

Board Meeting Minutes April 12, 2021

The Kansas Board of Cosmetology held a videoconference and teleconference Board meeting on Monday, April 12, 2021, at 9:30 a.m. The Board Secretary recorded the minutes.

Board Members Present:

David Yocum, Chair
Nichole Hines, Vice Chair
Ashley Rangel, Member
Christine Burgardt, Member
Dave Tucker, Member
Kelly Robbins, Member
Mary Blubaugh, Member

Staff Present:

Laura Gloeckner, Executive Director
Aubrie Pryer, Assistant Director
Michaela Kesler, Licensing Director
Alexis Henderson, Compliance Director
Angela Stockdale, Board Secretary

Board Legal Counsel Present:

Fran Oleen, General Counsel
Sarah Shipman, General Counsel

Public Comment

No public comment.

Call to Order / Approval of Agenda (Additions/Deletions/Changes)

David Yocum, Board Chair, called the meeting to Order at 9:37am

Laura Gloeckner, Executive Director, requested additions to the agenda: Employee of the Quarter Awards and Legal Counsel Changes.

Motion and second to approve the agenda with additions made by Burgardt and Hines, respectively. Motion passed by roll call vote.

Approval of Minutes

Motion to approve minutes for March 08, 2021 made by Burgardt and Blubaugh, respectively. Motion passed by roll call vote.

Legal Counsel Changes

Ms. Gloeckner informed the Board that Fran Oleen, General Counsel, has accepted a new position at the Attorney General's Office and will no longer be providing Counsel to the Board. General Counsel will now be provided by Sarah Shipman, Deputy Attorney General.

Executive Session

Mary Blubaugh, Board Member, made the following motion, “In order to protect a matter protected by the attorney-client privilege pursuant to K.S.A. 75-4319(b)(2), I move that the Board recess into executive session for consultation with our legal counsel, Fran Oleen, Assistant Attorney General and Sarah Shipman, Deputy Attorney General, to seek legal advice on Executive Order 21-09. In addition, I move that Laura Gloeckner, Executive Director, Angela Stockdale Board Secretary, and Aubrie Pryer, Assistant Director, Michaela Ewing, Licensing Director, and Alexis Henderson, Compliance Director, who are part of the client circle, be present in the executive session to aid the Board in their discussions. The Board will reconvene the open meeting at 10:00 a.m. via video conference and telephone conference call.” The motion was seconded by Ashley Rangel, Board Member, and passed by roll call vote.

Call to Order

Mr. Yocum called the meeting back to order at 10:03 a.m.

Extension of Executive Session

Christine Burgardt, Board Member, made a motion to extend the Executive Session until 10:20 a.m. The motion was seconded by Dave Tucker, Board Member, and passed by roll call vote.

Call to Order

Mr. Yocum called the meeting back to order at 10:20 a.m.

Executive Order 21-09

Mr. Yocum read a proposed KBOC order setting a cut-off date for extension of licensure and fees for May 28, 2021. The Board discussed the order and the item was tabled for further discussion at the May 10, 2021 meeting.

Temporary Distance Education Approval Cut-Off

Ms. Gloeckner informed the Board that the previous approval to extend temporary practical distance learning expires April 30, 2021.

Motion and second to extend the cut-off date to May 28, 2021 made by Burgardt and Mancuso, respectively. Motion passed by roll call vote.

Consent Based Social Security Number Verification (CBSV)

Ms. Gloeckner presented an alternative method of verifying Social Security numbers for new applicants to the Board. The Board discussed the advantages and additional costs of utilizing the new service.

Motion and second to approve the use of the new process and associated fees made by Burgardt and Tucker, respectively. Motion passed by roll call vote.

Exam Regulation 69-15-7

Ms. Gloeckner provided the Board with the requested draft to allow the use of a Written Practical Exam for Body Art Professions.

Motion and second to approve draft as written made by Tucker and Rangel, respectively. Motion passed by roll call vote.

Felony Policy

Ms. Gloeckner requested the Boards approval for the technical corrections updated in the Felony Policy 001-12.

Mr. Tucker requested additional discussion regarding the disclosure of person and non-person felonies as required by the Board. The Board discussed possible options for felony disclosure to further reduce burdens on licensees, staff, and the Disciplinary Panel.

Motion and second to approve the technical corrections made to the Felony Policy 001-12 made by Burgardt and Blubaugh, respectively. Motion passed by roll call vote.

Cosmetology Temporary Permit Policy

Ms. Gloeckner requested the Boards approval of the Cosmetology Temporary Permit Policy 003-21.

Motion and second to approve the Cosmetology Temporary Permit Policy 003-21 made by Burgardt and Mancuso, respectively. Motion passed by roll call vote.

Misleading Names Policy

Ms. Gloeckner presented advice from Counsel that the Board does not have the authority to dictate business names used for licensure. Ms. Gloeckner requested the Board's approval to add a misleading names disclosure to facility applications in lieu of a policy restricting misleading business names.

Motion and second to approve the use of the disclosure made by Burgardt and Tucker, respectively. Motion passed by roll call vote.

License Card Wording

Mr. Gloeckner requested the Board's approval to add additional language to apprentice license cards clearly stating that the license is only valid at the listed school.

Nichole Hines, Vice Chair, requested additional discussion regarding the facility license card language clearly stating that the license is only valid at the address listed. The following language was suggested by Fran Oleen, Legal Counsel: This license is only valid for the exact location listed above, to include suite, apartment, etc.

Motion and second made by Burgardt and Mancuso, respectively to approve additional language, "This license is only valid for the exact location listed above, to include suite, apartment, etc." on both apprentice and facility license cards.

BOHA 2021 Service Agreement

Ms. Gloeckner provided an overview of the 2021 Service Agreement with BOHA. The Board reviewed the agreement and discussed possible changes.

Mr. Yocum requested the item be tabled until a further review of the agreement can be conducted by the following members: Laura Gloeckner, Executive Director David Yocum, Board Chair; Mary Blubaugh, Board Member; Sarah Shipman, Legal Counsel; Fran Oleen, Legal Counsel.

Employee of the Quarter Awards

Ms. Gloeckner announced that the Employee of the Quarter awards were presented to Angela Stockdale for Q4 2020, and Kathy Moore for Q1 2021. The Board congratulated the winners and thanked them for their service and dedication.

Director's Report

Ms. Gloeckner provided the Board with an overview of pending legislation, agenda items, and assignments currently in progress at the Board office.

Ergometrics Reports: February 2021

For Informational Purposes Only.

KBOC Cash Balance Reports: March 2021

For Informational Purposes Only.

Adjournment

Motion and second to adjourn the meeting at 12:15 p.m. made by Blubaugh and Rangel, respectively. Motion passed by roll call vote.