

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**BUREAU OF COMMERCIAL SERVICES - LICENSING DIVISION**  
2501 Woodlake Circle, Okemos, Michigan 48864-5955

**BOARD OF COSMETOLOGY**

**BOARD MEETING MINUTES**

May 5, 2008

In accordance with the Open Meetings Act, 1976 PA 267, as amended, the Board of Cosmetology met in Regular session on May 5, 2008, at the Department of Labor & Economic Growth, Bureau of Commercial Services, 2501 Woodlake Circle, Conference Room 1, Okemos, Michigan. The business meeting was called to order by Chairperson, Cheryl Hadsall at 10:09 a.m.

**ROLL CALL**

Present:	Kristina Atkins	-Public Member
	Andrea Blankinship	-Professional Member
	Cheryl Hadsall	-Professional Member
	Theodore Lakkides	-Public Member
	Gail Livingston-Scott	-Professional Member
	Edith Marshall	-Professional Member
	Lydia Price-Griffin	-Professional Member
	Douglas Weaver	-Professional Member
Absent:	John Jordan	-Public Member
Staff:	Sarah Rock	-Assistant Licensing Administrator
	Jean Boven	-Licensing Division Director
	Sharon Murphy	-Recording Secretary
	Marijane Arredondo	-Enforcement Division
	Paige Colley	-Testing & Education Services
	Amy Shell	-Policy Specialist
	Ann Paruk	-Enforcement Division
	Jim Nelson	-Compliance/Legal/FOIA Unit
	Steve Gobbo	-Compliance/Legal/FOIA Manager
Visitors:	Brenda Brennan	-MCSA President
	Jennifer Brimm	-Petitioner
	Pauline Drace	-Virginia Farrell Beauty School
	Michael Drace	-Virginia Farrell Beauty School
	Steve Japinga	-The Farhat Group/MCSA
	Susan Kolar	-David Pressley
	Don Florinchi	-Chic University/Portage
	Leticia Hamid	-Petitioner

Jennifer Johnston	-Petitioner
Jerry Pickell	-Jelene Skin Care Group
Kim Schneider	-Oakland Schools
Angela Sharp	-Sharps Academy
Kathy Smith	-Petitioner
Kathryn Spiller	-MJ Murphy Beauty College
Nancy Thiel	-Petitioner
Carol Walker	-Petitioner
Ursula Walker	-David Pressley
Patricia Watkins	-Woverine State Cos Assoc/Detroit Public Schools
Kimberly Watling	-Personal Palette Inc
Amie Yokom	-Petitioner

### **AMENDMENTS TO AGENDA**

Item 4b, two parts: b. Cosmetology GMC Denial, and b(i). Out-of-State Cosmetology Denial  
Item 7d. Inspection of Cosmetology Shops Conducting Apprenticeship Programs

### **APPROVAL OF PREVIOUS MINUTES HELD FEBRUARY 11, 2008**

MOTION: Ms. Marshall moved to approve the minutes of February 11, 2008. Ms. Livingston-Scott seconded the motion, which carried unanimously.

### **PETITIONS**

#### **Jennifer Brimm, Out-of-State Cosmetologist Denial**

On September 27, 2007, Ms. Brimm applied for out-of-state cosmetologist licensure. The department denied the application on March 3, 2008, for failure to meet the minimum training and examination requirements for licensure in Michigan as Ms. Brimm is licensed in Florida which requires 1200 hours of training and a theory examination. A petition for review was received on April 1, 2008, stating she obtained 300 hours of additional training in Michigan, and has at least eighteen months of licensed work experience in licensed establishments in Florida, neither of which could be verified at the time of denial. However, the department did determine that Ms. Brimm completed 100 hours of additional cosmetology training in Michigan at Port Huron Cosmetology College. Ms. Brimm was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Ms. Marshall moved to uphold the denial issued by the department based upon Ms. Brimm's inability to demonstrate equivalent training and examination requirements for licensure in Michigan. Ms. Blankinship seconded the motion, which carried unanimously. The department concurred.

**Leticia Hamid, Cosmetologist GMC Denial**

On October 16, 2007, Ms. Hamid applied for out-of-state cosmetologist licensure. The department denied the application on February 19, 2008, for lack of good moral character. A petition for review was received on March 14, 2008. Ms. Hamid was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Ms. Atkins moved to accept Ms. Hamid's petition to overturn the denial issued by the department based upon her demonstration of rehabilitation and her propensity to serve the public in a fair, honest, and open manner. Ms. Livingston-Scott seconded the motion, which carried unanimously. The department concurred.

**Leticia Hamid, Out-of-State Cosmetologist Denial**

On October 16, 2007, Ms. Hamid applied for out-of-state cosmetologist licensure. The department denied the application on April 2, 2008, as Ms. Hamid has not taken a substantially equivalent practical cosmetology examination as required in the State of Michigan. A petition for review was received on April 24, 2008 requesting the board and department waive the practical examination and grant a reciprocal license based upon her 20 years of licensed practical experience in Florida. Ms. Hamid was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Ms. Blankinship moved to uphold the denial issued by the department based upon Ms. Hamid's failure to meet the examination requirement in Michigan since the examination passed in Florida did not include a practical examination, and her work experience in Florida had ceased from 1993 through 2007. Mr. Weaver seconded the motion, which carried unanimously. The department concurred.

**Jennifer Johnston, Out-of-State Manicurist Denial**

On February 15, 2008, Ms. Johnston applied for out-of-state manicurist licensure. The department denied the application on February 25, 2008, as Ms. Johnston is not licensed in Canada as a manicurist (not a regulated profession) and has not taken a substantially equivalent manicurist examination. A petition for review was received on March 20, 2008, with extensive documentation substantiating her training and experience in the practice of manicuring/pedicuring. Ms. Johnston was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Mr. Weaver moved to accept Ms. Johnston's training in Canada as substantially equivalent and allow her to take the theory and practical manicurist examinations in Michigan. Upon successful completion of the Michigan theory and practical state board examinations, a manicurist license will be issued. Ms. Marshall seconded the motion, which carried unanimously. The department concurred.

**Jennifer Johnston, Out-of-State Esthetician Denial**

On February 15, 2008, Ms. Johnston applied for out-of-state esthetician licensure. The department denied the application on February 25, 2008, as Ms. Johnston is not licensed in Canada as an esthetician (not a regulated profession) and has not taken a substantially equivalent esthetician examination. A petition for review was received on March 20, 2008, with extensive documentation substantiating her training and experience in the practice of esthetics. Ms. Johnston was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Mr. Weaver moved to accept Ms. Johnston's training in Canada as substantially equivalent and allow her to take theory and practical esthetician examinations in Michigan. Upon successful completion of the Michigan theory and practical state board examinations, an esthetician license will be issued. Ms. Marshall seconded the motion, which carried unanimously. The department concurred.

**Kathy Smith, Out-of-State Cosmetologist Denial**

On April 6, 2007, Ms. Smith applied for out-of-state cosmetologist licensure. The department denied the application on January 17, 2008, as Ms. Smith has not taken a substantially equivalent cosmetology examination as required in the State of Michigan. Ms. Smith has attempted the practical examination in Michigan twice but has not passed, and her Wisconsin cosmetology license expired June 30, 2007. A petition for review was received from Ms. Smith requesting the board and department grant a reciprocal license based upon her 5 years of licensed experience in Wisconsin. Ms. Smith was present at the meeting today and addressed the board. The board reviewed the petition, supporting documents, and heard the petitioner's statements.

MOTION: Mr. Lakkides moved to uphold the denial issued by the department based upon Ms. Smith's failure to meet the minimum examination requirement for licensure in Michigan, noting that the Wisconsin examination does not cover manicures, pedicures, facials and hair removal. Ms. Blankinship seconded the motion, which carried unanimously. The department concurred.

**Nancy Thiel, 27-01-069516, Cosmetologist Relicensure Denial**

On February 25, 2008, Ms. Thiel applied for cosmetologist relicensure. The department denied the application on March 13, 2008, as Ms. Thiel's license had lapsed since August 31, 2004, and she has not taken the state board examination as required when a license has been lapsed for more than three years. A petition for review was received on March 7, 2008, requesting a waiver of the state board examination requirement based upon her continued competency in the profession. Ms. Thiel was present at the meeting today and addressed the board. The board reviewed the petitioner's letter, supporting documentation which indicated she had continued her competency within the profession through employment within the profession while unlicensed, and heard the petitioner's statements.

MOTION: Mr. Weaver moved to accept Ms. Thiel's petition to overturn the denial issued by the department and grant relicensure of her cosmetologist license based upon Ms.

Thiel's demonstration of continued competency in the profession. Ms. Marshall seconded the motion, which carried unanimously. The department concurred.

**Amie Yokom, 27-01-164977, Cosmetology Instructor License Denial**

On March 12, 2008, Ms. Yokom applied for cosmetology instructor licensure. The department denied the application on April 16, 2008, as Ms. Yokom has not documented three years of practical experience while licensed as a cosmetologist working in a licensed cosmetology establishment. A petition for review was received on April 14, 2008, requesting the board grant an instructor license based upon her 7 years of licensed work experience in the profession. Ms. Yokom was present at the meeting today and addressed the board. The board reviewed the petitioner's letter and heard petitioner's statements.

MOTION: Ms. Marshall moved to accept Ms. Yokom's petition to overturn the denial issued by the department and grant her a cosmetology instructor license based upon her demonstration of equivalent work experience obtained. Ms. Price-Griffin seconded the motion, which carried unanimously. The department concurred.

**STIPULATIONS**

MOTION: A motion was made by Ms. Atkins, seconded by Ms. Livingston-Scott, and carried unanimously to accept the following stipulations:

**The Beauty Loft, Carlotta Turner, Heaven White, 27-06-123520, C#308087**

The board reviewed the Stipulation in the matter of The Beauty Loft, Detroit, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$500.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**DC Nails LLC, 27-06-123153, Complaint No. 307281**

The board reviewed the Stipulation in the matter of DC Nails LLC, Warren, Michigan, for failure to ensure that the establishment had covered waste containers that were large enough to contain one day's accumulation of waste materials; and failure to ensure that soiled towels were stored in a covered container until laundered.

In accordance with the Stipulation, the respondent consents to pay a fine of \$500.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Loan Thi Dang, 27-03-083914, Complaint No. 307767**

The board reviewed the Stipulation in the matter of Loan Thi Dang, Lansing, Michigan, for practicing cosmetology outside of a licensed cosmetology establishment.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Dragonfly Salon, Rolando Martinez Garcia, 27-06-122512, Complaint No. 306824**

The board reviewed the Stipulation in the matter of Dragonfly Salon, Detroit, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$1,000.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Enjoy Nails, Nancy Thai Nguyen, 27-06-122019, C#305240**

The board reviewed the Stipulation in the matter of Enjoy Nails, Northville, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Hair Design Studio, Elizabeth Marie Cook, 27-06-121278, C#308150**

The board reviewed the Stipulation in the matter of Hair Design Studio, Litchfield, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$200.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**The Hair Hut, Birdsall LLC, 27-06-123051, Complaint No. 306400**

The board reviewed the Stipulation in the matter of The Hair Hut, Garden City, Michigan, for failure to display the licenses of the establishment and of an individual working in the establishment in a prominent place visible to the public; failure to keep the establishment clean, safe and sanitary at all times; failure to ensure that soiled towels were stored in a covered container until laundered; failure to ensure that implements were completely immersed in a wet sanitizer as required; violating a rule of conduct in practicing an occupation; and violating a provision or rule for which a penalty is not otherwise prescribed.

In accordance with the Stipulation, the respondent consents to pay a fine of \$2,000.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order within sixty (60) days from the date of mailing of the

Final Order shall result in a suspension of all licenses or the denial of future license applications until compliance occurs. Failure to comply with the Final Order within six months from the date of mailing of the final order shall result in revocation of all licenses and denial of future applications for licensure until compliance occurs.

**Howell College of Cosmetology Inc., 27-07-000475, Complaint No. 307021**

The board reviewed the Stipulation in the matter of Howell College of Cosmetology Inc, Howell, Michigan, for failure to notify the department of the closing of the school; failure to furnish the department with a copy of the school's enrolled student records of examinations, credit hours and minimum practical applications; and violating a rule of conduct in practicing an occupation.

In accordance with the Stipulation, the respondent agrees to immediate revocation of cosmetology school licensure. Failure to comply with the Final Order within sixty (60) days from the date of mailing of the Final Order shall result in continued revocation of licensure and denial of future license applications until compliance occurs.

**Jessica Jordan Inc., 27-06-123581, Complaint No. 308014**

The board reviewed the Stipulation in the matter of Jessica Jordan Inc, Memphis, Michigan, for using an unlicensed person to perform cosmetology services; and failure to display the license of the establishment in a prominent place visible to the public.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**LPC Nails Grand Haven, Van Pham, 27-06-123082, Complaint No. 307483**

The board reviewed the Stipulation in the matter of LPC Nails, Grand Haven, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Katherine J. Leventis, 27-01-124553, Complaint No. 308039**

The board reviewed the Stipulation in the matter of Katherine J. Leventis, Plymouth, Michigan, for providing services that required a cosmetology license without posting a current, unexpired, valid license in the establishment.

In accordance with the Stipulation, the respondent consents to pay a fine of \$300.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Heather Ann Lupina, 27-01-148392, C#3079902**

The board reviewed the Stipulation in the matter of Heather Ann Lupina, Kalamazoo, Michigan, for providing services that required a cosmetology license without posting a current, unexpired, valid license in the establishment.

In accordance with the Stipulation, the respondent consents to pay a fine of \$100.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Miami Nails, Trung Le, 27-06-123628, Complaint No. 30785**

The board reviewed the Stipulation in the matter of Miami Nails, Detroit, Michigan, using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$300.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Montage Salon & Spa LLC, 27-06-123475, Complaint No. 308013**

The board reviewed the Stipulation in the matter of Montage Salon & Spa LLC, Richmond, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$200.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**OP Nails, Tommy Nguyen, 27-06-123190, Complaint No. 307938**

The board reviewed the Stipulation in the matter of OP Nails, Battle Creek, Michigan, for failure to display licenses of individuals working in the establishment in a prominent place visible to the public.

In accordance with the Stipulation, the respondent consents to pay a fine of \$500.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Salon Vibrant, Shades Inc., 27-06-122785, Complaint No. 307083**

The board reviewed the Stipulation in the matter of Salon Vibrant, West Bloomfield, Michigan, for failure to ensure that clean towels and linens were stored in closed cabinets or drawers; failure to ensure that soiled towels were stored in a covered container until laundered; and violating a rule of conduct in practicing an occupation.

In accordance with the Stipulation, the respondent consents to pay a fine of \$500.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order within sixty (60) days from the date of mailing of the Final Order shall result in a suspension of all licenses or the denial of future license applications until compliance occurs. Failure to comply with the Final Order within six months from the date of mailing of the final order shall result in revocation of all licenses and denial of future applications for licensure until compliance occurs.

**Spa Nails – Wax, Anh Van Ho, 27-06-123189, Complaint No. 308147**

The board reviewed the Stipulation in the matter of Spa Nails – Wax, Highland Park, Michigan, for failure to ensure that creams and other semisolid substances were covered when not in use.

In accordance with the Stipulation, the respondent consents to pay a fine of \$300.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Thanh Thi Thai, 27-03-083414, Complaint No. 307768**

The board reviewed the Stipulation in the matter of Thanh Thi Thai, Lansing, Michigan, for practicing cosmetology outside of a licensed cosmetology establishment.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Universal Images, Linda Johnson, Timothy Johnson, 27-06-123439 C#307991**

The board reviewed the Stipulation in the matter of Universal Images, Kalamazoo, Michigan, for using an unlicensed person to perform cosmetology services.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Vanity Salon LLC, 27-06-123549, Complaint No. 308038**

The board reviewed the Stipulation in the matter of Vanity Salon LLC, Plymouth, Michigan, for failure to display the licenses of individuals working in the establishment in a prominent place visible to the public.

In accordance with the Stipulation, the respondent consents to pay a fine of \$500.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Keena W. White, 27-01-156760, Complaint No. 306466**

The board reviewed the Stipulation in the matter of Keena W. White, Gross Ile, Michigan, for violating a rule of conduct in practicing an occupation

In accordance with the Stipulation, the respondent consents to pay a fine of \$300.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**Zena Nail, Thanhlien Thi Nguyen, 27-06-123324, Complaint No. 307855**

The board reviewed the Stipulation in the matter of Zena Nail, Byron Center, Michigan, for failure to ensure that, after sanitization, the equipment, tools, implements and supplies were put in a dry sanitizer, closed cabinet, drawer or covered container.

In accordance with the Stipulation, the respondent consents to pay a fine of \$250.00 to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order shall result in the denial of future license applications and the suspension of all licenses until compliance occurs.

**HEARING REPORTS**

MOTION: Ms. Marshall moved to receive the following Hearing Reports. Ms. Livingston-Scott seconded the motion, which carried unanimously.

The following actions were taken on the Hearing Reports presented to the Board:

**Blondies Hair & Tanning, 27-06-121516, C#304093, Docket No. 2007-1110**

The board reviewed the Hearing Report in the matter of Blondies Hair & Tanning, Kalamazoo, Michigan, for failure to inform department of change of ownership within 30 calendar days of such change; failure to ensure there were covered waste containers large enough to contain one day's accumulation of waste material; failure to ensure all creams and other semisolid substances were removed from containers with clean sanitary spatulas and covered when not in use; failure to ensure clean towels and linens were stored in a closed cabinet or drawer; failure to ensure soiled towels were stored in a covered container until laundered; failure to ensure that, after sanitization, the equipment, tools, implements, and supplies were put in a dry sanitizer, closed cabinet, drawer, or covered container; and violating a rule of conduct in practicing an occupation.

MOTION: A motion was made by Ms. Marshall and seconded by Ms. Price-Griffin to impose a fine in the amount of \$6,000.00 to be paid to the department within 60 days from the date of mailing of the final order, and immediate revocation of licensure. Failure to comply with the Final Order shall result in the denial of future license applications and continued revocation of all licenses or registrations until compliance occurs.

**Blondies Hair & Tanning, 27-06-122736, C#306911, Docket No. 2007-1406**

The board reviewed the Hearing Report in the matter of Blondies Hair & Tanning, Kalamazoo, Michigan, for violating a rule of conduct in practicing an occupation.

MOTION: A motion was made by Ms. Marshall and seconded by Ms. Price-Griffin to impose a fine in the amount of \$10,000.00 to be paid to the department, which shall be due sixty (60) days from the date of mailing of the Final Order. Failure to comply with the Final Order within sixty (60) days from the date of mailing of the Final Order shall result in a suspension of all licenses or the denial of future license applications until compliance occurs. Failure to comply with the Final Order within ninety (90) days from the date of mailing of the final order shall result in revocation of all licenses and denial of future applications for licensure until compliance occurs.

**Sinbad's Hair Studios, 27-06-110054, C#305997, Docket No. 2007-1647**

The board reviewed the Hearing Report in the matter of Sinbad's Hair Studios, Rochester, Michigan, for failure to properly display the licenses of the establishment and individuals working in the establishment in a prominent place visible to the public; failure to have an adequate supply of running hot and cold water; failure to ensure floors, walls, and ceilings were maintained in good condition; failure to keep establishment clean, safe and sanitary at all times; failure to keep shampoo bowls clean and sanitary at all times; failure to keep combs and brushes clean and sanitary at all times; failure to ensure all creams and other semisolid substances were removed from containers with clean sanitary spatulas and covered when not in use; failure to ensure that after sanitization, the equipment, tools, implements, and supplies were put in a dry sanitizer, closed cabinet, drawer or covered container; violating a rule of conduct in practicing an occupation; and violating a provision or rule which a penalty is not otherwise prescribed.

MOTION: A motion was made by Mr. Weaver and seconded by Ms. Blankinship to impose a fine in the amount of \$5,000.00 to be paid to the department, which shall be due sixty (60) days from the date of mailing of the Final Order and immediate revocation of licensure. Failure to comply with the Final Order shall result in the denial of future license applications and continued revocation of all licenses or registrations until compliance occurs.

**Top Line Nails, 27-06-116619, C#307267, Docket No. 2007-1472**

The board reviewed the Hearing Report in the matter of Top Line Nails, Warren, Michigan, for failure to ensure there were covered waste containers large enough to contain one day's accumulation of waste material; failure to keep establishment clean, safe and sanitary at all times; failure to ensure all creams and other semisolid substances were removed from containers with clean sanitary spatulas and covered when not in use; the use or possession of a blade in the practice of manicuring or pedicuring; and violating a rule of conduct in practicing an occupation.

MOTION: A motion was made by Ms. Blankinship and seconded by Ms. Livingsgton-Scott to impose a fine in the amount of \$4,000.00 due to the severity of the violations and in accordance with the board's recommended sanctions for such violations, to be paid to the department within 60 days from the date of mailing of the final order. Failure to comply with the Final Order shall result in the denial of future license applications and

suspension of all licenses or registrations until compliance occurs.

### **ITEMS FOR CONSIDERATION FROM BOARD MEMBERS/STAFF**

Testing Services – Ms. Colley stated there have been no recent changes to the examinations, and she discussed examination statistics results over the past 12 months for all categories of cosmetology. She is continuing to watch the cosmetology instructor statistics, as the results are still low. Ms. Colley stated she is open to suggestions for improving the instructor pass rate statistics.

Legislative Update – Ms. Shell provided copies of the chart which tracks pending legislation, stating there were no changes since the last meeting.

Ms. Hadsall stated the cosmetology association met with state representatives to discuss drafting language to mandate photo license identifications and require continuing education for the cosmetology profession.

Ms. Marshall asked that, once a bill is presented, the department not oppose or make opinion contrary to what the association and representatives propose. Ms. Shell stated the department should be apprised with details of language as it is developed, as the department will ultimately be asked to report how the proposed bill will impact the department administratively if it were to pass. Ms. Marshall asked that Ms. Shell, Mr. Martin or Ms. Benedict attend the next legislative meeting on behalf of the department.

Electronic Board Meetings – Ms. Shell discussed with board members the possibility of providing future board materials electronically, either by disk or email file. Ms. Boven stated some of the boards are already using the electronic system with projector and disks. Ms. Hadsall stated she prefers to receive hard copies in the mail of petitioners for ease in reviewing prior to the meeting, and she was concerned with the amount of time it will take to review electronic material on the day of the meeting. Jean stated we would try a partial electronic board package for the meeting in September, with the petitions provided on paper and the stipulations/hearing reports provided on disk.

Inspection of Cosmetology Shops Conducting Apprenticeship Programs – Ms. Marshall expressed her concerns regarding shops conducting apprenticeship programs and the increasing number of complaints for violations cited. She stated the curriculum used in an apprenticeship program in a licensed shop is the same curriculum used in a licensed school under the supervision of a licensed instructor with specialized instructor training. Ms. Marshall noted the schools are inspected twice annually, whereas the shops are only inspected when first opened or when a complaint is received. She proposed that school inspections be reduced to one annually and the department begin inspecting cosmetology shops where apprenticeships are conducted on a regular basis due to public safety issues. Ms. Boven stated she will refer Ms. Marshall's request to Mr. Metcalf for his review, and she will report the results at the next meeting.

## **PUBLIC COMMENT**

Kimberly Watling, Personal Palette Inc., addressed the board regarding her business which provides color analysis and image consulting courses and services, and whether her business requires a license to operate. Ms. Rock advised her to file a cosmetology establishment license application and an out-of-state individual cosmetologist application for further review.

Brenda Brennan, President of the Michigan Cosmetology Schools Association, stated she is in support of regular inspections of licensed cosmetology establishments, especially those conducting apprenticeship programs due to the potential harm to the public.

Jerry Pickell of Jelene Skin Care Group addressed the board regarding his concerns with licensed cosmetologists providing advanced skin care services without adequate training, as the cosmetology curriculum includes only 115 training hours dedicated to the practices of skin care services, and the esthetician curriculum requires a minimum of 400 hours of training. He also stated he has been teaching advanced skin care procedures to licensed individuals for many years and believes he should be allowed to take the instructor examination based upon his extensive work experience. Ms. Hadsall advised him to put his requests and statements in writing to the department for their review.

## **NEXT MEETING DATE**

The next regularly scheduled meeting of the Board of Cosmetology will be held on September 8, 2008, at 10:00 a.m.

## **ADJOURNMENT**

There being no further business to be brought before the board at this time, the meeting was adjourned at 12:40 p.m.

Cheryl Hadsall /s/  
Board Chairperson

9/8/2008  
Date

Sharon Murphy /s/  
Recording Secretary

9/8/2008  
Date