes the listed monetary penalties, second by Mr. Blackmon:

Count 1:	18 VAC 41-50- 420.A.6	\$1,000.00
Count 2:	18 VAC 41-50- 420.A.4	\$250.00
Total		\$1,250.00

In addition, for violation of Count 2, the Board imposes license revocation.

The members voting “yes” were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

**Licensing**

In the matter of File Number **2023-03025, Linda Deguzman**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

**File Number 2023-03025, Linda Deguzman**

Linda Deguzman, counsel, nor any other qualified representative addressed the Board.

Mr. LaPierre motioned accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Linda Deguzman's nail technician license, second by Mr. Blackmon.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of, File Number **2024-00205, Mike Do**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

**File Number 2024-00205, Mike Do**

Mike Do, counsel, nor any other qualified representative addressed the Board.

Ms. LaPierre motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Mike Do's application for nail technician, second by Mr. Blackmon.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of, File Number **2024-00606, Donicia Ryland**, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

**File Number 2024-00606, Donicia Ryland**

Donicia Ryland, counsel, nor any other qualified representative addressed the Board.

Ms. LaPierre motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Donicia Ryland's application for cosmetology license, second by Ms. Espinoza.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of, File Number 2024-00758, Omar Alsamraay, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00758, Omar Alsamraay

Omar Alsamraay, counsel, nor any other qualified representative addressed the Board.

Ms. LaPierre motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and approve Omar Alsamraay's application for barber license, second by Mr. Blackmon.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

In the matter of, File Number 2024-00755, Mina Jafari, Board members reviewed the record of the Informal Fact-Finding Conference, which consisted of the Informal Fact-Finding Conference, transcript, investigative file, Report of Findings, and exhibits.

File Number 2024-00755, Mina Jafari

Mina Jafari addressed the Board.

Ms. LaPierre motioned to accept the recommendation in the Summary of the Informal Fact-Finding Conference and deny Mina Jafari's application for cosmetology instructor, second by Ms. Espinoza.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

## REPORTS

Ms. Duncan presented the examination statistics that were provided in the electronic agenda and presented as a handout.

Examination Statistics

The Board did not have any questions or discussion.

Ms. Smith presented the regulatory report that were provided in the electronic agenda and presented as a handout.

Regulatory Report

The Board did not have any questions or discussion.

**NEW BUSINESS**

Ms. Smith requested the Board consider approving remote examination proctoring for all written theory examinations.

**Exam Remote Proctoring**

Upon Board consensus, the Board would like PSI to provide a demonstration at a future Board meeting.

Ms. Rodriguez presented the Board with the Regulatory Review Committee's changes to the cosmetology apprenticeship hours. The hours correspond with the proposed reduction in cosmetology school training hours and performances.

**Cosmetology Apprenticeship Standards**

Mr. Blackmon motioned to accept the changes to the cosmetology apprenticeship hours and performances, second by Mr. Gayot.

The members voting "yes" were Mr. Roberts, Ms. LaPierre, Ms. Dang, Mr. Blackmon, Mr. Gayot, and Ms. Espinoza. There were no negative votes. The motion carries.

Mr. Roberts brought to the Board attention that the Child Labor Law §40.1-100 does not allow licensed individuals under the age of 18 to work in salons.

**Code of Virginia- Chapter 5. Child Labor**

The Board discussed this limitation and upon consensus Board Staff will research additional information.

Mr. Roberts called a 10-minute recess.

**Recess**

Mr. Roberts invited Board members to participate in the Regulatory and Legislative Training.

**Regulatory and Legislative Training**

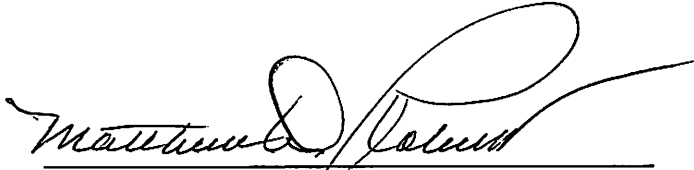
Mr. Roberts reminded the Board of the next scheduled Board meeting and SOEI filing is due January 31, 2024.

**Next Board Meeting and Reminders**

There being no further business to be brought before the Board, Mr. Roberts adjourned the meeting at 11:12 a.m.

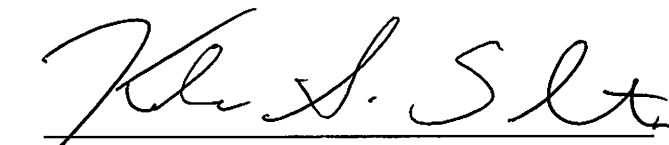
**Adjourn**





---

Matthew Roberts, Board Chair



---

Kishore S. Thota, Board Secretary

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name Marques Blackmon  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

No; I **do not** have a personal interest in any transactions taken at this meeting.

Yes - If yes, please answer the following questions.

A.

(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

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

I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

January 29, 2024  
Date

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

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

1. Name Claudia Espinoza  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

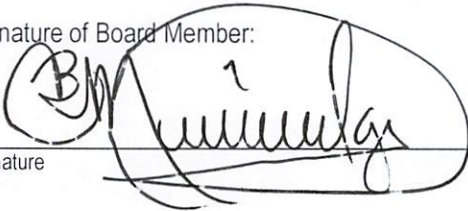
A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

- D.  I am able to participate in this transaction fairly, objectively, and in the public interest.      or
- I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

January 29, 2024  
Date

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

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

1. Name Tina Dang  
(Name of Board Member)
2. Title: Board Member
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

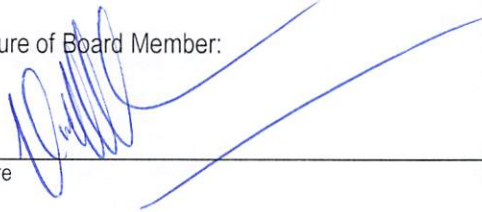
B. Nature of Personal Interest Affected by Transaction:

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

- D.  I am able to participate in this transaction fairly, objectively, and in the public interest.      or
- I did not participate in the transaction.

6. Signature of Board Member:

Signature



January 29, 2024  
Date

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

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

1. Name Margaret LaPierre  
(Name of Board Member)
2. Title: Board Vice Chair
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

- D.  I am able to participate in this transaction fairly, objectively, and in the public interest.      or
- I did not participate in the transaction.

6. Signature of Board Member:

*M B LaPierre*  
Signature

January 29, 2024  
Date

STATE AND LOCAL GOVERNMENT  
CONFLICT OF INTERESTS ACT

TRANSACTIONAL DISCLOSURE STATEMENT  
for Officers and Employees of State Government

1. Name Matthew Roberts  
(Name of Board Member)
2. Title: Board Chair
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

- D.  I am able to participate in this transaction fairly, objectively, and in the public interest.      or
- I did not participate in the transaction.

6. Signature of Board Member:

  
\_\_\_\_\_  
Signature

January 29, 2024  
Date

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

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

1. Name Jemmalyn Hewlett  
(Name of Board Member)
2. Title: Board Liaison
3. Agency: DPOR/Board for Barbers and Cosmetology  
(Name of Board)
4. Meeting/IFF Date: 01/29/2024

5. Do you have a personal interest in the following transaction?

- No; I **do not** have a personal interest in any transactions taken at this meeting.
- Yes - If yes, please answer the following questions.

A. \_\_\_\_\_  
(Agenda Item)

B. Nature of Personal Interest Affected by Transaction:

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

\_\_\_\_\_

- D.  I am able to participate in this transaction fairly, objectively, and in the public interest.      or
- I did not participate in the transaction.

6. Signature of Board Member:

  
Signature

January 29, 2024  
Date